

JOURNAL OF THE SENATE

24

Tuesday, April 15, 1947

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 14, 1947.

The President in the Chair.

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

Mr. President	Crary	King	Rose
Alford	Davis	Leaird	Sanchez
Baynard	Flake	Lindler	Shands
Beacham	Franklin	Mathews	Sheldon
Beall	Fraser (29th)	McArthur	Sturgis
Boyle	Fraser (31st)	Moon	Walker
Bracklin	Getzen	Pearce	Wilson
Carroll	Gray	Perdue	
Coleman	Johns	Ray	
Collins	Johnson	Riddle	

—37.

A quorum present.

Senator Branch was excused from attendance upon the session today.

The following prayer was offered by the Chaplain:

"O God, grant that we may have that purity of heart which sees Thee, the Eternal Spirit of goodness and love. Help us to put away all wrong desires and selfish appetites, and to give ourselves entirely to Thy service, Thy freedom, and Thy joy. Teach us that today will be full of Thy blessings if we live it in Thy love. Help us to use each present moment in service to Thee. Help us to hallow each thing we do by doing it as in Thy sight and to Thy glory. May each thought and hope, each word and act of ours count for Thy purpose and add to our growth in goodness. May our day be a succession of offerings of love made by us in the Spirit of Christ for our brothers and for Thee, our God. Amen."

The reading of the Journal was dispensed with.

The Journal of Monday, April 14, 1947, was corrected and as corrected was approved.

Senator Boyle moved that Senate Bill No. 4 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

REPORTS OF COMMITTEES

Your Committee on Public Health, to whom was referred:

S. B. No. 39—A bill to be entitled An Act to promote the prevention and cure of cancer: to authorize the Florida State Board of Health to establish a standard for the organization, equipment, and conduct of cancer units or departments in general hospitals or in private clinics in this State: to conduct an educational campaign for the control of cancer: and to provide a plan for the care and treatment of indigent persons suffering from cancer.

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

Very respectfully,
W. B. MOON,
Chairman of Committee.

And Senate Bill No. 39, contained in the above report, was placed on the Calendar of Bills on Second Reading.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Shands—

S. B. No. 66—A bill to be entitled 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 not less than 38,500 and not more than 38,700 according to the official Federal Census of 1940.

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

By Senator Shands—

S. B. No. 67—A bill to be entitled An Act to amend Section 821.07, of Florida Statutes 1941, to provide that it shall be unnecessary to give notice by posting on any tract of land whatsoever that is completely surrounded by a good and substantial fence and to provide that any such fence shall be notice to the public in general that no one is authorized to enter thereon.

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

By Senator Shands—

S. B. No. 68—A bill to be entitled An Act to amend Sections 204.01, 204.02, 204.04, 204.05 and 204.14 of Florida Statutes, 1941, 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 of which such license tax is imposed: And to give the effective date of this act.

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

By Senator Sheldon—

S. B. No. 69—A bill to be entitled An Act providing for a front and rear license tag upon all automobiles and self-propelled vehicles and authorizing the Motor Vehicle Commissioner to issue same and for other purposes.

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

By Senator Sturgis—

S. B. No. 70—A bill to be entitled An Act to repeal Chapter 19317, Laws of Florida, Acts of 1939, also being Chapter 478, Florida Statutes, 1941, being An Act to regulate and control the practice of photography, and defining the same and requiring the certificate of registration as a condition precedent to any party practicing photography, and prescribing the terms and conditions upon which certificates may be issued to any party to practice photography in the State of Florida, creating the State Board of Photographic Examiners, and defining and declaring its powers and duties, prescribing a course of study and requirements, imposing certain fees upon persons applying for certificates to practice photography in Florida, imposing certain annual license fees upon employers and photographers practicing photography in Florida, and appropriating the proceeds thereof to accomplish the purposes of this Act: And prescribing penalties for the violation of the provisions of this Act and regulations hereunder.

