

JOURNAL OF THE SENATE

EXTRAORDINARY SESSION

MONDAY, JUNE 10, 1929

The Senate convened at 11 o'clock A. M., pursuant to adjournment on Saturday, June 8, 1929.

The President in the chair.

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

Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of June 8, 1929, was corrected, and as corrected was approved.

Senator Swearingen moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 7 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 7:

A bill to be entitled An Act to provide for the assessment and collection of taxes on motor vehicles; providing how the proceeds of said tax shall be administered and applied; and providing that no motor vehicle shall be registered or a number plate therefor issued after October 31, 1929, unless and until the applicant for the registration shall make it appear that the ad valorem tax on the vehicle then due, if any, has been paid.

Was taken up out of its order and read a second time in full. Senator Waybright offered the following amendment to Senate Bill No. 7:

Strike out Section 6.

Senator Waybright moved the adoption of the amendment.

Upon which a yea and nay vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Anderson, Caro, Council, Hinely, Knabb, McCall, Neel, Rowe, Scales, Singletary, Turnbull—11.

Nays—Mr. President, Senators Dell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, King, Malone, Mitchell, Phillips, Putnam, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Welsh, Whitaker, Young—23.

Senator Waybright announced the following:

I am paired with Senator Adams on the adoption of the amendment. I would vote "yea" and if Senator Adams were present he would vote "nay."

So the amendment was rejected.

Senator Futch moved that the rules be further waived and Senate Bill No. 7 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds vote.

And Senate Bill No. 7 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Senators Bell, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Knabb, Malone, Mitchell, Phillips, Putnam, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Welsh, Whitaker, Young—25.

Nays—Mr. President, Senators Anderson, Caro, Council, McCall, Neel, Rowe, Scales, Singletary, Turnbull—10.

Senator Waybright announced the following:

I am paired with Senator Adams on the passage of the bill. I would vote nay and if Senator Adams were present he would vote yea.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rules having been waived.

Senator King moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 8 out of its order.

Which was agreed to.

And—

Senate Bill No. 8:

A bill to be entitled An Act to amend Section 4 of Chapter 11901, Laws of Florida 1927, entitled "An Act creating the office of Commissioner of Motor Vehicles, providing for his appointment, prescribing his duties and powers, and fixing his compensation."

Was taken up out of its order and read a second time in full. Senator Bell moved that the rules be further waived and Senate Bill No. 8 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 8 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—35.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

Senator Malone moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 5 out of its order.

Which was agreed to.

And—

Senate Bill No. 5:

A bill to be entitled An Act to amend Section 1 and 4 of Chapter 9120, Laws of Florida, Acts of 1923, entitled "An Act imposing license tax upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the distribution of the monies derived from such tax and fixing a penalty for the violation of the provisions of this Act, and to repeal all laws in conflict with this Act" as amended by Section 1 of Chapter 10,025, Laws of Florida, Acts of 1925, and as further amended by Chapter 12,037, Laws of Florida, Acts of 1927, said Sections 1 and 4 being Sections 1153 and 1156 of the Compiled General Laws of Florida, 1927.

Was taken up out of its order and read a second time in full.

Senator Young moved that when the Senate do adjourn it take a recess until 3 o'clock P. M., this day.

Which was agreed to and so ordered.

Senator Malone offered the following amendment to Senate Bill No. 5:

In Section 1, line 34, after the word "construction", insert the following: "bears to the total amount of such indebtedness issued and now outstanding in all the counties."

Senator Malone moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Malone offered the following amendment to Senate Bill No. 5:

In Section 1, line 31, strike out the word "to" after the word "proportion", and insert in lieu thereof the following "that".

Senator Malone moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Malone offered the following amendment to Senate Bill No. 5:

In Section 1 (printed bill), at line 15 on page 4, after the word "maintenance", insert the following "if the apportionment of this fourth gas tax for such purposes or either of them shall be held unconstitutional, then such apportionment shall be made in such manner as may be lawful."

Senator Malone moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Phillips offered the following amendment to Senate Bill No. 5:

Strike out all after the enacting clause and insert in lieu thereof the following.

Section 1. That Sections 1 and 4 of Chapter 9120, Laws of Florida, Acts of 1923, entitled "An Act imposing license taxes upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the distribution of the moneys derived from such tax, and fixing a penalty for the violation of the provisions of this Act, and to repeal all laws in conflict with this Act," as amended by Section 1 of Chapter 10025, Laws of Florida, Acts of 1925, and as further amended by Chapter 12037,

Laws of Florida, Acts of 1927, be, and the same is hereby amended so as to read as follows:

"Section 1. Every dealer in gasoline, or other like products of petroleum, under whatever name designated, in this State, shall pay a license tax of Five (\$5.00) Dollars to the State, and, in addition thereto, five cents per gallon for every gallon of gasoline, or other like products of petroleum, sold by him and upon which the tax herein provided has not been paid, or the payment whereof has not been assumed by a person preceding him in the handling of said lot of products, said tax of five cents per gallon being made up of three special taxes, being one tax of two cents a gallon for the State of Florida for the use of the State Road Department, as provided by law, and another tax of two cents per gallon for the several counties of the State and the special road and bridge districts of such counties, respectively, and another tax of one cent per gallon for the several counties of the State to be divided equally among the several counties of the State, as hereinafter provided. Delivery of any gasoline, or other like products of petroleum, under whatever name designated, sold in this State shall be deemed to be made at the point of destination. Said license tax of Five (\$5.00) Dollars for the State shall be paid into the State Treasury in a special fund to the credit of the Comptroller, who shall issue to the licensee a receipt and certificate evidencing the payment of said license. Said receipt or certificate shall be posted or displayed and so kept at all times open to the public view that the same may be readily inspected in the place of business for which the same is issued. The tax of five cents per gallon on gasoline, or other like products of petroleum, under whatever name designated, hereinbefore imposed, shall be paid into the State Treasury into a special fund to be credited to the account of the Comptroller, which payment shall be made monthly in the following manner: On or before the 15th day of each month the dealer shall report, under oath, to the Comptroller, the number of gallons of such products sold by him during the preceding month, and shall at the same time pay into the State Treasury to the account of the Comptroller the amount of the tax above mentioned. Such report shall show in detail the number of gallons of such products so sold and delivered in each county. All proceeds of the license tax of three cents per gallon hereinbefore imposed to be apportioned or distributed in the several counties of the State shall be so apportioned and distributed by the Comptroller in the manner and according to the requirements of Section 4 of this Act, and all the proceeds realized from the entire tax of five cents per gallon imposed by this Act shall be, and the same are hereby, annually appropriated to be apportioned, distributed and disbursed by the Comptroller for the purposes and in the manner provided by law."

