

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Thursday, September 15, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, September 14, 1949.

The President in the Chair.

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

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend D. L. Welch.

The reading of the Journal was dispensed with.

The Senate Daily Journal of Wednesday, September 14, 1949, was corrected and as corrected was approved.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

Senate Bill No. 16-X(49):

A bill to be entitled An Act relating to certain coin operated machines; providing license taxes thereon; providing for affixing of decal stamps thereon; placing supervision of Act under Comptroller; providing for special inspectors and their compensation; making an appropriation; providing for disposition of license taxes collected; providing for confiscation of illegally operated machines.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk

And Senate Bill No. 16-X(49), contained in the above report, was ordered certified to the House of Representatives.

Senator Mathews moved that a committee be appointed to escort Honorable Haydon Burns, Mayor of the City of Jacksonville, Florida, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Mathews, Sheldon and Ray as the committee and Mayor Burns was duly escorted to the rostrum.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President indicated that in his opinion the following bill

was not within the legislative business for which this extraordinary session was convened:

By the Committee on Motor Vehicles—

Senate Bill No. 49-X(49):

A bill to be entitled An Act amending Section 27, Chapter 25342, Laws of Florida, Acts of 1949, which regulates the size, weight and equipment of certain motor vehicles using the highways of this State, so as to permit the operation upon such highways of certain vehicles, which may not be in conformity of said Act, for a certain period of time.

Pursuant to the rule the President submitted the question of whether or not Senate Bill No. 49-X(49) should be introduced for consideration by the Senate notwithstanding that it was not within the purview of business for which the extraordinary session was convened.

And it was agreed by a two-thirds vote of the Senate that Senate Bill No. 49-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Sturgis—

Senate Bill No. 50-X(49):

A bill to be entitled An Act amending Sections 330.08, 330.13 and 330.23, Florida Statutes 1941, as amended relating to the registration of aircraft and providing for an increase in the rate charged certain aircraft and for the disposition of registration monies collected.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 50-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only and referred to the Committee on Finance and Taxation.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Baynard—

Senate Bill No. 51-X(49):

A bill to be entitled An Act providing uniform hours during which all establishments dealing in alcoholic beverages in Pinellas County, Florida, must remain closed; providing a penalty for the violation thereof; and repealing all laws and parts of laws in conflict therewith.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 51-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill

No. 51-X(49) when it was introduced in the Senate, and evidence that such notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baynard moved that the rules be waived and Senate Bill No. 51-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 51-X(49) was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 51-X(49) 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. 51-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 51-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So Senate Bill No. 51-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Brackin—

Senate Bill No. 52-X(49):

A bill to be entitled An Act to declare, designate and establish a certain state road in Crestview, Okaloosa County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 52-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Ray moved that the rules be waived and Senate Bill No. 52-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 52-X(49) was read the second time by title only.

Senator Ray moved that the rules be further waived and Senate Bill No. 52-X(49) 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. 52-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 52-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|---------|----------|----------|
| Mr. President | Beacham | Collins | Getzen |
| Alford | Beall | Crary | Johns |
| Ayers | Boyle | Davis | Johnston |
| Baker | Carroll | Franklin | King |
| Baynard | Clarke | Gautier | Leaird |

| | | | |
|----------|---------|---------|--------|
| Lindler | Pope | Sheldon | Walker |
| Mathews | Ray | Shivers | Wilson |
| McArthur | Rodgers | Smith | Wright |
| Moore | Sanchez | Sturgis | |
| Pearce | Shands | Tucker | |

Nays—None.

So Senate Bill No. 52-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Gautier—

Senate Bill No. 53-X(49):

A bill to be entitled An Act to declare, designate and establish a State Road in Dade County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 53-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Gautier moved that the rules be waived and Senate Bill No. 53-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 53-X(49) was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 53-X(49) 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. 53-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 53-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So Senate Bill No. 53-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Gautier—

Senate Bill No. 54-X(49):

A bill to be entitled An Act to declare, designate and establish a State Road in Dade County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 54-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Gautier moved that the rules be waived and Senate Bill No. 54-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 54-X(49) was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 54-X(49) 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. 54-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 54-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So Senate Bill No. 54-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Johnston—

Senate Bill No. 55-X(49):

A bill to be entitled An Act relating to the filing fees to be paid to the Clerk of the Circuit Court in all counties in the State of Florida having a population not less than 5,430 and not more than 6,000, according to the last State Census in civil causes of action; repealing Chapter 25472, Laws of Florida, Acts of 1949, being "An Act relating to the filing fees to be paid to the clerk of the Circuit Court in Hernando County, Florida, in civil causes of action; providing the effective date hereof; excepting suits now pending; and repealing all laws in conflict therewith."

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 55-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Johnston moved that the rules be waived and Senate Bill No. 55-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 55-X(49) was read the second time by title only.

