

# JOURNAL OF THE SENATE

Friday, May 25, 1945

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, May 24, 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:

"Move us, O God, by Thy compelling force of love, that not only in our thoughts and words, but also in our deeds, may we live our lives with Thee and seek first Thy Kingdom and righteousness. In praise and in thanksgiving may we draw strength from Thee, the Source of all goodness, and may we bear one another's burdens. Keep us from obedience to anything low or selfish or vengeful in our hearts, but in mercy and truth may we perpetuate Thy gifts of love, good will, and peace on earth. Through Thy Son we ask it. Amen."

The reading of the Journal was dispensed with.

The Journal of Thursday, May 24, 1945, was corrected as follows:

On page 36, column 1, between lines 7 and 8, insert the following:

"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."

Also—

On page 42, column 2, between lines 15 and 16, counting from bottom of column, insert the following:

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

And, as corrected, was approved.

## REPORTS OF COMMITTEES

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

S. B. No. 92—A bill to be entitled An Act to amend Sections 1, 2, 4, 5 and 14, of Chapter 20977, Laws of Florida, 1941, the same being "An Act assessing, levying and imposing an annual license tax upon every person, firm, co-partnership, joint adventure, joint stock company, association, corporation, estate, fiduciary, or any other association of persons conducting, engaging in or carrying on the business of a retailer in this state, and operating an independent store or one or more chain stores within this state: And to classify such stores for the purpose of such license taxes and of graduating the license

tax in accordance with the number of stores operated under a single ownership, management or supervision, whether operated in this state or not: And also assessing, levying, and imposing a separate and additional annual license tax based on the amount of inventory of the merchandise of such stores in this state and the merchandise warehoused for the benefit of such stores in this state, and providing the time and manner of determination of the amount of such tax and the dates of payment thereof: Defining "independent store" and "chain stores" and other words and phrases used in this Act: To provide for the administration and enforcement of this act: To provide for the creation and enforcement of a lien upon the property of persons and associations liable for the payment of such license tax: To provide penalties for the violation of this Act: To Provide for the filing of sworn reports by the person or association on which such license tax is imposed: And to repeal conflicting laws, including all parts and sections of Chapter 16848, Laws of Florida, 1935: And to appropriate the revenues derived hereunder, "so as to define "department store," assess, levy and impose an annual license tax upon each person, firm, co-partnership, joint adventure, joint stock company, association, corporation, estate, fiduciary, or any other association of persons, conducting, engaging in or carrying on the business of a retailer in this state and operating a department store as defined in this Act whether as an independent store or as one or more chain stores: To provide for the filing of sworn reports by the person or association on which such license tax is imposed: And to amend the title of said Chapter 20,977 so as to make it conform to the body of Chapter 20,977 as it is amended by this Act: And to give the effective date of this Act.

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

And Senate Bill No. 92, contained in the above report, was laid on the table.

Your Committee on Motor Vehicles, to whom was referred: Committee Substitute for House Bill No. 262:

A bill to be entitled An Act relating to proof of financial responsibility by owners and operators of motor vehicles: Prescribing the duties, powers and authority of the Director of Public Safety and the Motor Vehicle Commissioner: Providing for the suspension and revocation of licenses and motor vehicle registration and providing for other matters in connection with the financial responsibility of operators, chauffeurs and owners of motor vehicles, and providing penalties for the violation of the sections of this Act.

Have had the same under consideration, and return same without recommendation.

And Committee Substitute for House Bill No. 262, 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:

H. B. No. 743—A bill to be entitled An Act for the relief of Lloyd Williams and E. Mercer from the operation of a certain judgment entered by the Circuit Court of Jackson County, Florida, on July 15, 1933, and cancelling said judgment.

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

And House Bill No. 743, 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. 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.

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

And Senate Bill No. 665, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred:

H. B. No. 154—A bill to be entitled An Act to promote the prevention and cure of cancer; to authorize the State Board of Health to establish a standard for the organization, equipment and conduct of cancer units of departments in general hospitals or in private clinics in this State; to conduct an educational campaign for cancer control; to provide a plan for the care and treatment of indigent persons suffering from cancer; to adopt rules and regulations relative thereto; to formulate a plan for the prevention of cancer and appropriating \$50,000.00 for the purposes of this Act.

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

And House Bill No. 154, contained in the above report, was referred to the Committee on Appropriations.

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

H. B. No. 787—A bill to be entitled An Act designating and establishing a State Road in Palm Beach County, Florida, to extend from State Road Number 26 in an easterly direction, along the north bank of the Bolles Canal to the east line of Township 44 South, Range 37 East, thence to Six Mile Bend.

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

And House Bill No. 787, 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. 794—A bill to be entitled An Act to declare, designate and establish a certain State Road and give it a name.

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

And House Bill No. 794, contained in the above report, was placed on the Calendar of Bills on Second Reading.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

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

S. B. No. 148—A bill to be entitled An Act to amend Section 500.15, Florida Statutes 1941, relating to and defining misbranded drugs.

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

And Senate Bill No. 148, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Committee Substitute for Senate Bills Nos. 211 and 241:

A bill to be entitled An Act to amend Section 19 of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.63, Florida Statutes 1941, relating to the licensing of machines, contrivances and devices set in motion or made or permitted to function by the insertion of a coin or slug; and to amend Section 20 of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.21, Florida Statutes 1941, relating to licenses on games, amusement or recreational devices, contrivances or facilities not otherwise licensed by other law.

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

And Committee Substitute for Senate Bills Nos. 211 and 241 was certified to the House of Representatives.

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

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

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

And Senate Bill No. 217, contained in the above report, was certified to the House of Representatives.

#### REPORT OF ENROLLING COMMITTEE

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

H. B. No. 240—An Act to guarantee payment of all expenses of the office of the Clerk of the Circuit Court, plus a guaranteed remuneration or net compensation for the clerk of the circuit court of not less than six thousand dollars (\$6000.00) per annum, in counties of the State of Florida having a population of not less than fourteen thousand (14,000) and not more than fourteen thousand two hundred (14,200) according to the last or any future official Federal Census.

Also—

H. B. No. 356—An Act to abolish the present municipal government of the City of Key West, in the County of Monroe and State of Florida, and to establish, organize and incorporate a city government for the City of Key West, Florida, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances.

Also—

H. B. No. 376—An Act authorizing and permitting any bank, now or hereafter chartered under the Laws of the State of Florida, and engaging in the business of making loans known as "Commodity Loans," to negotiate and make said loans upon the same terms as National Banks are permitted to make them; and prescribing said terms.

Also—

H. B. No. 418—An Act amending and revising Sections 30.08, 30.09, 30.12 and 30.22, Florida Statutes 1941; and consolidating Chapter 144 of said Statutes with Chapter 30 thereof by consolidating Sections 30.15, 30.16, 144.01, 144.02 and 144.03 and revising them as Section 30.15; consolidating Sections 30.18 and 144.08 and revising them as Section 30.18; and transferring Sections 144.04, 144.05, 144.06 and 144.07 to Chapter 30 and revising and renumbering them as Sections 30.35, 30.32, 30.33 and 30.34; all of Florida Statutes 1941, and relating to sheriffs, their deputies, duties, powers and obligations.

Also—

H. B. No. 363—An Act revising and amending Chapters 731, 732, 733, 734 and 736, Florida Statutes 1941, relating to wills and the probate thereof, to descent and distribution of decedents' estates, to dower, to the administration of decedents' estates and the practice and procedure relating thereto, to proceedings to declare that no administration is necessary, to county judges and their jurisdiction in probate and administration, and to appellate procedure relating thereto.

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. 686—An Act relating to registration of electors in Orange County, Florida, dispensing with the necessity to re-register prior to January 1st, 1947.

Also—

H. B. No. 712—An Act to validate the Drainage Tax Levy assessed against the Cocoa-Rockledge Drainage District of Brevard County, Florida, for the year 1943, validating and confirming the tax roll designated as "Drainage Tax Book, Cocoa-Rockledge Drainage District Brevard County, Florida, for the year 1943", prepared for the year 1943 and filed in the office of the County Tax Collector of Brevard County, Florida, providing for the enforcement of all unpaid taxes levied against the Cocoa-Rockledge Drainage District for the year 1943; providing for the filing of claims against the Cocoa-Rockledge Drainage District and providing for the dissolution of said District.

Also—

H. B. No. 730—An Act to fix the salary to be paid to each member of the Board of County Commissioners of Okaloosa County, Florida, and repeal all Laws in conflict herewith.

Also—

H. B. No. 732—An Act cancelling all outstanding taxes in favor of the Lake Worth Drainage District in Palm Beach County, Florida, against lands owned and used by the town of Palm Beach, Florida, a municipal corporation, for incinerator and garbage and trash disposal purposes; providing that certain lands in Palm Beach County, Florida, used by the town of Palm Beach for incinerator and garbage and trash disposal purposes shall be exempt from future taxes by the Lake Worth Drainage District; and providing when this Law shall take effect.

Also—

H. B. No. 466—An Act to designate and establish a State Road in Palm Beach County, Florida.

Also—

H. B. No. 522—An Act to declare and establish a section of State Road 22.

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. 711—An Act authorizing the Board of County Commissioners of Brevard County, Florida, to transfer all unexpended balances remaining in the general fund of the County, at the end of any fiscal year, to the general road and bridge fund of said County to be used in maintaining, constructing and reconstructing the county roads and bridges of Brevard County.

Also—

H. B. No. 740—An Act fixing the monthly salary of the Members of the Board of County Commissioners of Santa Rosa County, Florida.

Also—

H. B. No. 750—An Act providing for a fixed and inclusive filing fee to be paid to the Clerk of the County Court of Broward County, Florida, as fees in all civil causes of action instituted in said County Court of Broward County, Florida.

Also—

H. B. No. 758—An Act authorizing, directing and requiring the Board of County Commissioners of Hernando County, Florida, to convert, apportion and pay over to the Board of

Public Instruction of Hernando County, Florida, to be placed in the County School Fund of said County and used for general school purposes, including bonded indebtedness, eleven thousand dollars out of the moneys received by said County under the provision of, and resulting from Chapter 14832, Laws of Florida, 1931, or any law amendatory or supplemental thereto, with reference to licensed race tracks, and repealing all laws in conflict herewith.

Also—

H. B. No. 734—An Act to amend Sections 46, 131, 132, and 137, Chapter 18494, Laws of Florida, 1937, as amended by Chapter 19,775, Laws of Florida, 1939, the same being an Act to abolish the present municipality of the City of Delray Beach in Palm Beach County, Florida, and to establish, organize and incorporate a new municipality to be known as the City of Delray Beach in Palm Beach County, Florida, in lieu thereof; to designate territory embraced within the City of Delray Beach herein created and to provide for its jurisdictions, powers and privileges.

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. 245—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.

Also—

H. B. No. 353—An Act providing that in counties of the State of Florida having a population of not less than fourteen thousand (14,000) and not more than fourteen thousand two hundred (14,200) according to the last or any future official Federal Census, the board of county commissioners in each of said counties is authorized and required to include in the annual ad valorem tax levies a special levy to raise the sum of fifteen thousand dollars per year to be used for maintenance and operation of any municipally owned or operated hospital therein.

Also—

H. B. No. 690—An Act authorizing the City of St. Petersburg, Florida, to improve, enlarge and extend its existing water and sewer facilities and issue revenue bonds therefor; providing for the payment of such bonds and prescribing the duties of the city and the rights of the bond holders; and requiring the submission of this Act to the electorate of the City of St. Petersburg for its approval or rejection, and subject to said approval providing for the effective date of this Act.

Also—

H. B. No. 691—An Act authorizing the City of St. Petersburg, Florida, to create reserve funds for depreciation of utilities and other revenue producing undertakings; authorizing the investment of such funds in obligations of the United States of America and the City of St. Petersburg; prescribing the conditions upon which such investments might be made; and requiring the submission of this Act to the electorate of the City of St. Petersburg for its approval or rejection, and subject to said approval providing for the effective date of this Act; and repealing all laws or parts of laws in conflict herewith.

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:

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

Also—

S. B. No. 304—An Act canceling certain unredeemed State and County and County tax certificates and subsequent unpaid taxes and interest, penalties, commissions and advertising costs thereon, against certain real property in Seminole County, Florida, formerly owned by the City of Sanford, Florida, and now owned by the United States of America and embraced in the Sanford Naval Air Station.

Also—

S. B. No. 375—An Act to amend Section One (1) of Chapter 22167, Laws of Florida, Acts of the Legislature 1943, entitled, "An Act relating to the Justices of the Peace and the Justice of the Peace Courts; fixing a yearly compensation for the Justices of the Peace; providing for a clerk or stenographer of the Justice of the Peace Court; providing that all fees collected shall be trust money and properly deposited in a public depository and delivered to the General Fund of the counties monthly; providing for a report to the county commission of all fees collected; providing for this Act to apply in all counties of the State having a population of two hundred sixty thousand (260,000) or more, according to the last preceding State or Federal Census, whichever may be the later; to repeal all laws in conflict herewith"; and providing that the provisions of said Act shall be applicable and relate to each county in the State of Florida having a population of two hundred sixty-seven thousand (267,000) inhabitants or more, according to the last Federal Census.

Also—

S. B. No. 448—An Act fixing the compensation of members of the boards of public instruction in all counties of the State of Florida having a population of not less than three thousand five (3,005) nor more than three thousand fifty (3,050), according to the Federal Census of 1940.

Also—

S. B. No. 459—An Act fixing the compensation of the county assessor of taxes and the county tax collector in counties having a total population of not less than 3005 and not more than 3050, according to the Federal Census of 1940.

Also—

S. B. No. 462—An Act relating to relief and pension funds, insurance of such funds, benefits of social insurance legislation for certain of the officers and employees of the City of West Palm Beach County, Florida; providing for the appropriation, levy, assessment and collection of excise and ad valorem taxes for such purposes; giving the City Commission of said City certain additional rights, powers, duties and functions; providing for a liberal interpretation of this Act; repealing certain laws in conflict herewith; and for other purposes.

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:

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

Also—

S. B. No. 178—An Act to provide for the seizure and forfeiture of all vehicles, boats and aircraft used for or in the violation of the uniform Narcotic Drug Laws of Florida, prescribing duties of officers and courts and providing for the storage, use, sale and disposition of funds and the issue of title certificate by the State of Florida. Providing certain exceptions and repealing all laws in conflict with same.