"Section 4. All moneys derived from the license tax imposed by this law shall be subject to the payment by the Comptroller of the expenses incident to the administration of this law, including postage, clerical aid, and costs and expenses of litigation, and shall be held in the State Treasury in a special fund to be credited to the account of the Comptroller, who shall draw his warrants from time to time upon the Treasury against said fund for the payment of all such expenses as may be incurred by him incident to the administration of this law, including postage, clerical aid, costs and expenses incident to litigation, and such sums of money as the Comptroller may from time to time determine shall be refunded to any person making over-payments in the said fund. All of said warrants shall be drawn by the Comptroller upon the State Treasury pursuant to vouchers and shall be paid in like manner as other State Warrants are paid out of the appropriate fund against which the same shall be drawn, and all sums of money necessary to provide for the payment of said warrants by the Comptroller drawn upon said funds are hereby appropriated annually out of said fund for the purpose of making such payments from time to time. After the payment of all expenses incident to the administration of this law, including postage, clerical aid and costs of expenses incident to litigation, as well as refunds, if any, said funds shall be apportioned, divided, allotted and distributed by the Comptroller upon warrants drawn by him upon the Treasury for that purpose, as follows: Two cents per gallon, less the pro rata portion of expenses incident to administration, shall be transferred in the State Treasury to the credit of the State Road License Fund, which fund is hereby created for the reception of the same, and transfers of money to which from the special fund held to the account of the Comptroller, shall be made by the State Treasurer from time to time. All such moneys in the State Road License Fund derived from the license tax aforesaid shall be used for the construction and maintenance of State roads, as otherwise provided by law, under the direction of the State Road Department, which department may from time to time make

requisitions on the Comptroller for funds to pay for the construction and maintenance of State roads. All moneys derived from one and one-fourth cents of the two-cent tax imposed by this law for the several counties and the special road and bridge districts, as provided for in Section 1 as amended, less the pro rata portion of expenses of administration, as herein provided, shall be paid in equal parts to the several counties of the State of Florida which the Comptroller shall ascertain and determine have a bonded indebtedness for road and bridge purposes in such counties aggregating more than two million dollars (\$2,000,000.00), and all moneys received by such counties under such apportionment and distribution by the Comptroller shall be applied by the County Commissioners of such counties to the credit of the Interest and Sinking Fund account of such counties to be used for the retirement of bonded indebtedness of such counties, and the special road and bridge districts therein and for no other purposes. Three-fourths of one cent of the two cent tax imposed by this law for the several counties and special road and bridge districts of such counties respectively, as provided for in Section 1 as amended less the pro rata portion of expenses of administration as herein provided, shall be paid, apportioned and distributed by the Comptroller in equal parts to the several counties of the State which he shall ascertain and determine have an aggregate bonded indebtedness for road and bridge purposes of less than Two Million Dollars (\$2,000,000.00) per county, and such moneys as shall be received by the counties out of said apportionment and distribution by the Comptroller shall be applied by the County Commissioners of such counties to the credit of the interest and sinking fund account of all bonds issued by the county or by road and bridge districts therein for road and bridge purposes and for no other purposes. From and after the time the road and bridge district indebtedness of any county or the county indebtedness for road and bridge purposes of any county shall have been paid up and discharged under this Act, the proportionate share of money which would be distributed by said counties for the purpose of applying to the interest and sinking fund of said counties to discharge bonded indebtedness therein, shall be apportioned and distributed equally to the counties of the State which have a bonded indebtedness in excess of Two Million Dollars (\$2,000,000.00) per county until such bonded indebtedness shall be fully paid up and discharged. All moneys allotted to each county under this Act to apply upon the principal and interest of bonded indebtedness for road and bridge purposes of the county or special road and bridge districts therein shall be applied only to the general obligations of county and special road and bridge districts therein issued for the purpose of constructing roads and/or bridges, but shall not be construed to include certificates of indebtedness, warrants or promissory notes, and the term "bonded indebtedness" shall not be construed to include any bonds for the retirement of which there is authorized to be levied special benefit assessments against abutting property in the counties or districts issuing such bonds, unless such bonds were issued for the purpose of building or constructing a road or highway which has been designated as a State road or highway. If any special road or bridge district shall contain land in more than one county, the amount of the bonded indebtedness of such special road and bridge district shall be, for the purposes of this Act, apportioned between or among such counties in the proportion that the assessed valuation of the area of each county included within such special road and bridge district shall bear to the total assessed valuation of such special road and bridge district. All moneys necessary to meet the apportionments and distributions hereinbefore provided for to be made to the several counties to discharge road and bridge district indebtedness or county indebtedness for road and bridge purposes, as provided above are hereby annually set aside and appropriated for that purpose in the proportions hereinabove specified, and disbursement of said fund shall be made by the State Comptroller upon warrant drawn by him upon the State Treasurer and paid in like manner as other State warrants, which warrant shall be made payable to the Board of County Commissioners of the county entitled to receive the apportionment represented by the face amount of such warrant, and such warrant shall be by the Board of County Commissioners paid into a special fund in the county which shall be applied exclusively to the discharge of county road and bridge indebtedness and the road and bridge indebtedness of the road and bridge districts in the county as hereinbefore provided for. The remaining one cent per gallon tax as provided for in Section 1 as amended, less the pro rata portion of expenses of administration as aforesaid, shall be transferred in the State Treasury to the credit of a special fund which is hereby created for the reception of the same. The