Senator Johnston moved that the rules be further waived and Senate Bill No. 55-X(49) 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. 55-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 55-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So Senate Bill No. 55-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Crary —

Senate Bill No. 56-X(49):

A bill to be entitled An Act providing for supplementary salary for the Circuit Judges for Division "C" of all Judicial Circuits in the State of Florida, comprised of eight counties and having three Circuit Judges and three divisions designated "A", "B", and "C", said Division "C" being comprised of four counties, and providing that a part of the salary of the Circuit Judges for said Division "C" be paid from the total population of said Division "C" in such judicial Circuits, as determined by the last preceding State or Federal census, whichever shall be later; same to be paid in equal monthly installments; making the same a county purpose; making an annual appropriation therefor; and providing the effective date hereof.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 56-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Crary moved that the rules be waived and Senate Bill No. 56-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 56-X(49) was read the second time by title only.

Senator Crary moved that the rules be further waived and Senate Bill No. 56-X(49) 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. 56-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 56-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So Senate Bill No. 56-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following bill should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session was convened:

By Senator Crary—

Senate Bill No. 57-X(49):

A bill to be entitled An Act providing for one stenographer for the office of Assistant State Attorney for Division "C"

of all Judicial Circuits in the State of Florida, comprised of eight counties and having three Circuit Judges and three divisions designated "A", "B", and "C", said Division "C" being comprised of four counties, and providing that the salary of said stenographer for said office be paid from the General Revenue fund of the counties comprising said Division "C" of such Judicial Circuits in the proportion that the population of each county in said Division "C" bears to the total population of said Division "C" in such Judicial Circuits, as determined by the last preceding State or Federal census, whichever shall be later; fixing the amount and source of compensation to be paid to and the method of payment of said stenographer; making the same a county purpose; making an annual appropriation therefor; and providing the effective date hereof.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 57-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Crary moved that the rules be waived and Senate Bill No. 57-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 57-X(49) was read the second time by title only.

Senator Crary moved that the rules be further waived and Senate Bill No. 57-X(49) 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. 57-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 57-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So Senate Bill No. 57-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 32-X(49), out of its order, at this time.

Which was agreed to.

H. B. No. 32-X(49)—A bill to be entitled An Act authorizing the reappraisal and revaluation of the taxable property in Pinellas County, Florida; prescribing the rights, authorities and duty of certain county officials in relation thereto and repealing all laws in conflict therewith.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 32-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 32-X(49) was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 32-X(49) 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. 32-X(49) was read the third time in full.

Upon the passage of House Bill No. 32-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So House Bill No. 32-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 25-X(49), out of its order, at this time.

Which was agreed to.

H. B. No. 25-X(49)—A bill to be entitled An Act to amend Section 17 of Chapter 21598, Laws of Florida, Special Acts of 1941, "An Act to abolish the present municipal government of the City of Tarpon Springs in Pinellas County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Tarpon Springs, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges and providing for a referendum", by deleting therefrom the provision for a refunding committee to pass on refunding proposals of the bonded debt of the City of Tarpon Springs.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 25-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 25-X(49) was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 25-X(49) 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. 25-X(49) was read the third time in full.

Upon the passage of House Bill No. 25-X(49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So House Bill No. 25-X(49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 50-X(49), out of its order, at this time.

Which was agreed to.

H. B. No. 50-X(49)—A bill to be entitled An Act to create a County Budget Commission in Pinellas County, Florida; and to prescribe the powers, duties and functions of such County Budget Commission and the qualifications, terms of

office and methods of appointment of members thereof; and to authorize such County Budget Commission to make and control the budget receipts and expenditures of the Board of County Commissioners, the Board of Public Instruction, the Board of Health, the Board of Juvenile Welfare, the Anti-Mosquito Board, and all other boards, commissions, and officials of such county or of taxing districts situate therein authorized to raise and expend moneys for county or district purposes.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 50-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 50-X('49) was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 50-X('49) 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. 50-X('49) was read the third time in full.

Upon the passage of House Bill No. 50-X('49) the roll was called and the vote was:

Yeas—38.

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None.

So House Bill No. 50-X('49) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Beall moved that the Senate reconsider the vote by which Senate Bill No. 16-X(49) passed the Senate on September 14, 1949.

And the motion went over under the rule.

ORDER OF THE DAY

Senator Ray, President Pro Tempore, now presiding.

The motion made by Senator Tucker on September 14, 1949, to reconsider the vote by which Senate Bill No. 17-X(49), as amended, failed to pass the Senate on September 13, 1949, was taken up in its order.