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

By Senators Sheldon and Pearce—

S. B. No. 71—A bill to be entitled An Act appropriating in addition to all of the money now appropriated or hereafter appropriated for old age assistance to be administered by The Welfare Board of the State of Florida and to provide an additional \$10.00 monthly with which to match Federal funds and increase the State's maximum to \$30.00 monthly to old age assistance and appropriating the sum of \$6,000,000.00 annually from general funds.

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

By Senator Flake—

S. B. No. 72—A bill to be entitled An Act authorizing the establishment, construction, equipment, maintenance, operation and management of the South Florida State Hospital and fixing the location thereof; authorizing and directing the Board of Commissioners of State Institutions of the State of Florida to accept lands and other property as donations or gifts to be used in the establishment, construction, equipment, maintenance and operation of said hospital; authorizing and directing cooperation between the said hospital and the United States and its agencies; providing for the management, control and operations of said hospital, and making an appropriation for said hospital.

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

By Senator Carroll—

S. B. No. 73—A bill to be entitled An Act authorizing the treasurer of the State Board of Administration, as county treasurer ex officio, to accept from any Federal Reserve Bank, or member bank thereof, or from any bank incorporated under the laws of the United States of America, trust or safekeeping receipts issued by them or either of them, in lieu of the actual depositing with him of the securities required by Section 344.17, Florida Statutes, 1941, of any law supplementary thereto or amendatory thereof.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Shands—

S. B. No. 74—A bill to be entitled An Act to define certain additional privileges and to levy and provide for the collection of privilege taxes upon sales of real and personal property, admissions and rentals, and to fix the amount of tax to be imposed and collected; to appropriate certain monies derived from such taxes, and to direct the payment of revenues derived from such taxes to the public schools for their improvement and support, and counties, incorporated municipalities of the State of Florida for their aid in carrying out certain defined state functions, and to provide for the reduction of ad valorem taxes imposed for county and municipal purposes; and to repeal Sections 1 and 2 of Chapter 22645, and Section 1 of Chapter 22562, and Sections 1 and 3 of Chapter 22713, Laws of Florida 1945, and to impose excise taxes in lieu of the taxes imposed by such sections to be collected and distributed under this law; and to provide penalties for the violation of this act.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida, April 9, 1947.

Hon. S. D. Clarke,
President of the Senate.
Sir:

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

By Senators Mathews, Clarke, Shands, Pearce, Sheldon, Sanchez, Fraser (29th) and Johns—

Senate Concurrent Resolution No. 2:

WHEREAS, Henry Ford, internationally famous automobile manufacturer, passed away this morning in his eighty-fourth year, and

WHEREAS, Mr. Ford, through manufacturing more motor vehicles than any other person or firm in the history of the automobile and becoming during his life one of the greatest stimulants to economic development on earth, and, by being the first person to set the price of the automobile at a figure the ordinary person could afford, made motor vehicle ownership more common than was ever the case with horse-drawn

vehicles and thus so stimulated travel that our people know their country much better than ever in history, and

WHEREAS, the educational effect of Mr. Ford's work is so great as to be beyond ordinary calculation, enabling geographers, scientists and explorers in general to know more about adjacent countries than formerly they did about their own, probably having had a greater indirect effect in bringing about an improved highway system than any other person, and

WHEREAS, Mr. Ford was a friend to Florida spending many winters in the state helping to advertise and develop it, NOW, THEREFORE,

BE IT RESOLVED, First, that the Senate and House of Representatives of the State of Florida express their regret at the passing of this great man whose achievements have been of such an extraordinary nature, and

BE IT RESOLVED, Second, that the educational development of America has been tremendously influenced and the cause of individualism in business and achievement generally has lost a friend.

BE IT RESOLVED, Third, That the Senate and House hereby jointly express their sympathy to the bereaved family, and feel that it can look back with pride to the influence and achievements of this great American.

BE IT RESOLVED, Fourth, that a copy of these resolutions be sent to the family of Mr. Ford and to the Press.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 2, 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, April 14, 1947.

Hon. S. D. Clarke,
President of the Senate.
Sir:

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

By Senators Collins, Sturgis, and Davis—

Senate Concurrent Resolution No. 3:

A RESOLUTION INVITING THE HONORABLE CLAUDE PEPPER AND THE HONORABLE SPESSARD L. HOLLAND, UNITED STATES SENATORS FROM FLORIDA, TO ADDRESS A JOINT SESSION OF THE FLORIDA LEGISLATURE.