Also—

S. B. No. 261—An Act to amend Section 5 of Chapter 21757, Acts of 1943, being: "An Act to provide for exemption of dealers in gasoline or other like products of petroleum from payment of excise taxes on gas or other like products or petroleum sold to the United States of America, its departments, agencies and instrumentalities, in bulk lots for exclusive use by the United States of America, its departments, agencies and instrumentalities; providing for promulgation of rules and regulations by the Comptroller for enforcement of the Act; and providing for the construction and effect of the Act in the event of its invalidity, by providing that said Act shall remain in effect until July 1st, 1947.

Also—

Committee Substitute for S. B. No. 282—An Act amending Section 127.01, Florida Statutes 1941, relating to the exercise of the power of eminent domain by counties, and restricting the exercise of such power to lands within the boundaries of such county and restricting the exercise of such powers, so far as actions, now pending or thereafter instituted, to condemn lands for parks, playgrounds, recreational centers and other recreational purposes are concerned, to land for the taking of which there is a public necessity as determined by the court in accordance with the provisions of this Act, and providing for right of appeal with supersedeas.

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 Committee Substitute 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:

S. B. No. 475—An Act relating to the compensation of the county judge for services performed in suits or proceedings and in criminal cases before the county judge's court in all counties of the State having a population of more than 31,500 and less than 34,400 according to the last or any future official Federal Census.

Also—

S. B. No. 478—An Act relating to and providing for the appointment of a probation and parole officer in counties having a population of 260,000 or more inhabitants according to the latest Federal Census and having a Criminal Court of Record or a Court of Crimes, authorizing such officer to employ a secretary and providing for their compensation; providing for audit of books and records, and amending Chapter 19245, Acts of 1939, as amended by Chapter 20321, Acts of 1941; and repealing Section 6 of Chapter 19245, Laws of Florida, 1939.

Also—

S. B. No. 479—An Act to amend Section 1 of Chapter 17833, Laws of Florida, Acts of 1937, entitled, "An Act to empower the board of county commissioners in any county having a population of not less than 180,000 according to the last preceding State Census to regulate and restrict within territory in said counties, not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises; providing for the division of such counties into districts and within such districts to regulate and restrict the erection and construction, alteration, repair

or use of buildings; providing for method of procedure; providing for the appointment of a zoning commission and a board of adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the county commissioners of such county so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act"; by providing that said Act shall apply only to all counties having a population of two hundred and sixty thousand (260,000) or more, according to the last Federal Census.

Also—

S. B. No. 503—An Act to amend Section 5 of Chapter 9837, Laws of Florida, Acts of 1923, entitled: "An Act of the Legislature of the State of Florida, granting to the City of Miami Beach, a municipal corporation of Florida, powers in addition to those contained in this Charter; to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the regulation and use of buildings, structures and land for trade, industry, residence or other purposes; and granting powers to carry into effect such regulation and restriction."

Also—

S. B. No. 504—An Act authorizing and empowering the City of Miami Beach, Florida, to construct and erect a hospital, a library, an auditorium, and other public buildings, upon the property owned by said city located therein and known as "Miami Beach Municipal Golf Course."

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:

S. B. No. 506—An Act authorizing and empowering the Board of County Commissioners of Leon County, Florida, to make an annual appropriation not exceeding eighteen hundred (\$1,800.00) dollars in its budget each year for contribution on the part of said county toward the expenses of providing and maintaining a service officer or service office in said county to aid and serve discharged veterans who served in the military forces of the United States in the second World War and authorizing and empowering the Board of County Commissioners of said county to budget and pay during the budget year 1945-46 the sum of eighteen hundred (\$1,800.00) dollars to the City of Tallahassee for monies expended by the said City of Tallahassee in the maintenance of a service officer or service office for discharged veterans during the period of October 1, A. D. 1944, to September 30, A. D. 1945.

Also—

S. B. No. 508—An Act amending Sub-section "K" of Section 28 of Chapter 7672, Laws of Florida, Acts of 1917, entitled: "An Act to abolish the present municipal government of the Town of Miami Beach, in the County of Dade and State of Florida, and to establish, organize and incorporate a city government for the City of Miami Beach, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances."

Also—

S. B. No. 522—An Act to regulate the operation of boat motors, motor boats and motor-driven water vehicles, and relating to unnecessary noises while operating motors or motor-driven boats or water vehicles on certain creeks, streams, rivers and inlets, or any portion thereof, in Duval County, Florida; providing a penalty for the violation of any of the provisions of this Act.

Also—

S. B. No. 527—An Act to amend Section 1 of Chapter 16463,

Laws of Florida, Acts of 1933, entitled: "An Act prohibiting the owner or person having the custody and control of cattle, hogs, horses, mules, goats, sheep or other live stock from permitting the running at large of such cattle, hogs, horses, mules, goats, sheep, or other livestock within the following described boundaries in Hillsborough County, Florida, to-wit: Beginning at the Northeast corner of Hillsborough County, which is the Northeast corner of Section 1, Township 27 South, Range 22 East, and run thence south along the Hillsborough-Polk County Line to the Southeast corner of Section 36, Township 29 South, Range 22 East; thence west approximately 3,500 feet to the center line of the Alafia River (sometimes known as Howell's Creek), as shown in U. S. Department of Agriculture Bureau of Soils Map of Hillsborough County, Florida, published in 1916; thence westerly along the center line of the said Alafia River to Hillsborough Bay; thence Northwesterly along the shore line of Hillsborough Bay and Old Tampa Bay to the range line dividing ranges 16 and 17 East, which is also the west boundary of Hillsborough County; thence North to the Northwest corner of Hillsborough County; thence East along county line to the Northeast corner of Hillsborough County, which is the point of beginning, and to provide for the enforcement of this Act by the impounding and sale of such cattle, hogs, horses, mules, goats, sheep or other livestock which may be found running at large in said territory," by including in said Section 1 of said Act, all of the territory lying and being within the boundaries of Hillsborough County, Florida.

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:

S. B. No. 528—An Act expressly authorizing and empowering the City of Port Tampa, by Ordinance or Ordinances of the City Council of said Municipality, to fix, prescribe and establish the fiscal year of the City of Port Tampa to coincide with the fiscal year of Hillsborough County, Florida, commencing with the fiscal year of 1946, and each year thereafter; expressly authorizing and empowering the City of Port Tampa by ordinance or ordinances of the City Council of said municipality to determine, fix, and prescribe all the provisions for certifying to the Board of County Commissioners of Hillsborough County, the millage or millages to be levied for all purposes for each year in said municipality and all steps and actions and the times thereof, to be taken by the City of Port Tampa and its officials to completely and fully effectuate, comply with, and fulfil the purposes, intent, and effect of Sections 11 and 12 of Article VIII of the Constitution of the State of Florida providing for the consolidation of the tax assessing and collecting agencies of Hillsborough County, Florida, and said municipality, and the Act of the Legislature of 1945 effectuating and implementing said Constitutional Amendment; repealing provisions of law inconsistent herewith.

Also—

S. B. No. 529—An Act to amend Chapter 5084, Laws of Florida, Acts of 1901, being an Act entitled, "An Act to amend the City Charter of the City of Port Tampa," as amended by Chapter 20091, Laws of Florida, Acts of 1939, which amending Act is entitled, "An Act to amend Section 1, Article 2; Section 1, Article 3; Section 1, Article 5; Section 1, Article 6; and Section 1, Article 7; all of Chapter 5084, Laws of Florida, 1901, the same being an Act entitled 'An Act to amend the City Charter of the City of Port Tampa,' and providing for a referendum on said Act," by amending Sections 1, 2, 3, 4, and 5, of said Chapter 20091, Laws of Florida, Acts of 1939, relating to the terms and duties of officers of the City of Port Tampa to be elected at the General Municipal Election to be held in August, 1947.

Also—

S. B. No. 530—An Act authorizing the City of Port Tampa

to borrow, upon adoption of a resolution of the City Council certifying the need therefor, a sum not exceeding \$5000 during the year 1946; authorizing said City, through the Mayor and City Clerk, respectively, to make, issue, and deliver the promissory note or obligation of said City for payment of said loan which shall mature not later than one year after date of said obligation, and shall bear interest not exceeding six per cent.

Also—

S. B. No. 531—An Act expressly authorizing and empowering the issuance of bonds by the City of Port Tampa only after the approval of 65% of the votes cast in an election in which not less than 75% of the freeholders who are qualified electors residing in the City of Port Tampa shall participate; requiring elections to authorize the issuance of such bonds to be held in the manner prescribed by Section 103.01 to Section 103.18, inclusive, Florida Statutes 1941, with the exception of the percentage of votes required for approval of said bonds; repealing all laws in conflict herewith.

Also—

S. B. No. 532—An Act validating, ratifying, and confirming all assessments, valuations of properties and levies of taxes made by the City of Port Tampa, for the years 1943, 1944, and 1945; declaring the same valid and binding liens on the property so assessed; and authorizing the collection and enforcement thereof in the manner provided by law.

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:

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

Also—

S. B. No. 178—An Act to provide for the seizure and forfeiture of all vehicles, boats and aircraft used for or in the violation of the Uniform Narcotic Drug Laws of Florida, prescribing duties of officers and courts and providing for the storage, use, sale and disposition of funds and the issue of title certificate by the State of Florida. Providing certain exceptions and repealing all laws in conflict with same.

Also—

S. B. No. 261—An Act to amend Section 5 of Chapter 21757, Acts of 1943, being: "An Act to provide for exemption of dealers in gasoline or other like products of petroleum from payment of excise taxes on gas or other like products or petroleum sold to the United States of America, its departments, agencies and instrumentalities, in bulk lots for exclusive use by the United States of America, its departments, agencies and instrumentalities; providing for promulgation of rules and regulations by the Comptroller for enforcement of the Act; and providing for the construction and effect of the Act in the event of its invalidity, by providing that said Act shall remain in effect until July 1st, 1947.

Also—

Committee Substitute for S. B. No. 282—An Act amending Section 127.01, Florida Statutes 1941, relating to the exercise of the power of eminent domain by counties, and restricting the exercise of such power to lands within the boundaries of such county and restricting the exercise of such powers, so far as actions, now pending or hereafter instituted, to condemn lands for parks, playgrounds, recreational centers and other recreational purposes are concerned, to land for the taking of which there is a public necessity as determined by the court in accordance with the provisions of this Act, and providing for right of appeal with supersedeas.

Beg 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:

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

Also—

S. B. No. 304—An Act canceling certain unredeemed State and County and County tax certificates and subsequent unpaid taxes and interest, penalties, commissions and advertising costs thereon, against certain real property in Seminole County, Florida, formerly owned by the City of Sanford, Florida, and now owned by the United States of America and embraced in the Sanford Naval Air Station.

Also—

S. B. No. 375—An Act to amend Section One (1) of Chapter 22167, Laws of Florida, Acts of the Legislature 1943, entitled, "An Act relating to the Justices of the Peace and the Justice of the Peace Courts; fixing a yearly compensation for the Justices of the Peace; providing for a clerk or stenographer of the Justice of the Peace Court; providing that all fees collected shall be trust money and properly deposited in a public depository and delivered to the General Fund of the counties monthly; providing for a report to the county commission of all fees collected; providing for this Act to apply in all counties of the State having a population of two hundred sixty thousand (260,000) or more, according to the last preceding State or Federal Census, whichever may be the later; to repeal all laws in conflict herewith"; and providing that the provisions of said Act shall be applicable and relate to each county in the State of Florida having a population of two hundred sixty-seven thousand (267,000) inhabitants or more, according to the last Federal Census.

Also—

S. B. No. 448—An Act fixing the compensation of members of the boards of public instruction in all counties of the State of Florida having a population of not less than three thousand five (3,005) nor more than three thousand fifty (3,050), according to the Federal Census of 1940.

Also—

S. B. No. 459—An Act fixing the compensation of the county assessor of taxes and the county tax collector in counties having a total population of not less than 3005 and not more than 3050, according to the Federal Census of 1940.

Also—

S. B. No. 462—An Act relating to relief and pension funds, insurance of such funds, benefits of social insurance legislation for certain of the officers and employees of the City of West Palm Beach County, Florida; providing for the appropriation, levy, assessment and collection of excise and ad valorem taxes for such purposes; giving the City Commission of said City certain additional rights, powers, duties and functions; providing for a liberal interpretation of this Act; repealing certain laws in conflict herewith; and for other purposes.

Beg 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:

S. B. No. 475—An Act relating to the compensation of the county judge for services performed in suits or proceedings and in criminal cases before the county judge's court in all counties of the State having a population of more than 31,500 and less than 34,400 according to the last or any future official Federal Census.

Also—

S. B. No. 478—An Act relating to and providing for the appointment of a probation and parole officer in counties having a population of 260,000 or more inhabitants according to the latest Federal Census and having a criminal court of record or a court of crimes, authorizing such officer to employ a secretary and providing for their compensation; providing for audit of books and records, and amending Chapter 19245, Acts of 1939, as amended by Chapter 20321, Acts of 1941; and repealing Section 6 of Chapter 19245, Laws of Florida, 1939.

Also—

S. B. No. 479—An Act to amend Section 1 of Chapter 17833, Laws of Florida, Acts of 1937, entitled, "An Act to empower the board of county commissioners in any county having a population of not less than 180,000 according to the last preceding State Census to regulate and restrict within territory in said counties, not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises; providing for the division of such counties into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method of procedure; providing for the appointment of a zoning commission and a board of adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the county commissioners of such county so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act"; by providing that said Act shall apply only to all counties having a population of two hundred and sixty thousand (260,000) or more, according to the last Federal Census.

Also—

S. B. No. 503—An Act to amend Section 5 of Chapter 9837, Laws of Florida, Acts of 1923, entitled: "An Act of the Legislature of the State of Florida, granting to the City of Miami Beach, a municipal corporation of Florida, powers in addition to those contained in this Charter; to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the regulation and use of buildings, structures and land for trade, industry, residence or other purposes; and granting powers to carry into effect such regulation and restriction."

Also—

S. B. No. 504—An Act authorizing and empowering the City of Miami Beach, Florida, to construct and erect a hospital, a library, an auditorium, and other public buildings, upon the property owned by said city located therein and known as "Miami Beach Municipal Golf Course."

Beg 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:

S. B. No. 506—An Act authorizing and empowering the Board of County Commissioners of Leon County, Florida, to make an annual appropriation not exceeding eighteen hundred (\$1,800.00) dollars in its budget each year for contribution on the part of said county toward the expenses of providing and maintaining a service officer or service office in said county to aid and serve discharged veterans who served in the military forces of the United States in the second World War and authorizing and empowering the Board of County Commissioners of said County to budget and pay during the budget year 1945-46 the sum of eighteen hundred (\$1,800.00) dollars to the City of Tallahassee for monies expended by the said City of Tallahassee in the maintenance of a service officer or service office for discharged veterans during the period of October 1, A. D. 1944, to September 30, A. D. 1945.