total amounts accruing to the counties in such special fund shall be and the same is hereby appropriated by the Legislature to be apportioned and distributed in equal parts to the several Boards of Public Instruction of the several counties of the State of Florida to be and by them disbursed solely for the support and maintenance of public free school in such counties respectively, and the Legislature hereby determines and declares as the principle of classification of such apportionment and distribution the right to equal participation in such fund by each Board of Public Instruction for each county in the State of Florida in said special appropriation to the County School fund of the several counties for the use and benefit and the support and maintenance of public free schools in the several counties. Payments of all moneys provided to be allotted, apportioned, distributed or divided shall be made by warrants drawn by the Comptroller upon the State Treasurer upon the proper fund and made payable to the Board of County Commissioners of the several counties or to the Board of Public Instruction of the said counties of the State as the case may be, and it shall be the duty of the Comptroller to draw his warrants upon the Treasurer monthly and of the State Treasurer to pay the same according to the terms and provisions of this law. For the purpose of providing for the payment by the Comptroller for the expenses incident to the administration of this law, including postage, clerical aid, and costs and expenses incident to litigation, as well as refunds which may be made by the Comptroller and payments as otherwise provided by law, the Treasurer shall retain in a separate fund derived from the license taxes imposed by this law, to be kept for the account of the Comptroller, a sum estimated by him from time to time to be sufficient to enable the Treasurer to make the payments provided for in this law, which fund shall be deemed appropriated annually for the use and benefit of the Comptroller for the purpose of enabling the Comptroller to administer the duties and powers conferred upon him by this law, and shall be disbursed as herein provided."

Section 2. If any part of this law shall be held unconstitutional or shall be ineffective for any reason as to the allocation or appropriation of funds, then any such fund, if for the benefit of counties, shall be ipso facto appropriated and allotted to the general revenue fund of the county or counties, upon the basis that the same is herein required to be allotted, and if for the benefit of State funds, the same shall be ipso facto allotted and appropriated to the general revenue fund of the State of Florida.

Section 3. This Act shall take effect and be in force from and after July 1st, 1929.

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

Senator Phillips moved the adoption of the amendment.

Pending the consideration of the amendment, Senator Wagg moved that the time of adjournment be extended five minutes.

Which was not agreed to.

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

AFTERNOON SESSION

The Senate convened at 3 o'clock P. M., pursuant to recess order.

The President in the chair.

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

Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

A quorum present.

The consideration of the amendment to Senate Bill No. 5, offered by Senator Phillips, which was pending at the hour of recess this morning, was resumed, as follows:

Section 1. That Sections 1 and 4 of Chapter 9120, Laws of Florida, Acts of 1923, entitled "An Act imposing license taxes upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the distribution of the moneys derived from such tax, and fixing a penalty for the violation of the provisions of this Act, and to repeal all laws in conflict with this "Act," as amended by Section 1 of Chapter 10025, Laws of

Florida, Acts of 1925, and as further amended by Chapter 12037, Laws of Florida, Acts of 1927, be, and the same is hereby amended so as to read as follows:

"Section 1. Every dealer in gasoline, or other like products of petroleum, under whatever name designated, in this State, shall pay a license tax of Five (\$5.00) Dollars to the State, and, in addition thereto, five cents per gallon for every gallon of gasoline, or other like products of petroleum, sold by him and upon which the tax herein provided has not been paid, or the payment whereof has not been assumed by a person preceding him in the handling of said lot of products, said tax of five cents per gallon being made up of three special taxes, being one tax of two cents a gallon for the State of Florida for the use of the State Road Department, as provided by law, and another tax of two cents per gallon for the several counties of the State and the special road and bridge districts of such counties, respectively, and another tax of one cent per gallon for the several counties of the State to be divided equally among the several counties of the State, as hereinafter provided. Delivery of any gasoline, or other like products of petroleum, under whatever name designated, sold in this State shall be deemed to be made at the point of destination. Said license tax of Five (\$5.00) Dollars for the State shall be paid into the State Treasury in a special fund to the credit of the Comptroller, who shall issue to the licensee a receipt and certificate evidencing the payment of said license. Said receipt or certificate shall be posted or displayed and so kept at all times open to the public view that the same may be readily inspected in the place of business for which the same is issued. The tax of five cents per gallon on gasoline, or other like products of petroleum, under whatever name designated, hereinbefore imposed, shall be paid into the State Treasury into a special fund to be credited to the account of the Comptroller, which payment shall be made monthly in the following manner: On or before the 15th day of each month the dealer shall report, under oath, to the Comptroller, the number of gallons of such products sold by him during the preceding month, and shall at the same time pay into the State Treasury to the account of the Comptroller the amount of the tax above mentioned. Such report shall show in detail the number of gallons of such products so sold and delivered in each county. All proceeds of the license tax of three cents per gallon hereinbefore imposed to be apportioned or distributed in the several counties of the State shall be so apportioned and distributed by the Comptroller in the manner and according to the requirements of Section 4 of this Act, and all the proceeds realized from the entire tax of five cents per gallon imposed by this Act shall be, and the same are hereby, annually appropriated to be apportioned, distributed and disbursed by the Comptroller for the purposes and in the manner provided by law."

"Section 4. All moneys derived from the license tax imposed by this law shall be subject to the payment by the Comptroller of the expenses incident to the administration of this law, including postage, clerical aid, and costs and expenses of litigation, and shall be held in the State Treasury in a special fund to be credited to the account of the Comptroller, who shall draw his warrants from time to time upon the Treasury against said fund for the payment of all such expenses as may be incurred by him incident to the administration of this law, including postage, clerical aid, costs and expenses incident to litigation, and such sums of money as the Comptroller may from time to time determine shall be refunded to any person making over-payments in the said fund. All of said warrants shall be drawn by the Comptroller upon the State Treasury pursuant to vouchers and shall be paid in like manner as other State Warrants are paid out of the appropriate fund against which the same shall be drawn, and all sums of money necessary to provide for the payment of said warrants by the Comptroller drawn upon said funds are hereby appropriated annually out of said fund for the purpose of making such payments from time to time. After the payment of all expenses incident to the administration of this law, including postage, clerical aid and costs of expenses incident to litigation, as well as refunds, if any, said funds shall be apportioned, divided, allotted and distributed by the Comptroller upon warrants drawn by him upon the Treasury for that purpose, as follows: Two cents per gallon, less the pro rata portion of expenses incident to administration, shall be transferred in the State Treasury to the credit of the State Road License Fund, which fund is hereby created for the reception of the same, and transfers of money to which from the special fund held to the account of the Comptroller, shall be made by the State Treasurer from time to time. All such moneys in the State Road License Fund derived from the license tax aforesaid shall be used for the construction and maintenance of State roads, as otherwise provided by law, under the direction of the State Road