WHEREAS, the Honorable Claude Pepper and the Honorable Spessard L. Holland will visit in the State Capital on Thursday, April 17, 1947, and the membership of the Florida Legislature would like to hear such messages as they may bring on the occasion of said visit, therefore

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

THAT the Honorable Claude Pepper and the Honorable Spessard L. Holland, United States Senators from Florida, be and they are hereby invited to address a joint session of the Florida Legislature to be convened at 3:00 o'clock, P. M., on Thursday the 17th day of April 1947, in the Hall of the House of Representatives.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 3, 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, April 10, 1947.

Hon. S. D. Clarke,
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. Luckie, Crews and Morgan of Duval—

H. B. No. 49—A bill to be entitled An Act affecting the government of the City of Jacksonville: Creating a Board of Public Utilities, providing for the appointment of the members of the Board and prescribing its powers and duties and providing for a referendum.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 49, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

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

Tallahassee, Florida, April 10, 1947.

Hon. S. D. Clarke,
President of the Senate.
Sir:

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

By Messrs. Murray of Polk, L. W. Smith of Polk, Collins of Sarasota, Wilson of Columbia—

House Concurrent Resolution No. 1:

A CONCURRENT RESOLUTION inviting General Jonathan M. Wainwright to address a joint session of the Senate and House of Representatives.

WHEREAS it is anticipated that General Jonathan M. Wainwright, the hero of Corregidor, will visit Honorable N. D. Wainwright, Jr., a member of the House of Representatives, during the present session of the Legislature; and

WHEREAS General Wainwright has earned the gratitude of every American and is an inspiration to every American;

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

That General Jonathan M. Wainwright be invited to address a joint session of the Senate and House of Representatives at some time to be agreed upon by General Wainwright and a committee to be designated by the President of the Senate and the Speaker of the House.

And respectfully requests the concurrence of the Senate therein.

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

And House Concurrent Resolution No. 1, contained in the above Message, was read the first time in full.

Senator King moved that the rules be waived and House Concurrent Resolution No. 1 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 1 was read the second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And House Concurrent Resolution No. 1 was adopted and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida, April 14, 1947.

Hon. S. D. Clarke,
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. Morrow and Elliott of Palm Beach—

H. B. No. 13—A bill to be entitled An Act providing for supplementary compensation to be paid by Palm Beach County, Florida, to each Circuit Judge who is a citizen and resident of such county and making the same a county purpose.

Proof of publication attached.

By Mr. Luckie of Duval—

H. B. No. 7—A bill to be entitled An Act amending Section 196.07, Florida Statutes 1941, and to provide that the provisions thereof shall, after January 1st, 1948, be applicable to any deed executed pursuant to any tax foreclosure or tax forfeiture to satisfy a tax lien and to any deed executed by the State, county, municipality or other subordinate taxing unit pursuant to any tax foreclosure, tax forfeiture, or any other proceeding to satisfy a tax lien.

And respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 13, contained in the above Message, 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.

And House Bill No. 13, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 13 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 13 was read the second time by title only.

Senator Beacham moved that the rules be further waived and House Bill No. 13 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. 13 was read the third time in full.

Upon the passage of House Bill No. 13 the roll was called and the vote was:

Yeas—37

Mr. President	Crary	King	Rose
Alford	Davis	Leaird	Sanchez
Baynard	Flake	Lindler	Shands
Beacham	Franklin	Mathews	Sheldon
Beall	Fraser (29th)	McArthur	Sturgis
Boyle	Fraser (31st)	Moon	Walker
Brackin	Getzen	Pearce	Wilson
Carroll	Gray	Perdue	
Coleman	Johns	Ray	
Collins	Johnson	Riddle	

Nays—None

So House Bill No. 13 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 7, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

Senator Gray moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:54 o'clock, A. M., until 11:00 o'clock A. M., Wednesday, April 16, 1947.