Also—

S. B. No. 508—An Act amending Sub-section "K" of Section 28 of Chapter 7672, Laws of Florida, Acts of 1917, entitled: "An Act to abolish the present municipal government of the Town of Miami Beach, in the County of Dade and State of Florida, and to establish, organize and incorporate a city government for the City of Miami Beach, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances."

Also—

S. B. No. 522—An Act to regulate the operation of boat motors, motor boats and motor-driven water vehicles, and re-

lating to unnecessary noises while operating motors or motor-driven boats or water vehicles on certain creeks, streams, rivers and inlets, or any portion thereof, in Duval County, Florida; providing a penalty for the violation of any of the provisions of this Act.

Also—

S. B. No. 527—An Act to amend Section 1 of Chapter 16463, Laws of Florida, Acts of 1933, entitled: "An Act prohibiting the owner or person having the custody and control of cattle, hogs, horses, mules, goats, sheep or other livestock from permitting the running at large of such cattle, hogs, horses, mules, goats, sheep, or other live stock within the following described boundaries in Hillsborough County, Florida, to-wit: Beginning at the Northeast corner of Hillsborough County, which is the Northeast corner of Section 1, Township 27 South, Range 22 East, and run thence south along the Hillsborough-Polk County Line to the Southeast corner of Section 36, Township 29 South, Range 22 East; thence west approximately 3,500 feet to the center line of the Alafia River (sometimes known as Howell's Creek), as shown in U. S. Department of Agriculture Bureau of Soils Map of Hillsborough County, Florida, published in 1916; thence westerly along the center line of the said Alafia River to Hillsborough Bay; thence Northwesterly along the shore line of Hillsborough Bay and Old Tampa Bay to the range line dividing ranges 16 and 17 East, which is also the west boundary of Hillsborough County; thence North to the Northwest corner of Hillsborough County; thence East along county line to the Northeast corner of Hillsborough County, which is the point of beginning, and to provide for the enforcement of this Act by the impounding and sale of such cattle, hogs, horses, mules, goats, sheep or other livestock which may be found running at large in said territory," by including in said Section 1 of said Act, all of the territory lying and being within the boundaries of Hillsborough County, Florida.

Beg 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:

S. B. No. 528—An Act expressly authorizing and empowering the City of Port Tampa, by Ordinance or Ordinances of the City Council of said Municipality, to fix, prescribe and establish the fiscal year of the City of Port Tampa to coincide with the fiscal year of Hillsborough County, Florida, commencing with the fiscal year of 1946, and each year thereafter; expressly authorizing and empowering the City of Port Tampa by ordinance or ordinances of the City Council of said municipality to determine, fix, and prescribe all the provisions for certifying to the Board of County Commissioners of Hillsborough County, the millage or millages to be levied for all purposes for each year in said municipality and all steps and actions and the times thereof, to be taken by the City of Port Tampa and its officials to completely and fully effectuate, comply with, and fulfil the purposes, intent, and effect of Sections 11 and 12 of Article VIII of the Constitution of the State of Florida providing for the consolidation of the tax assessing and collecting agencies of Hillsborough County, Florida, and said municipality, and the Act of the Legislature of 1945 effectuating and implementing said Constitutional Amendment; repealing provisions of law inconsistent herewith.

Also—

S. B. No. 529—An Act to amend Chapter 5084, Laws of Florida, Acts of 1901, being an Act entitled, "An Act to amend the City Charter of the City of Port Tampa," as amended by Chapter 20091, Laws of Florida, Acts of 1939, which amending Act is entitled, "An Act to amend Section 1, Article 2; Section 1, Article 3; Section 1, Article 5; Section 1, Article 6; and Section 1, Article 7; all of Chapter 5084, Laws of Florida, 1901, the same being an Act entitled 'An Act to amend the City Charter of the City of Port Tampa,' and providing for a referendum on said Act," by amending Sections 1, 2, 3, 4, and 5, of said Chapter 20091, Laws of Florida, Acts of 1939, relating to the terms and duties of officers of the City of Port Tampa to be elected at the General Municipal Election to be held in August, 1947.

Also—

S. B. No. 530—An Act authorizing the City of Port Tampa to borrow, upon adoption of a resolution of the City Council

certifying the need therefor, a sum not exceeding \$5000 during the year 1946; authorizing said City, through the Mayor and City Clerk, respectively, to make, issue, and deliver the promissory Note or obligation of said City for payment of said loan which shall mature not later than one year after date of said obligation, and shall bear interest not exceeding six per cent.

S. B. No. 531—An Act expressly authorizing and empowering the issuance of bonds by the City of Port Tampa only after the approval of 65% of the votes cast in an election in which not less than 75% of the freeholders who are qualified electors residing in the City of Port Tampa shall participate; requiring elections to authorize the issuance of such bonds to be held in the manner prescribed by Section 103.01 to Section 103.18, inclusive, Florida Statutes 1941, with the exception of the percentage of votes required for approval of said bonds; repealing all laws in conflict herewith.

Also—

S. B. No. 532—An Act validating, ratifying, and confirming all assessments, valuations of properties and levies of taxes made by the City of Port Tampa, for the years 1943, 1944, and 1945; declaring the same valid and binding liens on the property so assessed; and authorizing the collection and enforcement thereof in the manner provided by law.

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

#### INTRODUCTION OF RESOLUTIONS

By Senator Branch—

Senate Concurrent Resolution No. 12:

Memorializing the President and the Congress to execute executive orders and pass necessary laws for the relief of Liberty County, Florida.

WHEREAS, the United States Forest Service (Department of Agriculture) is the holder and owner of approximately 265,000 acres of land situated and lying in Liberty County, Florida, which is approximately 55% of the total acreage within said Liberty County, and,

WHEREAS, Special Tax School District No. 4 has outstanding \$35,000.00 in bonds, bearing 5½% interest per annum, and,

WHEREAS, due to extensive acquisition of lands by the United States Forest Service in said Special Tax School District No. 4, and the reduced taxing power for the payment of said bonds, the said bonds are considerably in default and arrears, both in principal and interest payments to the extent of \$13,000.00 in principal, and in interest to the extent of \$22,475.00 through November 1, 1945 inclusive, and,

WHEREAS, the Federal Government has made no attempt to adjust their pro rata share of said bonded indebtedness on that portion of lands held and owned by the Government in Special Tax School District No. 4, and,

WHEREAS, it is a matter of public record the United States Forest Service when offering for sale pulpwood or saw timber (stumpage) from the Apalachicola National Forest, have inserted in their invitations for bids the requirement which restricts the area of manufacturing said pulpwood or saw timber into finished products within the boundaries of the Apalachicola National Forest, or the counties adjacent to it, namely Calhoun, Franklin, Gulf, Leon, Liberty and Wakulla, Florida, which excludes certain lumber manufacturers, and all paper mills located in Florida except the mill located at Port St. Joe, Florida, which in our considered opinion is not consistent to the best interest of Liberty County inasmuch as Liberty County should make every effort possible to determine all timber being sold from the Apalachicola National Forest should be sold at the maximum price in order to guarantee to Liberty County the maximum return in revenue from said lands in lieu of taxes lost through Government ownership of said lands, and,

WHEREAS, the Board of Public Instruction of Liberty County, Florida, and the Board of County Commissioners of Liberty County, Florida, have each passed resolutions requesting the relief as set out herein below.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. That in view of the facts established in this

resolution it appears to the Legislature of the State of Florida that it would be most advantageous to the citizens of Liberty County and to the service men and women now serving in the Armed Services of the United States who are doing such a grand and noble job in bringing this most horrible and devastating war of all wars to a successful and victorious conclusion both in Europe and the Pacific theatres, to request and urge the Congress of the United States, and particularly the United States Senator Charles O. Andrews, United States Senator Claude Pepper, and Congressman Bob Sikes, of the Third Congressional District of Florida, to introduce, work for and effect the passage of the necessary laws in the Congress of the United States, requiring the United States Forest Service (Department of Agriculture), or other governmental agencies in whom title may be vested to make it mandatory upon the Federal Government to sell, dispose and convey title in fee simple, free of all encumbrances, including timber leases, mineral rights, etc. to the Board of County Commissioners of Liberty County at a price not to exceed one (\$1.00) dollar per acre for all or any portion of certain lands which the Federal Government may own in the Apalachicola National Forest in Liberty County, Florida, described as follows to-wit:

All or any part of Sections 29, 30, 31 and 32, Township 3 South, Range 8 West, also all or any part of Sections 5, 6, 7, 8, 17, 18, 19, 20, 28, 29, 30, 31, 32 and 33, Township 4 South, Range 8 West, also all or any part of Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, North half 25, all 26, 27, 28, 33, 34, and that portion of 35 West and north of Owl Creek, Township 5 South, Range 8 West, also that portion 2, 3, 4 and 10 West and North of Owl Creek and East of the Apalachicola River Township 6 South, Range 8 West, also East half Section 12, all of 13, 24, 25, South half 26, Sections 35 and 36, Township 4 South, Range 9 West, also all or any part of Sections 9, 10, 11, portion 12, portion of 13, all of 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 34, 35 and 36, Township 3 South, Range 5 West, also Sections 1 and 2, Township 4 South, Range 5 West, also that portion of Section 6 West of Ochlocknee River, Township 4 South, Range 4 West, all being in Liberty County, Florida, also West half of Section 17, all of 18, West half 20, and NW Quarter of 29, Township 5 South, Range 7 West, Liberty County, Florida, Fractional Sections 2, 3 and 4, Township 3 South, Range 8 West.

Section 2. And to request and urge the President of the United States to issue executive orders to provide for the relief herein petitioned for.

Section 3. The intention of this resolution is to get said lands now held by the Government back into private ownership for agricultural purposes and return said lands to the Liberty County tax rolls.

Section 4. That a copy of this Memorial under the great seal of the State of Florida be immediately forwarded by the Secretary of State, to the President of the United States, to the President of the United States Senate and to the Speaker of the House of Representatives of the United States Congress and to each member of the delegation representing the State of Florida in both the House of Representatives and the Senate of the Congress of the United States of America.

Section 5. That a copy of this Memorial be spread upon the Journal of both the Senate and the House of Representatives of the State of Florida, and that sufficient copies thereof be furnished to the press.

Which was read the first time in full.

Senator Branch moved that the rules be waived and Senate Concurrent Resolution No. 12 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 12 was read the second time in full.

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

Which was agreed to and Senate Concurrent Resolution No. 12 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Sheldon—

S. B. No. 699—A bill to be entitled An Act providing for the

establishment of cemeteries in counties of the State of Florida having a population of not less than 175,000 nor more than 240,000 inhabitants according to the last preceding State or Federal Census; providing for the filing and recording of plats of lots in cemeteries; requiring the approval of such plats by the Board of County Commissioners of such counties and repealing all laws in conflict herewith.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 699 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 699 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 699 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. 699 was read the third time in full.

Upon the passage of Senate Bill No. 699 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. 699 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Education—

S. B. No. 700—A bill to be entitled An Act relating to education: To amend Section 242.41, 242.42 and 242.43 providing for the establishment and operation in the larger counties of the State of Junior Colleges and area Vocational Schools.

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

By Senator Boyle—

S. B. No. 701—A bill to be entitled An Act to provide that in all counties of the State of Florida having a population of not less than 22,000 nor more than 23,000, according to the 1940 Federal Census, having a county court, the clerk of such court in all criminal cases where there are two or more defendants shall receive the same fees for each defendant as are now fixed by law in cases where there is only one defendant.

Which was read the first time by title only.

Senator Boyle moved that the rules be waived and Senate Bill No. 701 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 701 was read the second time by title only.

Senator Boyle moved that the rules be further waived and Senate Bill No. 701 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. 701 was read the third time in full.

Upon the passage of Senate Bill No. 701 the roll was called and the vote was:

Yeas—35.

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

Johnson	Lindler	Riddle	Sturgis
King 7th	McArthur	Sanchez	Thomas
King 27th	Moon	Shands	Wilson
Lewis	Perdue	Sheldon	

Nays—None.

So Senate Bill No. 701 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. 702—A bill to be entitled An Act fixing the fees of examining committeemen in insanity cases in the several counties of Florida having a population of 260,000 or more inhabitants according to the last Federal Census.

Which was read the first time by title only.

Senator Coleman (13th Dist.) moved that the rules be waived and Senate Bill No. 702 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 702 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and Senate Bill No. 702 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. 702 was read the third time in full.

Upon the passage of Senate Bill No. 702 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. 702 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. 703—A bill to be entitled An Act to extend and enlarge the corporate limits of the City of Miami, in the County of Dade, Florida; to prescribe the liability of property within the annexed territory for municipal taxation; to give the said City of Miami jurisdiction over the territory embraced in said extension, and repealing all laws or parts of law in conflict.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 703 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. 703 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 703 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and Senate Bill No. 703 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. 703 was read the third time in full.

Upon the passage of Senate Bill No. 703 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. 703 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon (By Request)—

S. B. No. 704—A bill to be entitled An Act relating to the qualifications of physicians and surgeons of the State of Florida who are and shall be entitled to courtesy privileges of practicing their profession in all county, city, town or village owned or operated hospitals in all counties of the State of Florida which now have or may hereafter have, according to any official census taken under authority of the United States of America, a population of 100,000 and not more than 200,000 people, and relating to the qualifications and admissions of such physicians and surgeons to practice their profession in such hospitals, providing a method of procedure of revoking, suspending or annulling permits of such physicians and surgeons to the courtesy privileges of practicing their profession at such hospitals as aforesaid: defining the meaning of "courtesy privileges" as used in this Act.

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

By Senator Sheldon—

S. B. No. 705—A bill to be entitled An Act authorizing the City of Tampa, Florida, a municipal corporation, to lease certain premises situate in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 25, Township 28 South, Range 18 East, to certain individuals as trustees for Seminole Post No. 111 of the American Legion of the Department of Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 705 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. 705 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 705 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 705 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. 705 was read the third time in full.

Upon the passage of Senate Bill No. 705 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. 705 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 706—A bill to be entitled An Act relating to all counties of the State of Florida which now have or may hereafter have a population of more than ninety thousand and not more than one hundred fifty thousand inhabitants according to the last preceding Federal Census; providing for the reimbursement of certain moneys paid such counties by the State Road Department of the State of Florida, in obtaining right of way for State roads by such counties.