Department, which department may from time to time make requisitions on the Comptroller for funds to pay for the construction and maintenance of State roads. All moneys derived from one and one-fourth cents of the two-cent tax imposed by this law for the several counties and the special road and bridge districts, as provided for in Section 1 as amended, less the pro rata portion of expenses of administration, as herein provided, shall be paid in equal parts to the several counties of the State of Florida which the Comptroller shall ascertain and determine have a bonded indebtedness for road and bridge purposes in such counties aggregating more than two million dollars (\$2,000,000.00), and all moneys received by such counties under such apportionment and distribution by the Comptroller shall be applied by the County Commissioners of such counties to the credit of the Interest and Sinking Fund account of such counties to be used for the retirement of bonded indebtedness of such counties, and the special road and bridge districts therein and for no other purposes. Three-fourths of one cent of the two cent tax imposed by this law for the several counties and special road and bridge districts of such counties respectively, as provided for in Section 1 as amended less the pro rata portion of expenses of administration as herein provided, shall be paid, apportioned and distributed by the Comptroller in equal parts to the several counties of the State which he shall ascertain and determine have an aggregate bonded indebtedness for road and bridge purposes of less than Two Million Dollars (\$2,000,000.00) per county, and such moneys as shall be received by the counties out of said apportionment and distribution by the Comptroller shall be applied by the County Commissioners of such counties to the credit of the interest and sinking fund account of all bonds issued by the county or by road and bridge districts therein for road and bridge purposes and for no other purposes. From and after the time the road and bridge district indebtedness of any county or the county indebtedness for road and bridge purposes of any county shall have been paid up and discharged under this Act, the proportionate share of money which would be distributed by said counties for the purpose of applying to the interest and sinking fund of said counties to discharge bonded indebtedness therein, shall be apportioned and distributed equally to the counties of the State which have a bonded indebtedness in excess of Two Million Dollars (\$2,000,000.00) per county until such bonded indebtedness shall be fully paid up and discharged. All moneys allotted to each county under this Act to apply upon the principal and interest of bonded indebtedness for road and bridge purposes of the county or special road and bridge districts therein shall be applied only to the general obligations of county and special road and bridge districts therein issued for the purpose of constructing roads and/or bridges, but shall not be construed to include certificates of indebtedness, warrants or promissory notes, and the term "bonded indebtedness" shall not be construed to include any bonds for the retirement of which there is authorized to be levied special benefit assessments against abutting property in the counties or districts issuing such bonds, unless such bonds were issued for the purpose of building or constructing a road or highway which has been designated as a State road or highway. If any special road or bridge district shall contain land in more than one county, the amount of the bonded indebtedness of such special road and bridge district shall be, for the purposes of this Act, apportioned between or among such counties in the proportion that the assessed valuation of the area of each county included within such special road and bridge district shall bear to the total assessed valuation of such special road and bridge district. All moneys necessary to meet the apportionments and distributions hereinbefore provided for to be made to the several counties to discharge road and bridge district indebtedness or county indebtedness for road and bridge purposes, as provided above are hereby annually set aside and appropriated for that purpose in the proportions hereinabove specified, and disbursement of said fund shall be made by the State Comptroller upon warrant drawn by him upon the State Treasurer and paid in like manner as other State warrants, which warrant shall be made payable to the Board of County Commissioners of the county entitled to receive the apportionment represented by the face amount of such warrant, and such warrant shall be by the Board of County Commissioners paid into a special fund in the county which shall be applied exclusively to the discharge of county road and bridge indebtedness and the road and bridge indebtedness of the road and bridge districts in the county as hereinbefore provided for. The remaining one cent per gallon tax as provided for in Section 1 as amended, less the pro rata portion of expenses of administration as aforesaid, shall be transferred in the State Treasury to the credit of a special fund

which is hereby created for the reception of the same. The total amounts accruing to the counties in such special fund shall be and the same is hereby appropriated by the Legislature to be apportioned and distributed in equal parts to the several Boards of Public Instruction of the several counties of the State of Florida to be and by them disbursed solely for the support and maintenance of public free school in such counties respectively, and the Legislature hereby determines and declares as the principle of classification of such apportionment and distribution the right to equal participation in such fund by each Board of Public Instruction for each county in the State of Florida in said special appropriation to the County School fund of the several counties for the use and benefit and the support and maintenance of public free schools in the several counties. Payments of all moneys provided to be allotted, apportioned, distributed or divided shall be made by warrants drawn by the Comptroller upon the State Treasurer upon the proper fund and made payable to the Board of County Commissioners of the several counties or to the Board of Public Instruction of the said counties of the State as the case may be, and it shall be the duty of the Comptroller to draw his warrants upon the Treasurer monthly and of the State Treasurer to pay the same according to the terms and provisions of this law. For the purpose of providing for the payment by the Comptroller for the expenses incident to the administration of this law, including postage, clerical aid, and costs and expenses incident to litigation, as well as refunds which may be made by the Comptroller and payments as otherwise provided by law, the Treasurer shall retain in a separate fund derived from the license taxes imposed by this law, to be kept for the account of the Comptroller, a sum estimated by him from time to time to be sufficient to enable the Treasurer to make the payments provided for in this law, which fund shall be deemed appropriated annually for the use and benefit of the Comptroller for the purpose of enabling the Comptroller to administer the duties and powers conferred upon him by this law, and shall be disbursed as herein provided."

Section 2. If any part of this law shall be held unconstitutional or shall be ineffective for any reason as to the allocation or appropriation of funds, then any such fund, if for the benefit of counties, shall be ipso facto appropriated and allotted to the general revenue fund of the county or counties, upon the basis that the same is herein required to be allotted, and if for the benefit of State funds, the same shall be ipso facto allotted and appropriated to the general revenue fund of the State of Florida.

Section 3. This Act shall take effect and be in force from and after July 1st, 1929.

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

Senator Phillips moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment, the vote was:

Yeas—Senators Anderson, Caro, Council, Hinely, Johns, Knabb, Mitchell, Neel, Phillips, Rowe, Scales, Singletary, Turner—13.

Nays—Mr. President, Senators Bell, Dell, Futch, Gary, Glynn, Harrison, Howell, Irby, Malone, McCall, Putnam, Stewart, Swearingen, Taylor, Turnbull, Wagg, Watson, Waybright, Welsh, Whitaker, Young—22.

So the amendment was rejected.

Senator Anderson offered the following amendment to Senate Bill No. 5:

Strike out all of said bill after the enacting clause and insert in lieu thereof the following:

Sec. 1. That Section 1 of Chapter 9120, Laws of Florida, Acts of 1923, entitled "An Act imposing license taxes upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such tax and fixing a penalty for the violation of the provisions of this Act, and to repeal all laws in conflict with this Act" as amended by Section 1 of Chapter 10025, Laws of Florida, Acts of 1925, and as further amended by Chapter 12037, Laws of Florida, Acts of 1927, said Section 1 being Section 1153 of the Compiled General Laws of Florida, 1927, be and the same is hereby amended so as to read as follows:

Every dealer in gasoline or any other like products of petroleum, under whatever name designated, in this State shall pay a license tax of five dollars to the State and in addition thereto six cents per gallon for every gallon of gasoline, or other like products of petroleum sold by him and upon which the tax herein provided has not been paid, or the payment whereof has not been assumed by a person preceding him in the handling of said lot of products.

Delivery shall be deemed to be made at the point of destination. Said license tax of five dollars for the State shall be paid into the State Treasury in a special fund to the credit of the Comptroller, to be known as the State Road License Fund, which is hereby created for the reception of the same, who shall issue to the licensee a receipt or certificate evidencing the payment of said fees. Said receipt or certificate shall be posted or displayed and so kept at all times open to the public view at the place of business for which the same is issued. The license tax of six cents per gallon on gasoline, or other like products of petroleum shall be paid into the State Treasury, into a special fund, to be known as the Gasoline Dealers Tax Fund, which fund is hereby created for the reception of the same, to be credited to the account of the Comptroller, which payment shall be made monthly in the following manner: on or before the fifteenth day of each month the dealer shall report, under oath, to the Comptroller the number of gallons of such products sold by him during the preceding month and shall at the same time pay into the State Treasury to the account of the Comptroller, the amount of license tax above mentioned. Such report shall show in detail the amount of gallons of such products so sold and delivered in each county.

Section 2. That Section 4 of Chapter 9120, Laws of Florida, Acts of 1923, entitled "An Act imposing license taxes upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such tax and fixing a penalty for the violation of the provisions of this Act, and to repeal all laws in conflict with this Act" as amended by Section 1 of Chapter 10025, Laws of Florida, Acts of 1925, and as further amended by Chapter 12037, Laws of Florida, Acts of 1927, said Section 4 being Section 1156 of the Compiled General Laws of Florida, 1927, be and the same is hereby amended so as to read as follows:

(a) All moneys coming into the State Road License Fund under the provisions of this law shall be subject to the payment by the Comptroller of all the expenses incident to the administration of this law, including postage, clerical aid, and costs and expenses incident to litigation, and shall be held in the State Treasury to the credit of the Comptroller, who shall draw his warrant upon the Treasury against said fund from time to time for the payment of all such expenses as may be incurred by him incident to the administration of this law, including postage, clerical aid, and costs and expenses incident to litigation and such sums of money as the Comptroller may from time to time determine shall be refunded to any person making over-payments in said fund. All of said warrants shall be drawn by the Comptroller upon the State treasury pursuant to vouchers and shall be paid in like manner as other state warrants are paid out of the appropriate fund against which same is drawn and all sums of money necessary to provide for the payment of said warrants by the Comptroller drawn upon said funds are hereby appropriated annually out of said funds for the purpose of making such payments from time to time. Any surplus in said fund over and above the amount necessary to pay said warrants shall be paid over to the State Road Department to be expended in the construction and maintenance of State roads as otherwise provided by law.

(b) All moneys coming into the Gasoline Dealers Tax Fund under the provisions of this Act shall be distributed by the Comptroller monthly as follows:

(1) Two cents per gallon for all gasoline or other like products of petroleum sold in this State shall be paid over to the State Road Department to be used in the construction and maintenance of State Roads as otherwise provided by law, which funds are hereby appropriated for that purpose.

(2) Two Cents per gallon for all gasoline or other like products of petroleum sold in this State shall be paid over to the State Treasurer as County Treasurer Ex-Officio of the several Counties in this State, in the proportion that the number of gallons of gasoline or other like products of petroleum sold in each County bears to the total number of gallons of gasoline or other like products of petroleum sold in all the counties, said funds to be administered by the State Treasurer, as County Treasurer Ex-Officio of the several Counties of this State, under the supervision of the State Board of Administration, in paying the interest upon and creating a sinking fund for the retirement of all road and bridge bonds issued by the several counties of this State and special road and bridge districts therein, for the construction of roads and bridges in such counties and special road and bridge districts therein; Provided, that if there shall be paid over to the State Treasurer, as County Treasurer Ex-Officio of any County more than sufficient funds to pay the interest upon and create a sinking fund for the retirement of all

bonds of such County and the special road and bridge districts therein entitled to participate in said fund, as hereinabove provided, then such excess shall be paid over to the County depository of such County to the credit of the County Road and Bridge Fund, to be expended by the Board of County Commissioners of such County in the construction and maintenance of roads and bridges in such County.

(3) One cent per gallon for all gasoline or other like products of petroleum sold in this State shall be divided equally between the several Counties of this State and shall be paid over to the several County depositories to the credit of the County Road and Bridge Fund of the several Counties.

(4) One cent per gallon for all gasoline or other like products of petroleum sold in this State shall be expended in the advancement of education in this State, which funds shall be distributed among the institutions of higher learning and the common schools of this State as otherwise to be provided by law.