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

By Senator Moon—

S. B. No. 707—A bill to be entitled An Act providing how all monies paid to Citrus County or the Board of County Commissioners of Citrus County of the State of Florida under provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any laws amendatory or supplemental thereto or funds substituted therefor shall be appropriated and spent, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1945-1946 and A. D. 1946-1947 and repeal all laws in conflict with this Act and dealing generally with said fund.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 707 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 Moon moved that the rules be waived and Senate Bill No. 707 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 707 was read the second time by title only.

Senator Moon moved that the rules be further waived and Senate Bill No. 707 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. 707 was read the third time in full.

Upon the passage of Senate Bill No. 707 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. 707 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Moon—

S. B. No. 708—A bill to be entitled An Act providing how all monies paid to the several Boards of County Commissioners of all counties in the State of Florida, or to all counties in the State of Florida whose population according to the 1940 Federal Census was not less than 5,750 and not more than 5,950 under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any laws amendatory or supplemental thereto or funds substituted therefor shall be appropriated and spent, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1945-1946 and A. D. 1946-1947 and repeal all laws in conflict with this Act and dealing generally with said fund.

Which was read the first time by title only.

Senator Moon moved that the rules be waived and Senate Bill No. 708 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 708 was read the second time by title only.

Senator Moon moved that the rules be further waived and Senate Bill No. 708 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. 708 was read the third time in full.

Upon the passage of Senate Bill No. 708 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. 708 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. 709—A bill to be entitled An Act authorizing the Trustees of the Internal Improvement Fund to apply proceeds from the sale of certain lands toward furthering Everglades National Park Project; in reference to the manner of application of said proceeds and the conditions under which the same shall be available; providing for reversion of land and money under certain conditions and the disposition of the same; in reference to protection of wild life by the United States pending establishment of said Park and fixing a time limit for certain provisions.

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

By Senator Sheldon—

S. B. No. 710—A bill to be entitled An Act to amend Section 2 of Chapter 19076, Laws of Florida, Acts of 1939, being "An Act appropriating from the net income payable to counties of a population of 180,000 inhabitants or more, by any clerk or judge of a court of record a sum equal to one dollar for each suit, action or proceeding instituted in such court for the maintenance of a law library and the furnishing, conditioning, equipping, maintaining and use of the courtrooms, Judges Chambers and law library in the County Court House and making same a County purpose" by eliminating the words "and any funds not so needed may be ordered by said judge paid into the general fund of the County."

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

By Senator Sheldon—

S. B. No. 711—A bill to be entitled An Act to repeal Chapter 21082, Laws of Florida, Acts of 1941, being "An Act to amend Section 1 of Chapter 19076, Laws of Florida, Acts of 1939, entitled "An Act appropriating from the net income payable to counties of a population of 180,000 inhabitants or more, by any clerk or judge of a court of record a sum equal to one dollar for each suit, action or proceeding instituted in such court for the maintenance of a law library and the furnishing, conditioning, equipping, maintaining and use of the courtrooms, judges chambers and law library in the county court house and making same a county purpose," by providing that the said Chapter shall apply only in counties having a population of 267,000 inhabitants, or more, according to the last Federal or State Census."

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

By Senator Sheldon—

S. B. No. 712—A bill to be entitled An Act to amend Section 2 of Chapter 19078, Laws of Florida, Acts of 1939, being "An Act to provide for a librarian and assistants for certain law

libraries in counties having a population of 180,000 inhabitants or more according to the latest census," and providing for the appointment of a librarian, assistant librarians and a janitor upon the recommendation of the Bar Association of such county and providing for the salary of the librarian, assistant librarians and a janitor.

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

By Senator Coleman (13th Dist.)—

S. B. No. 713—A bill to be entitled An Act conferring additional powers upon counties in the State of Florida having a population of over 275,000 according to the last or any future official Federal or State Census; authorizing and empowering any such county to construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate certain public projects; providing for paying the whole or a part of the cost of a project or projects and of extensions and additions thereto by the issuance of either (1) general obligation bonds of such county payable from ad valorem taxes or from ad valorem taxes and revenues or (2) revenue bonds of such county payable solely from revenues; providing for the levy of a sufficient ad valorem tax for the payment of General Obligation Bonds; providing for the imposition and collection of rates, fees, rentals, tolls and other charges for the use of the services and facilities of any such project or projects and for the application of such revenues; granting to any such county power to acquire necessary real and personal property and to exercise the right of eminent domain; granting the consent of the State of Florida to the use of all state lands lying under water which are necessary for the accomplishment of the purposes of this Act; authorizing the issuance of Revenue Refunding Bonds; and prescribing the powers and duties of counties in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

Which was read the first time by title only.

Senator Coleman (13th Dist.) moved that the rules be waived and Senate Bill No. 713 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 713 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and Senate Bill No. 713 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. 713 was read the third time in full.

Upon the passage of Senate Bill No. 713 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. 713 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 714—A bill to be entitled An Act to amend Section 165.01, Florida Statutes, 1941, relating to the number of inhabitants necessary to incorporate a hamlet, village or town, so as to permit male and female incorporators.

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

By Senator Gray—

S. B. No. 715—A bill to be entitled An Act to amend Chapter 15911 Laws of Florida, Acts of 1933 as amended by Chapter 19304, Laws of Florida, Acts of 1939, being An Act defining

and regulating the practice of chiropody; by providing for the inclusion of the sale of certain appliances and correctional devices under the provisions of this act and repealing all laws in conflict herewith.

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

By Senator Perdue—

S. B. No. 716—A bill to be entitled An Act requiring the owners or operators of railroad lines in counties having a population of more than 12,500 and not more than 12,600, according to the Federal Census of 1940, to install and maintain sufficient cattle gaps to protect the range cattle in such counties and prescribing penalties for violations.

Which was read the first time by title only.

Senator Perdue moved that the rules be waived and Senate Bill No. 716 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 716 was read the second time by title only.

Senator Perdue moved that the rules be further waived and Senate Bill No. 716 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. 716 was read the third time in full.

Upon the passage of Senate Bill No. 716 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. 716 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ausley—

S. B. No. 717—A bill to be entitled An Act fixing and providing for the payment of salaries of supervisors of registration in counties of the State of Florida having a population of not less than thirty-one thousand and five hundred (31,500) and not more than thirty-four thousand (34,000) according to the last preceding Federal Census.

Which was read the first time by title only.

Senator Ausley moved that the rules be waived and Senate Bill No. 717 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 717 was read the second time by title only.

Senator Ausley moved that the rules be further waived and Senate Bill No. 717 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. 717 was read the third time in full.

Upon the passage of Senate Bill No. 717 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. 717 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ausley—

S. B. No. 718—A bill to be entitled An Act fixing the time for the opening and closing of the registration books of Leon County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 718 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 Ausley moved that the rules be waived and Senate Bill No. 718 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 718 was read the second time by title only.

Senator Ausley moved that the rules be further waived and Senate Bill No. 718 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. 718 was read the third time in full.

Upon the passage of Senate Bill No. 718 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. 718 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—

S. B. No. 719—A bill to be entitled An Act to establish the boundaries of the Town of Groveland, Lake County, Florida.

Which was read the first time by title only.

Senator Johnson moved that the rules be waived and Senate Bill No. 719 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 719 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 719 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. 719 was read the third time in full.

Upon the passage of Senate Bill No. 719 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. 719 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Branch—

S. B. No. 720—A bill to be entitled An Act directing the State Road Department of Florida, in cooperation with the several railroad companies operating in this State, to adopt a program for the expenditure of monies now available and to become available under any Act of Congress for the construction costs of projects for the elimination of hazards of railway-highway crossings.

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

By Senator Thomas—

S. B. No. 721—A bill to be entitled An Act to amend Section 4 of Chapter 19804, Laws of Florida, Acts of 1939, the same being an Act providing for tenure of employment of teachers under the age of sixty-five years in the public schools of Escambia County, Florida, and providing when teachers are entitled to tenure of employment and the causes for which such teachers may be discharged or demoted and prescribing the procedure thereof, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari in order to give effect to the provisions of said Chapter 19804, Acts of 1939.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 721 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 Thomas moved that the rules be waived and Senate Bill No. 721 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 721 was read the second time by title only.

Senator Thomas moved that the rules be further waived and Senate Bill No. 721 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. 721 was read the third time in full.

Upon the passage of Senate Bill No. 721 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. 721 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 722—A bill to be entitled An Act authorizing the creation of a Special Assessment Adjustment Board of the City of St. Petersburg, Florida; prescribing its powers, duties and limitations; prescribing the length of time such Board shall stay in existence; providing for a chairman and secretary and authorizing said Board to adjust, settle and compromise certain special assessment liens held and owned by the City of St. Petersburg, Florida; providing that fees may be charged for making applications for adjustment of special assessment liens, the proceeds from which to be used to defray the cost and expense of the operation of the Board; and providing for a referendum on this Act.

Which was read the first time by title only.

Senator Baynard moved that the rules be waived and Senate Bill No. 722 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 722 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 722 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. 722 was read the third time in full.

Upon the passage of Senate Bill No. 722 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. 722 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Beacham and Gray—

S. B. No. 723—A bill to be entitled An Act to provide for a retirement system for officers and employees of the Counties of the State of Florida and making appropriation therefor.

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

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 378, out of its order, at this time.

Which was agreed to.

H. B. No. 378—A bill to be entitled An Act authorizing Pinellas County, Florida, by and through its Board of County Commissioners, the governing body thereof, solely within the discretion of said board, to expend, pledge, allocate and appropriate any part of its surplus funds, unappropriated allocations or appropriations which are now available, and those which might accrue or become available, to said county or to any general or special fund thereof, over which said board has or might hereinafter have jurisdiction thereof, for the purpose of constructing, acquiring, improving, extending and operating any post war project or public works project, and prescribing the procedure therefor.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 378 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 378 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 378 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. 378 was read the third time in full.

Upon the passage of House Bill No. 378 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. 378 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

Tallahassee, Fla., May 25, 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—

S. B. No. 639—A bill to be entitled An Act granting to the Boards of County Commissioners of Counties having a population of not less than 100,000 and not more than 200,000 inhabitants according to the last preceding Federal Census full authority to suspend for reasonable periods of time, in their discretion, and to revoke the licenses of licensees under Chapter 561, Florida Statutes 1941, following the same limitations as the Director of the State Beverage Department is authorized under Section 561.29, Florida Statutes 1941, as amended by Section 4, Chapter 21839, Laws of 1943, to suspend and to revoke the licenses of said licensees.

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. 639 passed the Senate on May 22, 1945.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which Senate Bill No. 639 passed the Senate on May 22, 1945.

The question recurred on the passage of Senate Bill No. 639.

Pending roll call on the passage of Senate Bill No. 639, by unanimous consent, Senator Sheldon withdrew Senate Bill No. 639.

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

Tallahassee, Fla., May 24, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has failed to pass—

By Senator King (7th Dist.)—

S. B. No. 309—A bill to be entitled An Act to amend Section 4 of Chapter 20519, Laws of Florida, Acts of 1941, being Section 947.06, Florida Statutes 1941, relating to meetings of the Parole Commission, the number of commissioners required to constitute a quorum of said Commission, and the number of Parole Commissioners whose affirmative vote is required to place a prisoner on parole.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

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

Tallahassee, Fla., May 24, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Public Health—

S. B. No. 179—A bill to be entitled An Act relating to the enforcement of laws relating to public health and the practice

of medicine, surgery, chiropractic, naturopathy, nursing and midwifery, and providing for such enforcement by law enforcement officers of the State of Florida and the counties thereof and the State Board of Health.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 179, contained in the above Message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Finance and Taxation—

S. B. No. 381—A bill to be entitled An Act to amend Section 561.12, Florida Statutes 1941, providing for the deposit and disposition of funds collected by the State under the beverage law.

By Senator Fraser (29th Dist.)—

S. B. No. 351—A bill to be entitled An Act to establish a certain state road beginning at a point where State Road No. 383 now ends at the Village of Maxwell in Duval County, Florida, where said State Road No. 383 intersects with State Road No. 13, and following the most direct southeasterly course to a point on State Highway No. 550 in the Village of Middleburg, Clay County, Florida: To authorize and direct the State Road Department to cause said road to be surveyed and located as a state road and to designate same by an appropriate number.

By Senator McArthur—

S. B. No. 538—A bill to be entitled An Act relating to vendors of alcoholic beverages in unincorporated villages and towns in all counties having a population of more than 10,500 and not more than 11,000 according to the last Federal Census and providing that such vendors now licensed to do business not nearer than 600 feet to a church shall be permitted and licensed to continue to do business at such locations.

And Senate Bills Nos. 381, 351, and 538, contained in the above Message, were referred to the Committee on Enrolled Bills.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Black—

S. B. No. 249—A bill to be entitled An Act to amend Section 589.23, Florida Statutes 1941, relating to the Florida Park Service.

By Senator Davis—

S. B. No. 589—A bill to be entitled An Act making an emergency appropriation for the Florida Crippled Children's Commission for use in the current biennium.

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

S. B. No. 170—A bill to be entitled An Act to authorize the boards of county commissioners in the several counties of the State of Florida to aid and assist veterans of any war who have been honorably discharged from the armed forces of the

United States and their dependents; to provide and maintain a service office in said county; to provide for office space, clerical assistance and expenses of said office; authorizing the employment of a county service officer and setting forth the duties and qualifications of said county service officer; authorizing any two or more counties to employ a service officer jointly; setting forth the rights, powers and duties of the several boards of county commissioners in relation thereto, and authorizing the levy of a tax not to exceed one-half mill to carry out the purposes of this act.

Respectfully,

LAMAR BLEDSOE, Chief Clerk, House of Representatives.

And Senate Bills Nos. 249, 589 and 170, 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 24, 1945.

Hon. Walter W. Rose, President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Okell of Dade—

H. B. No. 646—A bill to be entitled An Act to amend Section 733.16, of the 1941 Florida Statutes, relating to claims against the estates of decedents.

By Miss Baker, Messrs. Clement and Harris of Pinellas, and Mr. Papy of Monroe—

H. B. No. 705—A bill to be entitled An Act amending Section 374.29 Florida Statutes, 1941, prohibiting the taking or the possession of commercial sponges less than five inches in diameter within this State.

By the Committee on Statutory Revisions—

H. B. No. 806—A bill to be entitled An Act consolidating, revising and amending Chapters 59 and 67, Florida Statutes 1941, relating to appellate proceedings generally; conforming said Statutes to the current Supreme Court rules; and extending said Statutes to appellate proceedings from orders of State Boards, Commissions, and other bodies where appeals are allowed from such orders.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE, Chief Clerk, House of Representatives.