(c) Should the distribution of the Gasoline Dealers Tax Fund as contained in Clauses 1, 2, 3, or 4, of sub-section (b) of this Section, or any part thereof be declared, by a court of competent jurisdiction and last resort of this State, to be unconstitutional, invalid or inoperative for any cause whatsoever, such holding shall in no wise affect the validity of the taxes levied by Section 1 of this law, but said taxes shall be collected and distributed as hereinbefore provided to the extent that the foregoing distribution is held valid, and the remainder shall be distributed as follows: If Clause 1 of sub-section (b) is held invalid the funds therein mentioned shall be paid into the general revenue fund of this State. If Clause 2 of sub-section (b) is held invalid the funds therein mentioned shall be paid into the County Road and Bridge funds of the several Counties in the proportion therein provided, and if this provision shall be held invalid, into the General Revenue Fund of the State. If Clause 3 of sub-section (b) is held invalid the funds therein mentioned shall be paid into the County Road and Bridge funds of the several Counties of this State in the proportion that the number of gallons of gasoline or other like products of petroleum sold in each county bears to the number of gallons of gasoline or other like products of petroleum sold in all the Counties in this State, and if this provision shall be held invalid, into the General Revenue Fund of the State. If Clause 4 of sub-section (b) is held invalid the funds therein mentioned shall be paid into the General Revenue Fund of this State.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall take effect July 1, 1929.

Senator Anderson moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Anderson, Caro, Council, Dell, Hinely, Hodges, Knabb, Neel, Rowe, Scales, Singletary, Turnbull—12.

Nays—Mr. President, Senators Bell, Futch, Gary, Glynn, Harrison, Howell, Irby, Johns, King, Malone, McCall, Mitchell, Putnam, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Welsh, Whitaker, Young—23.

Senator Waybright made the following announcement:

I am paired with Senator Adams on the vote on the amendment. I would vote "yea" and Senator Adams would vote "nay" if he were present.

So the amendment was rejected.

Senator Howell offered the following amendment to Senate Bill No. 5:

In Section 1, last line (printed bill), add the following: "Providing, however, that only such bonds shall participate in the distribution of the funds provided for under the provisions of this Act, as were issued for the construction of such roads and bridges as are now included in the first and second preferential road system of the State roads and highways of Florida.

Senator Howell moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Anderson, Caro, Council, Harrison, Hinely, Hodges, Howell, Neel, Rowe, Scales, Singletary—11.

Nays—Mr. President, Senators Bell, Dell, Futch, Gary, Glynn, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Phillips, Putnam, Stewart, Swearingen, Turnbull, Turner, Wagg, Watson, Welsh, Whitaker, Young—24.

Senator Waybright made the following announcement: "I am paired with Senator Adams on the vote on the amendment. I would vote 'yea' and Senator Adams would vote 'nay' if he were present."

So the amendment was rejected.

Senator Waybright offered the following amendment to Senate Bill No. 5:

In Section 1, line 11 (printed bill), strike out the word "two" and insert in lieu thereof the following: "three".

Senator Waybright moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Anderson, Caro, Council, Neel, Rowe, Scales, Singletary—7.

Nays—Mr. President, Senators Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Phillips, Putnam, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Welsh, Whitaker, Young—28.

Senator Waybright made the following announcement: "I am paired with Senator Adams on the vote on the amendment. I would vote 'yea' and he would vote 'nay' if he were present."

So the amendment was rejected.

Senator Waybright offered the following amendment to Senate Bill No. 5:

In Section 1, (printed bill), strike out the words "all under third gas tax," and insert in lieu thereof the following: "Third gas tax: a tax of one cent per gallon is hereby allocated and applied to and shall be paid into and become a part of the Public Free School Equalization Fund and distributed in accordance with the provisions of Chapter 12012, Acts of 1927, or upon such teaching unit basis as may be determined by the State Board of Education."

Senator Waybright moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Anderson, Caro, Council, Hinely, Neel, Rowe, Scales, Singletary, Taylor, Turner—10.

Nays—Senators Bell, Dell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Phillips, Putnam, Stewart, Swearingen, Turnbull, Wagg, Watson, Whitaker, Young—24.

Senator Waybright made the following announcement: I am paired with Senator Adams on the vote on the amendment. I would vote "yea" and he would vote "nay" if he were present.

So the amendment was rejected.

Senator Anderson offered the following amendment to Senate Bill No. 5:

In Section 1, Page 5, after the word "state" in line 11, add the following: "Fifth Gas Tax: A tax of one cent per gallon to be apportioned equally among the several counties to be used exclusively for common school purposes."

Senator Anderson moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Anderson, Caro, Council, Hinely, Johns, Knabb, Neel, Phillips, Rowe, Scales, Singletary, Stewart, Turnbull, Turner—14.

Nays—Senators Bell, Dell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, King, Malone, McCall, Mitchell, Putnam, Swearingen, Taylor, Wagg, Watson, Welsh, Whitaker, Young—21.

So the amendment was rejected.

Senator Turnbull offered the following amendment to Senate Bill No. 5:

In Section 1, page 3, line 12, add the following: Fifth Gas Tax: A tax of one cent per gallon to be apportioned equally among the several counties of the State, to be applied to debt if necessary, otherwise to be used in maintenance of roads."

Senator Turnbull moved the adoption of the amendment.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the adoption of the amendment the vote was:

Yeas—Senator Anderson, Caro, Council, Hinely, Johns, Knabb, Neel, Rowe, Scales, Singletary, Stewart, Turnbull, Turner—13.

Nays—Mr. President, Senators Bell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, King, Malone, Phillips, Putnam, Swearingen, Taylor, Wagg, Watson, Waybright, Welsh, Whitaker, Young—21.

Senator Mitchell made the following announcement: I am paired with Senator Dell on the vote on the amendment. I would vote "yea" and he would vote "nay" were he present.

So the amendment was rejected.

Senator Futch moved that the rules be waived and Senate Bill No. 5 be read a third time in full and put upon its passage.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the motion of Senator Futch the vote was:

Yeas—Mr. President, Senators Bell, Dell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, Malone, Mitchell, Phillips, Putnam, Stewart, Swearingen, Turnbull, Turner, Wagg, Watson, Welsh, Whitaker, Young—23.

Nays—Senators Anderson, Caro, Council, Hinely, Johns, Knabb, Neel, Rowe, Scales, Singletary, Taylor, Waybright—12.

So the motion did not prevail.

Senator Waybright offered the following amendment to Senate Bill No. 5:

In Section 1 (printed bill), strike out all under third gas tax and insert in lieu thereof the following: "A tax of one cent per gallon to be apportioned to each county in the State on the same basis that the population of each county bears to the total population of the State of Florida according to the State census of 1925."

Senator Waybright moved the adoption of the amendment.

Which was not agreed to.

And the amendment was rejected.

Senator Malone moved that the rules be further waived and Senate Bill No. 5, as amended, be read a third time in full and put upon its passage.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the motion of Senator Malone the vote was:

Yeas—Mr. President, Senators Bell, Dell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, King, Malone, McCall, Mitchell, Phillips, Putnam, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Welsh, Whitaker, Young—26.

Nays—Senators Anderson, Caro, Council, Hinely, Johns, Knabb, Neel, Rowe, Scales, Singletary, Waybright—11.

So the motion was agreed to by a two-thirds vote.

And Senate Bill No. 5 as amended, was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators, Bell, Dell, Futch, Gary, Glynn, Harrison, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Phillips, Putnam, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Welsh, Young—27.

Nays—Senators Anderson, Caro, Council, Hinely, Neel, Rowe, Scales, Singletary—8.

Senator Waybright made the following announcement: "I am paired with Senator Adams. I would vote 'nay' and Senator Adams would vote 'yea' on the passage of the bill."

So the bill passed, as amended.

And the same was ordered referred to the Committee on Engrossed Bills, then to be certified to the House of Representatives.

Senator Waybright moved that the rules be waived and Senate Bill No. 23 be taken up out of its order for consideration.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 23:

A bill to be entitled An Act to amend Section 2312 of the Revised General Statutes of Florida, relating to compensation in lunacy cases.

Was taken up out of its order and read a second time in full.

Senator Waybright offered the following amendment to Senate Bill No. 23:

In Section, line 15 (printed bill), strike out the words all after and including word "provided."

Senator Waybright moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Waybright moved that the rules be further waived and Senate Bill No. 23 be read a third time in full as amended and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 23 as amended, was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Senators Anderson, Bell, Caro, Council, Futch, Gary, Glynn, Harrison, Hodges, Howell, Johns, King, Knabb, Malone, McCall, Mitchell, Phillips, Putnam, Rowe, Scales, Swearingen, Taylor, Turnbull, Turner, Watson, Waybright, Whitaker, Young—28.

Nays—Senators Hinely, Neel, Stewart, Welsh—4.

So the bill passed as amended.

And the same was ordered referred to the Committee on Engrossed Bills, then to be certified to the House of Representatives.

By a two-thirds vote permission was given to Senator Howell of the 25th District to introduce and have considered the following bill:

Senate Bill No. 83:

A bill to be entitled An Act to amend an Act of the Legislature of Florida introduced as House Bill No. 839, Acts of 1929, entitled: "An Act authorizing the City of Panama City, Florida, to purchase or otherwise acquire and own within or beyond the corporate limits of said city lands for use, sale, lease or gift for industrial plant or factory sites, aviation fields, switching and shipping yards and shipping docks and providing for the issuing and sale of the city's bonds for the payment of the purchase price of said lands.

Which was read the first time by its title only.

Senator Howell moved that the rules be waived and Senate Bill No. 83 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83 was read a second time by its title only.

Senator Howell moved that the rules be further waived and Senate Bill No. 83 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote permission was given to Senator Parrish of the 37th District to introduce and have considered the following bill:

Senate Bill No. 84:

A bill to be entitled An Act to abolish the municipal government of the Town of Indian River City in Brevard County, Florida, and to provide for the payment of its debts.

Which was read the first time by its title only.

Senator Parrish moved that the rules be waived and Senate Bill No. 84 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84 was read a second time by its title only.

Senator Parrish moved that the rules be further waived and Senate Bill No. 84 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

Nays—None.

So the Bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote permission was given to Senator Watson of the 13th District to introduce and have considered the following bill:

Senate Bill No. 85:

A bill to be entitled An Act relating to the salary to be paid to the Commissioners of the City of Miami, Florida, and the Mayor-Commissioner, and providing a method of fixing same.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 85 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read a second time by its title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 85 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor,

Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

Nays—None.

So the Bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote permission was given to Senator Watson of the 13th District to introduce and have considered the following bill:

Senate Bill No. 86:

A bill to be entitled An Act to amend Sections 8, 9 and 11 of Chapter 10847, Laws of Florida, approved May 9th, 1925, and entitled "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said city and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain acts and proceedings of the commission and of the officers of the city," relating to municipal elections.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 86 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86 was read a second time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 86 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

Nays—None.

So the Bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote permission was given to Senator Young of the 33rd District to introduce and have considered the following bill:

Senate Bill No. 87:

A bill to be entitled An Act to provide for the raising of public revenue by a tax upon the privilege of engaging in certain occupations, and by a tax upon certain business and commercial transactions and enterprises; to provide for the ascertainment, assessment and collection of such tax; to provide for the distribution of revenue in the reduction of the State ad valorem levy and for the public free schools; to provide that certain courts shall have jurisdiction to hear and determine causes incident to such taxes; to provide penalties for the violations of terms hereof; and repeal certain statutes.

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

By a two-thirds vote permission was given to Senator Young of the 33rd District to introduce and have considered the following bill:

Senate Bill No. 88:

A bill to be entitled An Act abolishing the offices of Chief Fire Warden and Assistant Fire Warden and the Board of Fire Control within and for Everglades Drainage District as created and constituted by Section 1 of Chapter 10116, Laws of Florida, Acts of 1925; repealing Sections 1, 2, 3, 4, 5, 8 and 9 of Chapter 10116, Laws of Florida, Acts of 1925, entitled: "An Act making unlawful the setting of fires in the Everglades Drainage District, providing for the appointment of a Chief Fire Warden and two assistant fire wardens, who shall have control of all matters pertaining to the protection from fire of all lands lying within the Everglades Drainage District, as now constituted, and fixing the compensation of the Fire Warden and his assistants, and providing for the employment of Deputy Fire Wardens and defining their duties, powers and compensation;" providing for the disposition of moneys now in the hands of the State Treasurer belonging to the "Fire Tax Fund" of Everglades Drainage District and moneys which may hereafter be received as the proceeds of taxes levied under the provisions of said Chapter 10116, Acts of 1925, and any moneys which may hereafter be received upon account of tax sale certificates heretofore or hereafter issued for the non-payment of taxes levied in pursuance of said Chapter 10116, Acts of 1925, and for the payment of debts lawfully contracted under the provisions of said Chapter 10116, Acts of 1925.