And House Bill No. 646, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 705, contained in the above Message, was read the first time by title only and referred to the Committee on Game and Fisheries.

And House Bill No. 806, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

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

Tallahassee, Florida, May 24, 1945.

Hon. Walter W. Rose, President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Rivers of Clay—

H. B. No. 910—A bill to be entitled An Act to prescribe a guaranteed minimum compensation of the County Tax Collector for collecting general County taxes in each County in the State of Florida, having a population of not less than

6400 and not more than 6500, according to the Federal Census of 1940.

By Mr. Rivers of Clay—

H. B. No. 911—A bill to be entitled An Act to prescribe a guaranteed minimum compensation of the County Assessor of Taxes for assessing general county taxes in each county in the State of Florida having a population of not less than 6400 and not more than 6500, according to the Federal Census of 1940.

By Mr. Okell of Dade—

H. B. No. 933—A bill to be entitled An Act fixing the salaries of the Judges of the Criminal Courts of Record in Counties having a population of more than 260,000, according to the last preceding Federal Census and prohibiting such Judges from practicing law.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE, Chief Clerk, House of Representatives.

And House Bill No. 910, contained in the above Message, was read the first time by title only.

Senator Fraser (29th Dist.) moved that the rules be waived and House Bill No. 910 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 910 was read the second time by title only.

Senator Fraser (29th Dist.) moved that the rules be further waived and House Bill No. 910 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. 910 was read the third time in full.

Upon the passage of House Bill No. 910 the roll was called and the vote was:

Yeas—35.

Table with 4 columns: Mr. President, Yeas, Nays, and names of members (Bryant, Griner, 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. 910 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 911, contained in the above Message, was read the first time by title only.

Senator Fraser (29th Dist.) moved that the rules be waived and House Bill No. 911 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 911 was read the second time by title only.

Senator Fraser (29th Dist.) moved that the rules be further waived and House Bill No. 911 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. 911 was read the third time in full.

Upon the passage of House Bill No. 911 the roll was called and the vote was:

Yeas—35.

Table with 4 columns: Mr. President, Yeas, Nays, and names of members (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, Lewis, Black, Clarke, Gray).

Lindler	Perdue	Shands	Thomas
McArthur	Riddle	Sheldon	Wilson
Moon	Sanchez	Sturgis	

Nays—None.

So House Bill No. 911 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 933, 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. 933 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 933 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and House Bill No. 933 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. 933 was read the third time in full.

Upon the passage of House Bill No. 933 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. 933 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 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Collins of Sarasota—

H. B. No. 592—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 of "Surplus Fund" and describing unexpended balances transferable to such fund.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 592, 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 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Wotitzky of Charlotte and Simpson of Jefferson—

H. B. No. 655—A bill to be entitled An Act relating to education: to regulate the establishment and operation of private

schools or colleges and to regulate private tutoring in lieu of public school work for pupils of compulsory school attendance age.

By Mr. Simpson of Jefferson—

H. B. No. 824—A bill to be entitled An Act relating to education; to amend Sections 239.12 and 239.17, Florida Statutes 1941, and to repeal Sections 239.14, 239.16 and 240.12, Florida Statutes 1941.

By Mr. Oelkers of Dade—

H. B. No. 940—A bill to be entitled An Act amending Section 511.32, Florida Statutes, 1941, to provide for an appropriation from surplus funds of the State Hotel Commission for furnishing and equipping rooms to be used in connection with a hotel and restaurant vocational training program for the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 655, contained in the above Message, was read the first time by title only.

Senator Barringer moved that the rules be waived and House Bill No. 655 be placed on the Calendar of Bills on Second Reading, without reference.

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

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

And House Bill No. 940, contained in the above Message, was read the first time by title only.

Senator Sanchez moved that the rules be waived and House Bill No. 940 be placed on the Calendar of Bills on Second Reading, without reference.

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

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

Tallahassee, Florida, May 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 Mr. Murray of Polk—

H. B. No. 733—A bill to be entitled An Act amending Section 734.31, Florida Statutes 1941, relating to ancillary administration, and authorizing the probate, in this State, of any probated will and any probated codicils thereto a certified copy of which is filed in such proceeding and prohibiting the sale by ancillary personal representative of local property to pay any debt or claim which is barred by any statute of limitation, or nonclaim of this State.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 733, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

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

Tallahassee, Florida, May 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has passed—

By Messrs. Burwell of Broward, Walker and Nilsson of Volusia and Stirling of Broward—

H. B. No. 628—A bill to be entitled An Act to amend Section 36.04 of Chapter 36 of Florida Statutes 1941, as amended by House Bill 206 passed by the Florida Legislature of 1945, relating to the appointment of clerks of the County Judge's Court.

By Messrs. Peters, Okell and Oelkers of Dade, Cobb and Leedy of Orange, Bollinger and Elliott of Palm Beach, Papy of Monroe, Simpson of Jefferson, Beasley of Walton, Peoples of Glades, and Stewart of Hendry—

H. B. No. 944—A bill to be entitled An Act specially and expressly authorizing Florida Foreign Trade Zone, Inc., a Florida corporation, to make application for the right to establish, operate and maintain foreign trade zones in or adjacent to ports of entry in the State of Florida, and to make application for the privilege of establishing, operating and maintaining foreign trade zones in accordance with an Act of Congress of the United States approved June 18, 1934, entitled: "An Act to provide for the establishment, operation and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce and for other purposes", and expressly authorizing said Florida Foreign Trade Zone, Inc., to establish, operate and maintain foreign trade zones in or adjacent to ports of entry in the State of Florida subject to the conditions and restrictions of said Act of Congress.

By the Committee on Finance and Taxation.

H. B. No. 798—A bill to be entitled An Act amending Section 192.21, Florida Statutes 1941, as amended by Section 1 of Chapter 22079, Laws of Florida, Acts of 1943, relating to taxation and suits involving equality of assessments for tax purposes.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 628 and 944, contained in the above Message, were read the first time by titles only and referred to the Committee on Judiciary "A".

And House Bill No. 798, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation.

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Leedy of Orange and Murray of Polk—

H. B. No. 456—A bill to be entitled An Act providing that lands owned by municipalities in the State of Florida and acquired on or after May 1, 1943, through foreclosure of delinquent taxes or special improvement liens, or acquired to protect its interest therein shall not be subject to the judicial proceedings by the county as is provided for in Section 13 of Chapter 22079, Laws of Florida, 1943, and shall not be assessed for taxes; providing for the holding without enforcement or sale of taxes assessed upon such lands on and after May 1, 1943, and for the redemption of any individually owned county tax sale certificates out of the proceeds of sale, providing that when such lands are sold that the county shall share in the proceeds of the sale as and in full satisfaction and discharge of any lien for general taxes held by the county; providing for the payment of special improvement liens against said lands at the time the municipality acquired title, out of any excess remaining after payment of general taxes; providing for the distribution of the remainder of the proceeds of the sale between the county and municipality; and providing for the dedication of any such lands by a municipality with the concurrence of the county.

By Messrs. Leedy of Orange and Murray of Polk—

H. B. No. 458—A bill to be entitled An Act authorizing any county of the State, acting by and through its Board of County Commissioners, to convey lands acquired by the county for delinquent taxes and described in the book designated "County Lands Acquired for Delinquent Taxes", on file in the office of the Clerk of the Circuit Court, to the former owner of such lands and providing for the terms and procedure in making conveyance; disbursing of funds; validating, ratifying and confirming previous acts relating to hardship cases; repealing laws in conflict.

By Messrs. Leedy of Orange and Murray of Polk—

H. B. No. 460—A bill to be entitled An Act fixing fees and compensation of Clerks of Circuit Court for duties and services in connection with the sale of land acquired by Counties for delinquent taxes and distribution of the proceeds of such sales.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 456, 458 and 460, contained in the above Message, were read the first time by titles only and referred to the Committee on Finance and Taxation.

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Finance and Taxation—

Committee Substitute for House Bill No. 463:

A bill to be entitled An Act to amend Sections 129.01, 129.02, 129.03, 129.05, 129.06, and 129.07, Florida Statutes 1941; to provide for the establishment of a budget system for Boards of County Commissioners; prescribing the methods of preparing and adopting budgets, levying taxes, making expenditures and accounting for county and other funds under the control of Boards of County Commissioners; prescribing penalties for the violation of this Act; and providing for the repeal of all laws in conflict with this Act.

By Messrs. Oelkers, Okell and Peters of Dade—

H. B. No. 723—A bill to be entitled An Act relating to bond elections under Chapter 103, Florida Statutes 1941, or other applicable laws, in counties having populations of more than 210,000 according to the last preceding Federal Census; providing for the time when such elections shall be held and for separate ballot boxes and separate ballots and separate returns and canvassing thereof and for the use of voting machines in certain cases and repealing all laws or parts of laws in conflict herewith.

By Mr. Johnson of Hernando—

H. B. No. 761—A bill to be entitled An Act authorizing and directing the Board of County Commissioners of all counties of the State of Florida having a population of not less than fifty-six hundred persons, nor more than fifty-seven hundred persons, according to the 1940 Federal Census, and having only one incorporated municipality therein, to convert a portion and pay over to the governing body of the incorporated municipality a portion of the moneys received by said county under the provision of Chapter 14832, Laws of Florida 1931, or amendatory acts thereto, and repealing all laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Committee Substitute for House Bill No. 463, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation.

And House Bill No. 723, 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. 723 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 761, contained in the above Message, was read the first time by title only.

Senator Moon moved that the rules be waived and House Bill No. 761 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 761 was read the second time by title only.

Senator Moon moved that the rules be further waived and House Bill No. 761 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. 761 was read the third time in full.

Upon the passage of House Bill No. 761 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. 761 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 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Collins of Sarasota—

H. B. No. 594—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.

By Mr. Collins of Sarasota—

H. B. No. 593—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.

By Mr. Collins of Sarasota—

H. B. No. 588—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 provision 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 sec-

urities so held by him; and repealing all laws and 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. 594, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

And House Bill No. 593, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

And House Bill No. 588, contained in the above Message, was read the first time by title only and referred to the Committee on Banking and Building and Loans.

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Simpson of Jefferson—

H. B. No. 625—A bill to be entitled An Act to amend Section 321.07, Florida Statutes 1941, relating to compensation of employees and officers of the Florida Highway Patrol.

By Mr. Wotitzky of Charlotte—

H. B. No. 623—A bill to be entitled An Act to authorize the Game and Fresh Water Fish Commission of the State of Florida to negotiate, sell and convey lease-hold estates and make and execute and deliver lease contracts commonly known as petroleum oil and gas leases and to sell and convey any and all of the petroleum oil and/or gas and/or any other mineral in or under any lands vested in the State for the use and benefit of said Commission or vested in the said Commission, and providing for payment of funds into the State game fund.

By Mr. McAlpin of Hamilton—

H. B. No. 632—A bill to be entitled An Act to amend Section 1 of Chapter 21,931, Laws of Florida, Acts of 1943, relating to application for and issuance of delayed birth certificates, by making said Section applicable to all persons born in Florida.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 625, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

And House Bill No. 623, contained in the above Message, was read the first time by title only and referred to the Committee on Oil and Natural Resources.

And House Bill No. 632, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Harris of Pinellas—

H. B. No. 863—A bill to be entitled An Act amending Section 635.05, Florida Statutes 1941, as amended by Chapter 21801, Laws of Florida, Acts of 1943, which Chapter is

entitled as follows. "An Act to amend Section 635.05, Florida Statutes 1941, relating to the payment of bonuses and dividends and the writing of group insurance by life insurers", by adding thereto an additional paragraph relating to life insurers issuing policies covering employees or employer members of a trade association, and prescribing the conditions and circumstances under which such insurance may be issued, and relating to payment of premium therefor.

By Mr. Harris of Pinellas—

H. B. No. 854—A bill to be entitled An Act prohibiting insurers organized in Florida, whether on the stock, mutual, reciprocal, assessment, fraternal or any other plan, or its representatives, from transacting or soliciting business in any state in which such insurer is not licensed and providing for revocation of such insurers license in this State if found guilty after hearing before Insurance Commissioner; repealing all laws and parts of laws in conflict herewith, and fixing the effective date of this Act.

By Mr. Collins of Sarasota—

H. B. No. 589—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.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 863 and 854, contained in the above Message, were read the first time by titles only and referred to the Committee on Insurance.

And House Bill No. 589, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

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

Tallahassee, Florida, May 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Stewart of Hendry—

H. B. No. 595—A bill to be entitled An Act to amend Section 653.18, Florida Statutes 1941, as amended by Section 1, Chapter 21773, Acts of 1943, relating to a limitation on loans to officers, directors, employees and others, made by State Banks and Trust Companies.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 595, contained in the above Message, was read the first time by title only and referred to the Committee on Banking and Building and Loans.

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

Tallahassee, Florida, May 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1945 Session of the Florida Legislature—

By Mr. Peeples of Glades—

H. B. No. 43—A bill to be entitled An Act for the relief of Walter Greer for personal injuries received, while employed as a truck driver by the State Road Department of the State of Florida and providing for the payment by the State Road Department of compensation for such personal injuries to Walter Greer.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 434, contained in the above Message, was read the first time by title only and referred to the Committee on Pensions and Claims.

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

Tallahassee, Florida, May 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Bronson of Osceola, Johnson of Hernando, Peeples of Glades, and Hancock of Madison—

H. B. No. 819—A bill to be entitled An Act relating to the recording of marks and brands of cattle; the inspection of the marks and brands of live and slaughtered cattle; prescribing the duties and powers of the Commissioner of Agriculture in relation thereto; providing remedies and penalties for the enforcement and violation hereof and repealing Chapter 534, Florida Statutes 1941 and all laws in conflict herewith.

By Messrs. Peters, Okell and Oelkers of Dade—

H. B. No. 849—A bill to be entitled An Act providing for the salary to be paid to Judges of Civil Courts of Record in Counties in which such Courts have more than one Judge.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 819, contained in the above Message, was read the first time by title only and referred to the Committee on Agriculture and Livestock.

And House Bill No. 849, 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 24, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Fish and Game—

H. B. No. 792—A bill to be entitled An Act requiring a license to take alligators in the State of Florida; providing for the disposition of the proceeds from such license; and penalty for violation.

By Mr. Harris of Pinellas—

H. B. No. 795—A bill to be entitled An Act to amend Section 632.08, Florida Statutes 1941, relating to risks authorized by domestic mutual fire insurance associations.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 792, contained in the above Message, was read the first time by title only and referred to the Committee on Game and Fisheries.