Which was read the first time by its title and referred to the Committee on Miscellaneous Legislation.

Senator Phillips moved that the Senate do now adjourn.
Which was not agreed to.

By a two-thirds vote permission was given to Senator Harrison of the 36th District to introduce and have considered the following bill:

Senate Bill No. 89:

A bill to be entitled An Act for the relief of H. V. Coarsey for damages to person and automobile growing out of an accident on State Road project No. 669-V on State Road No. 27, on or about July 12th, 1928.

Which was read the first time by its title and referred to the Committee on Miscellaneous Legislation.

By a two-thirds vote permission was given to Senator Harrison of the 36th District to introduce and have considered the following bill:

Senate Bill No. 90:

A bill to be entitled An Act authorizing and empowering drainage districts of the State of Florida to issue bonds and do all other acts necessary or prerequisite to securing loans from the Secretary of the Interior of the United States.

Which was read the first time by its title and referred to the Committee on Miscellaneous Legislation.

By a two-thirds vote permission was given to Senator Scales of the 12th District to introduce and have considered the following bill:

Senate Bill No. 91:

A bill to be entitled An Act to provide for the equalization of taxes as between counties, creating the position of State Equalizer of Taxes; prescribing his powers and duties as the State Equalizer of Taxes; providing for his compensation and for such other and further clerical assistance as may be necessary; creating a State Board of Equalizers and prescribing the powers and duties of the said State Board of Equalizers as a Court of Appeals, or otherwise; to the end of the equalization of taxes as between counties, and as between classes of property; and prescribing certain duties of the county assessor of taxes and of the Board of County Commissioners of each of the several counties of the State in connection with the equalization of taxes as between counties.

Which was read the first time by its title only and referred to the Committee on Miscellaneous Legislation.

By a two-thirds vote permission was given to Senator Scales of the 12th District to introduce and have considered the following bill:

Senate Bill No. 92:

A bill to be entitled An Act requiring all persons, association of persons, firms or corporations owning or having the control, custody or management of real and tangible personal property, to make and file tax returns, and to that end, providing for certain forms and records; prohibiting the recording of deeds and bills of sale unless the post office address of the grantee is stated therein; prescribing the oath to said return and providing a penalty for failure or neglect to make and file said return, or for making false return.

Which was read the first time by its title and referred to the Committee on Miscellaneous Legislation.

By a two-thirds vote permission was given to Senator Scales of the 12th District to introduce and have considered the following bill:

Senate Bill No. 93:

A bill to be entitled An Act to require the owners of land in the State of Florida who have not paid the taxes thereon, to perform their duty in that respect; and to that end and for that purpose, providing a method of relief to land owners claiming to have been over assessed or unduly taxed, and barring, after a certain time, all attacks upon tax sales made to the State; providing for a board of adjusters in each county of the State, their duties and compensation; defining the rights of the State in and to tax certificates held by it; providing for sales under certain conditions and after a limited time, and otherwise meeting emergency conditions affecting the carrying on of government where an emergency exists because of such defaults; providing remedies for that purpose against recalcitrant land owners and as well providing for the future protection to the State of Florida in enforcing revenues needed to carry on the government.

Which was read the first time by its title and referred to the Committee on Miscellaneous Legislation.

Senator Waybright moved that the rules be waived and Senate Bill No. 75 be taken up out of its order and read a second time by its title only.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 75:

A bill to be entitled An Act amending Section 19 of Chapter 7659 of the Laws of Florida, approved May 30th, 1917, as amended by Chapter 11559 of the Laws of Florida, approved November 23, 1925, entitled "An Act affecting the government of the City of Jacksonville; abolishing certain offices and boards; creating a City Commission, and prescribing its powers and duties; providing for and prescribing the powers and duties of the Trustees of the Jacksonville Free Public Library; creating a Board of Charities and prescribing its powers and duties, and its relation to the Board of County Commissioners; providing other officers and prescribing their powers and duties; and conferring additional jurisdiction, powers and duties on said city."

Was taken up out of its order and read a second time by its title only.

Senator Waybright moved that the rules be further waived and Senate Bill No. 75 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 75 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Caro moved that the rules be waived and Senate Bill No. 27 be taken up out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 27:

A bill to be entitled An Act to amend Section 2464 of the Revised General Statutes of Florida of 1920, and Section 3873 of the Compiled General Laws of Florida 1927, both of said sections being the same and relating to pilots and pilots' apprentices.

Was taken up out of its order and read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, Malone, McCall, Mitchell, Neel, Phillips, Rowe, Scales, Swearingen, Taylor, Turnbull, Watson, Whitaker—27.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By a two-thirds vote permission was given to Senator Turnbull of the 22nd District to introduce and have considered the following bill:

Senate Bill No. 94:

A bill to be entitled An Act Section 14 of "A bill to be entitled An Act providing for the supervision and regulation of persons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons or property for compensation over the public highways of the State: defining auto transportation companies and providing supervision and regulation thereof by the Railroad Commission of the State of Florida and providing for the enforcement of the provisions of this Act and for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenue raised by the same; and repealing all Acts inconsistent with the provisions of this Act," which was passed at the 1929 Regular Session of the Legislature and presented to the Governor for his approval on the 28th day of May, 1929.

Which was read the first time by its title and placed on the Calendar of Bills on Second Reading without reference, the rules having been waived.

Senator McCall moved that the Senate do now adjourn.

Which was agreed to.

Whereupon, the Senate stood adjourned at 6:05 o'clock P. M., until 11:00 o'clock A. M., Tuesday, June 11, 1929.