And House Bill No. 795, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

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

Tallahassee, Florida, May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith for the purpose of further consideration:

By Miss Baker and Messrs. Clement and Harris of Pinellas—

H. B. No. 820—A bill to be entitled An Act authorizing Pinellas County, Florida, by and through its Board of County Commissioners to deed to the City of Tarpon Springs, Florida, a municipality, certain real property located within Pinellas County, Florida.

Proof of Publication of Notice attached to the above bill.

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

Senator Baynard moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 820 passed the Senate on May 22, 1945.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 820 passed the Senate on May 22, 1945.

The question recurred on the passage of House Bill No. 820.

Pending roll call on the passage of House Bill No. 820, by unanimous consent, Senator Baynard offered the following amendment to House Bill No. 820:

In Section 1, line 12, (typewritten bill): after the period add the following: Lots 18 and 19 in Section 14, Township 27 South, Range 15 East.

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of House Bill No. 820, as amended, 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 House Bill No. 820 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Fla., May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Collins of Sarasota—

H. B. No. 856—A bill to be entitled An Act re-enacting and confirming Chapter 18131, Acts of 1937, Laws of Florida, and

amending Section 1 thereof so as to permit the Board of Commissioners of State Institutions of the State of Florida to take over and accept delivery and conveyance of the property and assets of the said estate if, whenever and as soon as the debts, claims and obligations of the said estate have been reduced to an amount which in the discretion and determination of the Board of Commissioners of State Institutions would render it safe and economical so to do.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 856, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

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

Tallahassee, Fla., May 24, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Nesmith of Wakulla—

House Memorial No. 8:

A Memorial to petition Congress to restore the historic original Fort of the confluence of the St. Marks and Wakulla Rivers.

And respectfully requests the concurrence of the Senate therein.

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

And House Memorial No. 8, contained in the above Message, was read the first time in full.

Senator Branch moved that the rules be waived and House Memorial No. 8 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Memorial No. 8 was read the second time in full.

The question was put upon the adoption of the Memorial.

Which was agreed to and House Memorial No. 8 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Beacham moved that the rules be waived and when the Senate adjourns today it adjourn to reconvene at 1:00 o'clock P. M., Monday, May 28, 1945, and remain in session until 5:00 o'clock P. M.

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

Senator Barringer moved that House Bill No. 652 be recalled from the Committee on Education and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Pursuant to the motion made by Senator McArthur on Thursday, May 24, 1945, the Senate took up the consideration of Senate Bill No. 190 as a Special and Continuing Order.

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 capping 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.

Was taken up.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 190 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 190 was read the second time by title only.

The following Committee Substitute for Senate Bill 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 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 co-operate with other governmental units or persons 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 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.

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

Senator King (7th Dist.) moved that the rules be waived and the Committee Substitute for Senate Bill No. 190 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 190 was read the second time by title only.

Senator King (7th Dist.) moved the adoption of the Committee Substitute for Senate Bill No. 190.

Which was agreed to and the Committee Substitute for Senate Bill No. 190 was adopted.

Senator King (7th Dist.) offered the following amendment to Committee Substitute for Senate Bill No. 190:

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

Section 1. The following policies are hereby declared to be the policies of the State of Florida:

- (a) All water within the State of Florida is the property of the people of the State, but the right to the use of water may be acquired in the manner provided by law.
- (b) The people of the State of Florida have a paramount interest in the use of all of the water of the State and the State shall determine what water of the State can be converted to public and private use or controlled for public protection.
- (c) Because of the condition prevailing in the State of Florida, the general welfare of the State requires that the

water resources of the State be put to beneficial use to the fullest feasible extent and that the waste or unreasonable use or unreasonable method of use be prevented, and the conservation of such water, both surface and underground, is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people of the State and for the public welfare.

(d) The protection of the public interest in the development of the water resources of the State is of vital concern to the people of the State and the State shall determine in what way the water of the State, both surface and underground, should be developed for the greatest public benefit.

(e) The public interest of the State of Florida requires the conservation, protection, control, development and utilization of the water resources of this State.

(f) The right to water or to the use of flow of water in or from any natural stream, lake or water course or any artificially created reservoir or basin or artificially created water course in this State is and shall be limited to such water as shall be reasonably required for the beneficial use to be served, and such right does not extend and is not to the waste or unreasonable use or unreasonable method of use or unreasonable method of diversion of water, both surface and underground, in the State of Florida.

(g) The aforesaid declarations of policies are not exclusive.

Section 2. (a) There is hereby created, as an agency of the State of Florida, the Florida Department of Water Resources, hereinafter referred to as the Department, which shall consist of seven members, who shall be appointed by the Governor, with the advice and consent of the Senate; one member from each Congressional District as now defined and limited in this State, and one member from the State at large.

(b) Two members shall be appointed for a first term of two years; two members, for a term of three years; and three members, for a term of four years. At the expiration of the several first terms of office of the members of said department appointed under the provisions of this Act, each successor shall be appointed for a term of four years. In case any member, except the member appointed from the State at large, shall change his domicile from the Congressional District from which he was appointed, his office shall become vacant automatically and the Governor shall fill the vacancy by the appointment of another member from such district for the unexpired term. Any vacancy in membership in said department through death, resignation or other cause shall be filled by appointment by the Governor, for the unexpired term. No person shall be appointed as a member of the department unless he or she shall be a person of good moral character, have some knowledge of the water resources of the State of Florida, and shall have been a citizen and resident of the State of Florida continuously for a period of at least five years prior to the date of his or her appointment.

(c) The members of the Department, except the secretary when that office is held by a member, shall receive no compensation for their services, as members thereof, except for expenses necessarily incurred by them in the discharge of their official duties.

(d) Upon request of the Department, the Secretary of State shall provide suitable quarters for the housing of the headquarters of the Department in Tallahassee, Florida, but if such request is made and until suitable quarters are provided by the Secretary of State, the Department shall have authority to rent or lease such quarters. However, the Department may establish and maintain its headquarters and branch offices in other cities or towns in this State, as the business of the Department and the public interest may necessitate or require, and in such case the Department is authorized to pay for the lease or rental of such headquarters or branch offices out of any funds available for the Department's maintenance and operation.

(e) The Department is authorized to purchase all forms of supplies and equipment proper and necessary for the performance of its duties.

(f) The members of the Department, as soon as feasible after their appointment, shall meet and select from their number a chairman and a vice-chairman; they shall also select a secretary, who may be one of their members or the State Water Engineer, hereinafter provided for. The chair-

man, vice-chairman and secretary shall serve for a first term of one year and until their successors have been selected, and thereafter selection of a chairman, vice-chairman and secretary shall be made annually. Payment of salaries and expenses of employees, and the expenses of members of the Department shall be from any funds of the Department. The Department shall have, and is hereby granted, the power and authority to remove from office the chairman, vice-chairman, secretary or State water engineer, upon sufficient cause, by the vote of a majority of its members, and in case any office becomes vacant through removal, death or other cause, the members shall proceed to fill the vacancy. The Department shall, acting through the secretary or State water engineer, hereinafter provided for, enforce and carry out all of its rules, regulations or orders duly adopted and entered upon the minutes of its meetings. The Department or any of its officers, acting under its direction, shall have full authority to deal with departments or agencies of the United States Government or of the State of Florida, or of any other State, or with Boards of County Commissioners or the governing bodies of any political subdivision or taxing unit of the State of Florida, or private person, firm or corporation, and such officer shall submit to the Department at its next meeting a full report of all actions as such official representative. The secretary shall, during his term of office, have his official headquarters in the principal office of the Department.

(g) The secretary shall keep full and correct minutes of the meetings of the Department, which shall be open to public inspection.

(h) The Department shall have power to adopt and enforce rules and regulations for the government of its meetings and proceedings and for the transaction of its business.

(i) Meetings of the Department shall be held not less frequently than once every three months; other meetings may be held at such times and places as may be decided upon and may be called by the chairman, or, in his absence, by the vice-chairman, upon not less than one week's notice being given by the secretary to all members of the Department. Meetings may also be held upon the request in writing of any four members of the Department at a time and place to be designated in the request; notice of such meeting shall be given at least one week in advance thereof to all members of the Department by the secretary. Four members shall constitute a quorum at any meeting of the Department.

Section 3. The Department is expressly authorized and directed to employ, at such salary and upon such terms and conditions as it may determine, an Engineer, whose official title shall be "State Water Engineer." Such engineer shall possess such technical education, training, experience and other qualifications as said Department may determine and require. Such engineer, with the consent and approval of the Department, and within the limitations prescribed by it, may employ such professional assistants, special consultants, clerical and other employees as may be necessary for the proper administration of this Act. He shall enter into bond in the sum of \$25,000.00 for the faithful performance of his duties, and for the delivery to his successor or to the Department all books and other property of every nature and character whatsoever then in his hands, or under his control, or with which he may be legally chargeable, including all data, information, notes, surveys, drawings, plans, plats, investigations, reports, et cetera; said bond shall be furnished by a reputable bonding company, authorized to do business in this State, payable to the Governor of the State of Florida, and his successors in office, and approved by the State Comptroller, and the premiums of said bond shall be paid from funds of the Department as its other expenses are paid. Such Engineer shall maintain his principal office in the headquarters of the Department, shall perform such duties as are required of him by the Department and, while he is holding that office, he shall not accept any other employment, or remuneration for services, except as authorized by the Department.

Section 4. The Florida Department of Water Resources is hereby granted the power and authority and is charged with the responsibility:

(a) To conserve, protect, control, develop, and direct the utilization of the water resources of the State of Florida;

(b) To collect, coordinate and disseminate in useable form

all available information relating to water resources in the State of Florida;

(b) To collect, coordinate and disseminate in useable form all available information relating to water resources in the State of Florida, including the making of any necessary surveys and investigations pertinent thereto;

(c) To cooperate with any other Governmental Unit, Board, Department or Agency of or within the State or of the Federal Government, or of other States in making surveys and investigations and collecting and disseminating information.

(d) To review, and to require amendment of any plan for existing or future water supply and/or water control projects in this State; provided, however, that said Department shall not otherwise encroach upon, limit or impair any authority vested by law in any legal entity (district, county or otherwise) having jurisdiction over any such project or over water supply and/or water control measures for or on lands lying within the borders of such legal entity; and provided further that this paragraph shall not apply to municipalities nor to private interests supplying fresh water to municipalities.

(e) After public hearing in the area to be affected and if found to be in the public interest, to establish the level and range of level in any existing fresh water stream, canal, basin or lake or any artificial reservoir that may hereafter be made or constructed for the holding or impounding of fresh waters in this State; this authority to be administered by the Department so as to afford the greatest good to the greatest number of the people in the area or areas affected;

(f) To make and adopt regulations for the use and re-use, and to prevent the waste of fresh water in this State in all cases determined by the Department to be necessary; provided, however, that municipalities, and private interests supplying fresh water to municipalities, in this State are expressly exempted from the provisions of this paragraph.

(g) To assist and cooperate as far as possible with any agency of the United States, or of the State of Florida or of any other State, or any municipality, political subdivision or taxing unit of this State or any private person, firm or corporation with its, their, his or her problem dealing with any water supply and/or control project in the State of Florida, including the right to initiate and sponsor such projects in this State, but without authority to make any capital investment in any such project;

(h) To cooperate with any agency of the United States or of the State of Florida, or of any other State or any water supply and/or water control project lying partially in the State of Florida, including the right to initiate and sponsor such project in this State, but without any authority to make any capital investment in any such project;

(i) To make any investigation or survey relating to water resources in the State of Florida, including the right of ingress and egress over private property for such purposes.

The authority of the Department over wells for the purpose of conserving and preventing the waste of water, shall include not only jurisdiction over drilling and permits for same, but also over the rate and/or amount of water that can be pumped from wells, or permitted to flow from or into wells, the capping at the surface and/or the plugging beneath the surface of any well which is unused or abandoned, with full power of enforcement after public hearing, provided that the Department shall have no authority over wells of municipalities or of private interests supplying fresh water to municipalities.

Section 5. As used in this Act, the word "well" is construed to mean a water supply well, water drainage well, oil exploration well, or other well being drilled for, or resulting from, any other purpose.

Section 6. No well larger than three inches in diameter at the surface shall be drilled or constructed in this State until the owner or lessee of the land upon which the well is to be drilled, or the well drilling contractor, or the well driller shall have first secured a permit for same from the Department; provided, however, that this section shall not apply to wells of municipalities or to private interests supplying fresh water to municipalities. Any permit so issued may be cancelled at any time for a violation of any of the provisions of this Act or any rule, regulation or order of said Department.

Where the application for a permit alleges an emergency condition to exist, such application shall be granted or denied within five days from receipt of same by the Department.

Section 7. No water supply and/or water control project shall hereafter be constructed or altered in this State until the plan of said project first has been submitted to, and approved by, the Department; provided, however, that said Department shall not otherwise encroach upon, limit or impair any authority vested by law in any legal entity (district, county or otherwise) having jurisdiction over any such project or over water supply and/or water control measures for or on lands lying within the borders of such legal entity; and provided further that this paragraph shall not apply to municipalities nor to private interests supplying fresh water to municipalities.

Section 8. The Department is hereby authorized upon order of the Court where proceedings are pending relating to water resources of the State of Florida to supply to such Court any information in its possession, and to render any assistance requested by such Court. Upon order of the Court, any member of said Department, or the State Water Engineer, may be appointed as a referee or General Master in proceedings before the Court in matters involving water resources in the State of Florida.

Section 9. The Department is hereby granted authority to make and adopt reasonable rules, regulations and orders in the administration of this Act, provided that in any case involving dispute, the Department is hereby required to hold public hearing in the area affected before making or adopting any rule, regulation or order, and all such rules, regulations and orders, within the declared policies, powers and authorities herein granted, shall have the force and effect of law.

Section 10. Any willful violation of any of the provisions of this Act shall constitute a misdemeanor and shall be punished accordingly.

Section 11. Any rule, regulation, or order made and adopted by said Department in the administration of this Act shall be subject to review by the Circuit Court in the Judicial Circuit in which the matter arose, or in which the greater portion of the area affected is located. The Circuit Courts are hereby vested with jurisdiction to review any rule, regulation or order made and adopted by said Department. The final judgment of any Circuit Court entered on any matter reviewed by it, as authorized under the provisions of this Act, shall be subject to review on appeal by the Supreme Court of Florida, under the rules which now, or may hereafter, govern appeals in Chancery.

Section 12. In order that the water resources of this State may be most effectively protected, developed and utilized, all departments, boards, agencies and institutions of this State whose work, authority or functions affect or relate to said water resources are directed to co-ordinate such work, authority or functions through and with the department for the public welfare. To accomplish this purpose said department is hereby designated as the agency to obtain such co-ordination.

Section 13. The department shall make an annual report to the Governor of the State of Florida, and a biennial report to the Legislature of this State, either of which may include Legislative recommendations.

Section 14. The department is authorized to receive and use in the administration of this Act, any funds, contributions, donations, gifts or grants of money, land or property, in addition to any funds that may be made available to it by the Legislature of the State of Florida.

Section 15. The boards of county commissioners of the several counties of this State are authorized and empowered to establish water conservation districts within their respective counties. Such water conservation district or district shall be established by resolution of the Board of County Commissioners adopted at a special meeting or meetings held for that purpose. Notice of the time, place and purpose of such meeting shall be published once in a newspaper of general circulation in the county, not more than fifteen days and not less than ten days prior to the holding of such meeting.

Any such Water Conservation District may embrace all or any part of the county, and the board of county commis-

sioners of such county shall ex-officio constitute the Board of Commissioners of the Water Conservation District.

Section 16. The Board of Commissioners of every such Water Conservation District shall have power and authority to establish, install and put into operation such water conservation plans, measures and facilities as may be necessary or appropriate for the preservation, conservation and use of the water resources of the area served by such Water Conservation District.

Section 17. The Board of Commissioners of every such Water Conservation District shall have, and is hereby given, authority to acquire, own and hold, by gift, donation, purchase, condemnation, or otherwise, such lands or interests or easements therein or thereon as may be necessary or required for the establishment of water conservation areas within its District or Districts, and for the installation of ditches, canals, dams, locks, pumping stations and other facilities. Every such Board of Commissioners shall have power and authority to construct, install and equip such facilities, including, but not limiting to, dams, locks, ditches, canals, wells, pipe lines, pumps, pumping stations, reservoirs, tanks and stand-pipes, and to purchase, own, hold and dispose of such machines, machinery and equipment as may be necessary or required for, or in connection with the establishment, installation and operation of such water conservation plans and measures as may be adopted by such Board for its Water Conservation Districts. Acquisition by condemnation of lands or interests or easements therein or thereon shall be in accordance with Chapter 73, Florida Statutes 1941. Right to possession by the condemnor upon filing of Declaration of Taking shall be in accordance with Chapter 74, Florida Statutes 1941.

Section 18. The Board of Commissioners of every such Water Conservation District shall have authority to co-operate with the Boards of Commissioners of other Water Conservation Districts and with the Boards or Commissioners or other governing bodies of Drainage Districts and other improvement districts in planning water control and supply projects.

Section 19. The Board of County Commissioners of every county in which a Water Conservation District shall be established under this law shall be and is hereby authorized to levy a general county-wide annual tax of not more than two mills upon each dollar of taxable property within such county for the purpose of defraying the cost and expenses of installation, construction, purchase and operation of the lands and facilities of such Water Conservation District.

Section 20. The Board of Commissioners of every such Water Conservation District is hereby granted authority to make and adopt reasonable rules, regulations and orders in the administration of this Act, and all such rules, regulations and orders, within the declared policies, powers and authorities herein granted, shall have the force and effect of law, and may be enforced by mandatory injunction, or other appropriate action in the Courts of this State.

Section 21. The Department is hereby granted power and authority and is hereby charged with the duty:

(a) To review, approve and/or require amendment of any plan for water control or supply projects proposed to be installed or put into effect by every such Water Conservation District;

(b) To supply to the Board of Commissioners of every such Water Conservation District all available information relating to water resources within the State of Florida.

Section 22. No water control or supply project shall be installed or put into effect by the Board of Commissioners of any such Water Conservation District unless the plan for such water control or supply project has first been approved by the Department. Provided, the authority granted to said Department to review, approve and/or require amendment of plans for water control or supply projects shall not extend to or be construed as including any right or authority to control, supervise or interfere with the installation or operation of any such project except that said Department shall have the right to institute and prosecute suits for injunction in the Courts of this State to prevent the installation or operation by the Board of Commissioners of any such Water Conservation District of any facility in violation of any plan or plans previously approved as provided in this Act for such Water Conservation District.

Section 23. The Trustees of the Internal Improvement Fund of the State of Florida are hereby authorized and empowered to convey to such Water Conservation Districts, any unimproved lands owned and held by said Trustees within such respective Water Conservation Districts, which were originally acquired by the State of Florida from the United States under the "Swamp and over-flowed lands" Act. Before such conveyance such lands shall be appraised and upon such conveyance such Water Conservation District or Districts shall pay to said Trustees for the use and benefit of the State School Fund a sum equal to twenty-five per cent of the appraised value of such lands. No other or further sum shall be required to be paid therefor. The Boards of Commissioners or other governing bodies of the various counties and drainage districts are likewise hereby authorized and empowered to convey, without cost, to such Water Conservation Districts any unimproved lands owned and held by them within such respective Districts.

Section 24. For the administration of this Act, there is hereby appropriated from any monies in the General Revenue Fund of the State of Florida, not otherwise appropriated, the sum of \$150,000.00 for the period ending June 30, 1947.

Section 25. This Act shall be liberally construed, and if any word, phrase, paragraph, section or provision of this Act shall be held void, or inoperative, or unconstitutional, such holding shall not affect the remainder of this Act.

Section 26. All laws and parts of laws in conflict herewith be, and the same are hereby, repealed.

Section 27. This Act shall take effect upon becoming a law.

Senator King (7th Dist.) moved the adoption of the amendment.

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

Senator Beacham moved that the rules be waived and the hour of adjournment be extended one (1) hour.

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

Senator Sheldon now presiding.

Senator Boyle offered the following amendment to Committee Substitute for Senate Bill No. 190:

In Section 14, sub-paragraph (e), line 5, change the period after the word "necessary" in said line to a semi-colon and add the following words: "provided, however, that nothing herein contained shall apply to water used exclusively for irrigation of crops, watering stock, or drinking purposes."

Senator Boyle moved the adoption of the amendment:

Which was agreed to and the amendment was adopted.

Senator Boyle also offered the following amendment to Committee Substitute for Senate Bill No. 190:

In Section 14, sub-paragraph (g), line 10, change the period after the word "enforcement" in said line to a semi-colon and add the following words: "provided, however, that nothing herein contained shall apply to water used exclusively for irrigation of crops, watering stock, or drinking purposes."

Senator Boyle moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator McArthur moved that the rules be further waived and Committee Substitute for Senate Bill No. 190, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 190, as amended, was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 190, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Beacham	Branch	Coleman 28th
Ausley	Black	Carroll	Davis
Barringer	Boyle	Clarke	Fraser 31st
Baynard	Brackin	Coleman 13th	Griner

Johnson	Lindler	Sanchez	Wilson
King 7th	McArthur	Shands	
King 27th	Perdue	Sheldon	
Lewis	Riddle	Thomas	

Nays—3.

Fraser 29th	Johns	Sturgis
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So Committee Substitute for Senate Bill No. 190 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Thomas moved that House Bill No. 561 be recalled from the Committee on Finance and Taxation and the Committee on Appropriations and rereferred to the Committee on Aviation.

Which was agreed to and it was so ordered.

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—30.

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

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 Thomas asked unanimous consent of the Senate to take up and consider Senate Bill No. 674, out of its order, at this time.

Which was agreed to.

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.

Was taken up.

Senator Thomas moved that the rules be waived and Senate Bill No. 674 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 674 was read the second time by title only.

Senator Thomas moved that the rules be further waived and Senate Bill No. 674 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. 674 was read the third time in full.  
 Upon the passage of Senate Bill No. 674 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Senate Bill No. 674 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida, May 25, 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 refused to concur in Senate Amendment to:

By the Committee on Appropriations—

H. B. No. 843—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 amendment reads as follows:

In (typewritten bill) strike out everything after the enacting clause and insert in lieu thereof the following: Everything after the enacting clause of Senate Bill No. 585 as engrossed.

And respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Senator Davis moved that the Senate refuse to recede from the Senate Amendment to House Bill No. 843.

Which was agreed to and the Senate refused to recede from the Senate Amendment to House Bill No. 843.

Senator Davis moved that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to confer with a like committee on the part of the Senate to be appointed by the President to adjust the differences between the two Houses on the Senate Amendment to House Bill No. 843, and the action of the Senate was ordered certified to the House of Representatives.

Which was agreed to and it was so ordered.

Senator Johnson asked unanimous consent of the Senate to take up and consider House Bill No. 858, out of its order, at this time.

Which was agreed to.

H. B. No. 858—A bill to be entitled An Act authorizing cities and towns in this State to impose, levy and collect on each and every purchase of electricity, metered or bottled gas (natural, liquified petroleum gas or manufactured), water service, telephone service and telegraph service within their corporate limits, a tax (straight percentage, sliding scale, graduated or other basis) in an amount not to exceed ten per centum of the payments received by the seller of such utility service for the purchase of such utility service and providing that

in every case the tax shall be collected from the purchaser and paid by the purchaser for the use of the city or town to the seller of such utility service at the time of paying the charge therefor to the seller; Providing for other matters and things necessary and incidental to effect the purposes herein: And providing when this Act shall take effect.

Was taken up.

Senator Johnson moved that the rules be waived and House Bill No. 858 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 858 was read the second time by title only.

Senator Johnson moved that the rules be further waived and House Bill No. 858 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. 858 was read the third time in full.

Upon the passage of House Bill No. 858 the roll was called and the vote was:

Yeas—27.

Ausley	Branch	Fraser 29th	Lewis
Barringer	Bryant	Fraser 31st	Lindler
Baynard	Carroll	Gray	Sanchez
Beacham	Clarke	Johns	Sheldon
Black	Coleman 13th	Johnson	Sturgis
Boyle	Coleman 28th	King 7th	Thomas
Brackin	Davis	King 27th	

Nays—6.

Mr. President	McArthur	Shands	Wilson
Griner	Perdue		

So House Bill No. 858 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Johnson withdrew Senate Bill No. 600.

Senator Ausley asked unanimous consent of the Senate to take up and consider Committee Substitute for House Bill No. 478, out of its order, at this time.

Which was agreed to.

Committee Substitute for House Bill No. 478:

A bill to be entitled An Act to provide for a retirement system for State officers and employees of the State of Florida and making appropriation therefor.

Was taken up.

Senator Ausley moved that the rules be waived and Committee Substitute for House Bill No. 478 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 478 was read the second time by title only.

Senator Baynard offered the following amendment to Committee Substitute for House Bill No. 478:

In Section 16, line 3, (typewritten bill) strike out period and add the following: "or any elected official of the State of Florida."

Senator Baynard moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Baynard to Committee Substitute for House Bill No. 478, the roll was called and the vote was:

Yeas—15.

Mr. President	Boyle	Coleman 28th	McArthur
Barringer	Bryant	Davis	Shands
Baynard	Carroll	Fraser 29th	Wilson
Black	Clarke	Lewis	

## Nays—18.

Ausley	Fraser 31st	King 7th	Sheldon
Beacham	Gray	King 27th	Sturgis
Brackin	Griner	Perdue	Thomas
Branch	Johns	Riddle	
Coleman 13th	Johnson	Sanchez	

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

Senator Ausley moved that the rules be further waived and Committee Substitute for House Bill No. 478 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 478 was read the third time in full.

Upon the passage of Committee Substitute for House Bill No. 478 the roll was called and the vote was:

## Yeas—28.

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

## Nays—2.

Black	Davis
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So Committee Substitute for House Bill No. 478 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur, President Pro Tempore, now presiding.

By unanimous consent, Senator Ausley withdrew Senate Bill No. 169.

Senator Beacham moved that the rules be waived and the time of adjournment be extended forty-five (45) minutes.

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

## SENATE BILLS ON SECOND READING

S. B. No. 226—A Bill to be entitled an Act to amend Section 440.13, Florida Statutes 1941, and Section 440.15, Florida Statutes 1941, and Section 440.25, Florida Statutes 1941, and Section 440.44, Florida Statutes 1941, as amended by Chapter 21875, Acts of 1943, relating to the Workmen's Compensation Law and creating the Florida Industrial Commission by providing that the Industrial Commission may order the employer and/or insurance carrier to furnish medical treatment to injured employees in excess of one thousand dollars if the nature of the injury or the process of recovery may require such action; and by providing that if the employee objects to the medical attention furnished by the employer and/or insurance carrier it shall be the duty of the employer and/or insurance carrier to select another physician to treat the injured employee unless the commission determines that a change of medical attention is not for the best interest of the injured employee; and by providing the method for the payment of compensation for permanent partial disability not otherwise scheduled; and by providing that applications for review from orders of deputy commissioners may be filed with the commission; and by removing the position of the director of the Workmen's Compensation Division from the merit principle of personnel administration; and by providing that the commission may make certain expenditures.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and Senate Bill No. 226 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 226 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 226:

A bill to be entitled An Act to amend Section 440.13, Florida Statutes 1941, and Section 440.15, Florida Statutes 1941, and Section 440.25, Florida Statutes 1941, and Section 440.44,

Florida Statutes 1941, as amended by Chapter 21875, Acts of 1943, relating to the Workmen's Compensation Law and creating the Florida Industrial Commission by providing that the Industrial Commission may order the employer and/or insurance carrier to furnish medical treatment to injured employees in excess of one thousand dollars if the nature of the injury or the process of recovery may require such action; and by providing that if the employee objects to the medical attention furnished by the employer and/or insurance carrier it shall be the duty of the employer and/or insurance carrier to select another physician to treat the injured employee unless the Commission determines that a change of medical attention is not for the best interest of the injured employee; and by providing the method for the payment of compensation for permanent partial disability not otherwise scheduled; and by providing that applications for review from orders of Deputy Commissioners may be filed with the Commission; and by removing the requirement that the Director be the attorney for the Workmen's Compensation Division of the Commission; and by providing that the Commission may make certain expenditures; and by providing when this Act shall become effective; and by repealing all laws in conflict with this Act.

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

Senator Sturgis moved that the rules be waived and the Committee Substitute for Senate Bill No. 226 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 226 was read the second time by title only.

Senator Sturgis moved the adoption of the Committee Substitute for Senate Bill No. 226.

Which was agreed to and the Committee Substitute for Senate Bill No. 226 was adopted.

Senator Sturgis offered the following amendment to Committee Substitute for Senate Bill No. 226:

In Section 4, line 5, end of page 12 (typewritten bill), insert following: who shall be an attorney for the Commission.

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beacham offered the following amendment to Committee Substitute for Senate Bill No. 226:

In the title of the Act, strike out the words "and by removing the requirement that the director be the attorney for the Workmen's Compensation Division of the Commission."

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Lewis offered the following amendment to Committee Substitute for Senate Bill No. 226:

In Section 4, line 8, page 12 (typewritten bill) strike out the words: of five thousand dollars and insert in lieu thereof the following: of six thousand dollars.

Senator Lewis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Lewis also offered the following amendment to Committee Substitute for Senate Bill No. 226:

In Section 4, line 17, page 13 (typewritten bill) strike out the word: five and insert in lieu thereof the following: six.

Senator Lewis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Lewis also offered the following amendment to Committee Substitute for Senate Bill No. 226:

In Section 4, line 29, page 11 immediately following the word "state" (typewritten bill) strike out the words: and federal.

Senator Lewis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis moved that the rules be further waived and Committee Substitute for Senate Bill No. 226, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 226, as amended, was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 226, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Committee Substitute for Senate Bill No. 226 passed, as amended, and was referred to the Committee on Engrossed Bills.

By permission the following Committee Reports were filed:

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

H. B. No. 373—An Act amending Sections 392.04, 392.07, 392.09 and 392.10, Florida Statutes 1941, relating to the creation of the Florida State Tuberculosis Board prescribing its powers and duties and authorizing said Board to establish and maintain district Tuberculosis Sanatoria; to accept gifts, grants, or loans from the Federal Government, or any agency thereof, or from any other available source, for the establishment of such Sanatoria; authorizing said Tuberculosis Board to provide for the securing and repayment of such loans; and providing for the admission of patients to such Sanatoria and authorizing said Board to prescribe the conditions under which patients may be admitted to said Sanatoria and fixing the maximum charges for indigent and semi-indigent patients; and repealing all laws in conflict herewith.

Also—

H. B. No. 403—An Act to regulate, control, fix and establish standard measures for containers of wheat flour and provide penalties for the violation thereof.

Also—

H. B. No. 451—An Act to amend Sections 732.05 and 732.15, Florida Statutes 1941, relating to the disqualification, absence, sickness or other disability of the county judge, and to the substitution of the circuit judge in his stead, and providing for appeals from orders entered by such circuit judge.

Also—

H. B. No. 629—An Act authorizing and directing the Clerk of the Circuit Court in all counties of the State of Florida having a population of not less than 11,675 and not more than 11,875, according to the last preceding Federal Census, to cancel certain unpaid and uncollectible taxes.

Also—

H. B. No. 667—An Act to amend Section 1 of Article II of Chapter 20149, Laws of Florida 1939, being An Act entitled: "An Act re-creating, confirming and continuing Town of Surfside, a municipal corporation in Dade County, Florida; ratifying, approving and confirming its boundaries; prescribing its powers; prescribing qualifications of its electors; ratifying all taxes levied and acts done by its officers; repealing all laws so far as inconsistent with this Act; saving all rights, remedies and defenses of said municipality; declaring a rule of construction; and relating generally to said municipality", so as to provide that the Town of Surfside in Dade County, Florida, may borrow money in an amount in excess of 50% of the amount collected for taxes levied in and for the year preceding that in which said money is borrowed.

Beg 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. 716—An Act allowing to each County Commissioner of Martin County, Florida, the sum of Twenty-Five Dollars per

month as traveling expenses in lieu of allowances for such purpose as now provided by law.

Also—

H. B. No. 751—An Act authorizing and empowering the Board of County Commissioners for Manatee County, Florida, to sell certain property within the Manatee Valley Drainage District, without notice and for such prices as the Board deems advisable.

Also—

H. B. No. 752—An Act to limit the terms of the supervisors of Manatee Valley Drainage District and providing for their election.

Also—

H. B. No. 753—An Act to amend Chapter 11059 of the Laws of Florida 1925, being a Law amending Chapter 7218 of the Laws of Florida 1915, the same being the Charter of the City of Palmetto, by adding an additional Section immediately following Section 48 providing for the renting and leasing of municipally owned property, and providing for the term of such lease.

Also—

H. B. No. 754—An Act to amend Chapter 11059 of the Laws of Florida, 1925, being a law amending Chapter 7218 of the Laws of Florida, 1915, the same being the Charter of the City of Palmetto, by adding an additional Section immediately following Section 47, authorizing the City of Palmetto to levy a tax upon the sales in the City of Palmetto, of electricity, metered and bottled gas and local telephone service.

Also—

H. B. No. 757—An Act to establish and create a Fire Control District in certain parts of Lee County, Florida; authorizing and empowering the Board of County Commissioners of said County to purchase, own and operate fire fighting equipment and to employ and pay necessary persons to operate such equipment; to pay costs and expenses of such District and to make appropriations for such expenses and to levy taxes and make assessments for the payment of such costs and expenses; repealing all laws in conflict therewith and providing for the taking effect of the Act.

Beg 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. 606—An Act providing for the distribution of proceeds from the sale of lands under the provisions of Section 44 of Chapter 20722, Laws of Florida, Acts of 1941, as amended by Section 21, of Chapter 22079, Laws of Florida, Acts of 1943, by the clerks of circuit court in all counties having a population of not less than 2800 and not more than 3005, according to the Federal Census of 1940.

Also—

H. B. No. 669—An Act to declare, establish and designate a certain State Road.

Also—

H. B. No. 718—An Act authorizing the Board of County Commissioners of Martin County, Florida, to employ or to pension William H. Smith and to provide for the payment therefor out of the General Revenue Fund of Martin County, Florida.

Also—

H. B. No. 719—An Act to authorize the County Commissioners of Martin County, Florida, to retain and deposit in a separate account all receipts from State Racing and Fronton Funds; providing that such funds shall not be required to be included in the County Budget, permitting the accumulation of such funds from year to year, and authorizing their expenditure for either budgeted or unbudgeted lawful county purposes.

Also—

H. B. No. 728—An Act creating a Firemen's Relief and Pension Fund, for the use and benefit of the fire department of

the City of West Palm Beach, Florida, to be known as the West Palm Beach Firemen's Relief and Pension Fund, authorizing the levy of a special tax and otherwise providing a source of revenue to aid such fund, and to create a board of trustees with authority to receive, deposit, manage and disburse or pay out the proceeds of such fund, prescribing the benefits and beneficiaries under such fund, and defining the powers of said board, and providing for a referendum.

Beg 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. 355—An Act to declare, designate and establish a certain road in Putnam County, Florida, as a State Road and to authorize the State Road Department to permit the use of part of right-of-way for railway purposes.

Also—

H. B. No. 361—An Act to designate and establish certain State Road in Wakulla County, Florida, and providing that said designated Road be given an appropriate State number.

Also—

H. B. No. 374—An Act authorizing the State Tuberculosis Board in its discretion to receive for hospitalization care and treatment in any Tuberculosis Sanatorium operated by it, any Tuberculous Ward or charge of the Federal Government, or any agency thereof, under such rules and regulations and upon such terms and conditions as said board may prescribe; and authorizing said board to enter into such contracts as it may deem advisable with the Federal Government, or any agency thereof, to carry out the objects and purposes hereof.

Also—

H. B. No. 450—An Act amending Section 40.23, Florida Statutes 1941, relating to summoning jurors.

Also—

H. B. No. 529—An Act to declare, establish and designate a certain State road.

Also—

H. B. No. 534—An Act amending Section 6, Chapter 22012, Laws of Florida, Acts of 1943, the same being Section 16.48, 1943 Cumulative Supplement to Volume I, Florida Statutes 1941, and making an appropriation for the printing, publishing and binding required of, and authorized to be done by or under the direction of, the Statutory Revision Department.

Also—

H. B. No. 543—An Act amending Section 638.14, Florida Statutes 1941; relating to sick and funeral benefit insurance.

Beg 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. 211—An Act to amend Chapter 20446, Laws of Florida of 1941, entitled "An Act to regulate outdoor advertising outside of the corporate limits of cities and incorporated towns in sight of public highways; to provide for licensing persons engaged in the business of outdoor advertising and for the issuance of permits for advertisements and advertising structures; to prohibit certain advertisements and advertising structures and to provide for the removal of advertisements and advertising structures illegally posted, displayed, erected, used or maintained; to prescribe the powers and duties of certain officers relating thereto; and to prescribe penalties for violations of this Act" by providing a penalty for removing, destroying, damaging, injuring, defacing or tampering with any licensed structure or the advertisement thereon and by providing that the identification label or marker furnished the permittee for attachment to such structure shall give notice of the existence of such penalty.

Also—

H. B. No. 222—An Act amending Section 2 of Chapter 20723, Laws of Florida, Acts of 1941, as amended entitled: "An Act for the assessment and collection of revenue and relating to the assessment and collection of taxes on tangible personal property; providing penalties for violation of this Act and repealing all laws or parts of laws in conflict herewith."

Also—

H. B. No. 286—An Act providing that the time within which candidates for nomination in primary elections may file their sworn statement as required by Section 102.29 Florida Statutes 1941, shall expire at twelve o'clock noon on the last day of the period within which such sworn statement may be filed.

Also—

H. B. No. 315—An Act making it unlawful for any person to commit any act under color of authority as an officer, agent or employee of the United States Government, State of Florida, or any political subdivision thereof, when such act is not authorized by law, and making such person civilly liable and responsible under such circumstances; and providing penalties for the violation hereof.

Also—

H. B. No. 321—An Act to amend Section 409.15, Florida Statutes 1941, relating to establishment and operation of certain institutions by the State Welfare Board, and granting certain discretionary powers to the State Board of Health and State Welfare Board in connection therewith.

Beg 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. 53—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."

Also—

H. B. No. 278—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.

Also—

H. B. No. 661—An Act declaring, designating and establishing a certain State road in Orange County, Florida.

Also—

H. B. No. 689—An Act amending Chapter 18890 of the Special Laws of Florida 1937, which is "An Act creating a Civil Service for certain employees of the City of St. Petersburg, Florida, and creating a Civil Service Commission for said City governing the appointment, employment and discharge of said employees; defining the membership, powers, and duties of said Commission; designating the employees that come under the provisions of this Act and other matters relating to the establishment of Civil Service in said City; and providing for a referendum on said Act and when said Act shall take effect and other matters in regard thereto," by amending Section 3 of said Act by providing that the Civil Service Commission have authority to classify offices, places of employment, and positions, and shall have the authority to reclassify said offices, places or positions from time to time; and by amending Section 9 of the said Act by providing that any rule for Veterans' Credit Allowance established by the Civil Service Commission for original appointment shall not be applicable to promotional examinations unless made so by rule of the Commission; and amending Section 10 of the said Act to provide for the employment of unclassified temporary, seasonal, or project employees; and by amending Section 17 of said Act by changing the date of the annual report to the City Manager from July of each year to October of each year; and repealing all laws or parts of laws in conflict herewith; and providing when said Act shall become effective; and providing for a referendum on said Act.

Beg 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. 2—An Act amending Section 194.55, Florida Statutes 1941, as amended by Section 21, Chapter 22079, Laws of

Florida, Acts of 1943, relating to the sale of lands acquired by counties through foreclosure of tax liens, by providing that the notice shall be directed to all concerned that lands within the corporate limits of a municipality will be offered for sale at the City or Town Hall door or at the court house door as the Board of County Commissioners may designate by resolution.

Also—

H. B. No. 103—An Act amending Section 918.10 of the Florida Statutes 1941, relating to instructions by the court to the juries in criminal trials.

Also—

H. B. No. 145—An Act providing for the assessment and collection in Hillsborough County, Florida, of all taxes levied by the State, County, County School Board, School Districts, Special Tax School Districts and Municipalities in said County, pursuant to Sections 11 and 12 of Article VIII of the Constitution of the State of Florida; to provide for the assessment of all such taxes by the County Tax Assessor; to provide for the collection, care, custody, reporting and disbursement of all such taxes collected, by the County Tax Collector; to provide for additional bond to be posted by the County Tax Collector; to prescribe the powers, functions, duties and additional commissions of said County Tax Assessor and said County Tax Collector in connection therewith; to provide that the Tax Assessment Roll of said county shall be prepared, reviewed, equalized and completed, and all taxes collected thereon shall be in accordance with the general laws of Florida governing county taxation; to provide that the county budget commission of Hillsborough County, Florida, shall have no jurisdiction of power over the annual budgets of, or the millages determined and fixed by any municipality in said county; and to provide for the furnishing of audits made of the tax collector's office to each municipality in Hillsborough County, Florida.

Also—

H. B. No. 311—An Act declaring the public policy of this State regarding divorce decrees rendered by courts of other jurisdictions affecting citizens or residents of this State.

    Beg 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. 89—An Act to cancel and discharge tax sales certificates and tax liens for State and County Taxes, now outstanding and unpaid on the following described real estate in Palmetto, Manatee County, Florida: The  $W\frac{1}{2}$  of  $NW\frac{1}{4}$  of

the  $NW\frac{1}{4}$  of Section 15, Township 34 south, range 17 east, and Begin 35 feet south of NE corner of block "G" Lamb's Plat, thence west 100 feet, south 35 feet, east 100 feet, north 35 feet to beginning, in Section 14, Township 34 south, range 17 east.

Also—

H. B. No. 104—An Act to amend Section 2, of Chapter 16995, Laws of Florida, Acts of 1935, approved June 7, 1935, entitled "An Act authorizing the Trustees of the Internal Improvement Fund of the State of Florida, in their discretion, to convey to the United States, lands in Dade, Monroe and Collier Counties to become a part of the Everglades National Park, pursuant to the enabling Act of Congress passed May 30, 1934, and authorizing the Trustees of the Internal Improvement Fund, in their discretion, to exchange other State lands for privately owned lands within said Park area, and for conveying lands so received in exchange to the United States."

Also—

H. B. No. 142—An Act amending Section 323.24, Florida Statutes 1941, relating to Auto Transportation Companies under the jurisdiction of the Railroad Commission so as to provide that the Railroad Commission may proceed in equity for an accounting against any such company which has failed to pay mileage taxes.

Also—

H. B. No. 209—An Act to permit a fraternal benefit society to sell, assign and transfer all of its assets, property and reserves to a duly incorporated authorized legal reserve life insurance company, and providing for the transfer of said assets, property and reserves of a fraternal benefit society to such purchaser and assignee, and providing for the assumption by such legal reserve life insurance company of all the obligations and liabilities of said society to its members, and providing for the reinsurance of the contracts, policies and membership certificates of the members of such fraternal benefit society by such authorized legal reserve life insurance company and to do everything necessary to give said members the same benefits and protection they were entitled to of and from said society, and providing for the repeal of any law or part of law in conflict with the provisions of this Act.

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

    The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 2:45 o'clock P. M., until 1:00 o'clock P. M. Monday, May 28, 1945.