Senate Bill No. 17-X(49):

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 personal property, upon admissions and upon rentals of real and personal property; providing for certain exemptions; to define certain words and terms used in this Act; to provide for the creation and enforcement of liens upon real and personal property of persons liable for the payment of such taxes to authorize the promulgation of rules and regulations for the administration and enforcement of this Act; to appropriate monies derived from such taxes and to direct the payment of such monies derived from such taxes to the General Revenue Fund of the State of Florida, to the cost of administration and enforcement of this Act and to provide for impounding any surplus revenue; to provide for the operation of this Act in the event certain provisions herein shall be held invalid; providing for an effective date; to provide penalties for the violation of this Act; and repealing Sections 204.03 and 204.04, Florida Statutes, 1941, and conflicting laws.

The President Pro Tempore put the question: "Will the Senate reconsider the vote by which Senate Bill No. 17-X(49), as amended, failed to pass the Senate on September 13, 1949?"

A roll call was demanded.

Upon the motion made by Senator Tucker the roll was called and the vote was:

Yeas—22.

| | | | |
|---------------|---------|----------|---------|
| Mr. President | Crary | Mathews | Sanchez |
| Baker | Gautier | McArthur | Shands |
| Beacham | Getzen | Moore | Smith |
| Boyle | King | Pearce | Tucker |
| Carroll | Leaird | Ray | |
| Collins | Lindler | Rodgers | |

Nays—16.

| | | | |
|---------|----------|----------|---------|
| Alford | Clarke | Johnston | Sturgis |
| Ayers | Davis | Pope | Walker |
| Baynard | Franklin | Sheldon | Wilson |
| Beall | Johns | Shivers | Wright |

Which was agreed to and the Senate reconsidered the vote by which Senate Bill No. 17-X(49), as amended, failed to pass the Senate on September 13, 1949.

The question recurred on the passage of Senate Bill No. 17-X(49), as amended.

Pending roll call on passage of Senate Bill No. 17-X(49), as amended, Senator Shands moved that when the Senate adjourns at this Session it recess to reconvene at 3:00 o'clock P. M., this day, and remain in session until 5:00 o'clock P. M.

Which was agreed to and it was so ordered.

Pending roll call on the passage of Senate Bill No. 17-X(49), as amended, Senator King moved that the rules be waived and Senate Bill No. 17-X(49), as amended, be placed back on the Calendar of Bills on Second Reading for the purpose of further amendment.

A roll call was demanded.

Upon the motion made by Senator King the roll was called and the vote was:

Yeas—36.

| | | | |
|---------|----------|----------|---------|
| Alford | Collins | Leaird | Shands |
| Ayers | Crary | Lindler | Sheldon |
| Baker | Davis | Mathews | Shivers |
| Baynard | Franklin | McArthur | Smith |
| Beacham | Gautier | Moore | Sturgis |
| Beall | Getzen | Pearce | Tucker |
| Boyle | Johns | Pope | Walker |
| Carroll | Johnston | Ray | Wilson |
| Clarke | King | Rodgers | Wright |

Nays—2.

Mr. President Sanchez

Which was agreed to by a two-thirds vote and Senate Bill No. 17-X(49) was placed back on the Calendar of Bills on Second Reading for the purpose of further amendment.

Pending further amendment of Senate Bill No. 17-X(49), Senator McArthur moved that the Senate adjourn.

Which was agreed to and the Senate recessed at 12:21 o'clock P. M., until 3:00 o'clock P. M., this day.

Afternoon Session

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

The President in the Chair.

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

| | | | |
|---------------|---------|----------|----------|
| Mr. President | Beall | Davis | King |
| Alford | Boyle | Franklin | Leaird |
| Ayers | Carroll | Gautier | Lindler |
| Baker | Clarke | Getzen | Mathews |
| Baynard | Collins | Johns | McArthur |
| Beacham | Crary | Johnston | Moore |

| | | | |
|---------|---------|---------|--------|
| Pearce | Sanchez | Smith | Wilson |
| Pope | Shands | Sturgis | Wright |
| Ray | Sheldon | Tucker | |
| Rodgers | Shivers | Walker | |

—38.

A quorum present.

By permission the following Reports of Committees were received:

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Senate Concurrent Resolution:

Senate Concurrent Resolution No. 47-X(49):

A resolution directing the State Budget Commission to release sufficient funds for the purpose of recouping certain unmatched federal funds for July and August and to prevent the reversion of certain unmatched federal funds available for September.

—and recommends that it do pass.

And the Senate Concurrent Resolution, contained in the preceding report, was referred to the Committee on Welfare, under the original joint reference.

Senator Ray, Chairman of the Committee on Welfare, reported that the Committee had carefully considered the following Senate Concurrent Resolution:

Senate Concurrent Resolution No. 47-X(49):

A resolution directing the State Budget Commission to release sufficient funds for the purpose of recouping certain unmatched federal funds for July and August and to prevent the reversion of certain unmatched federal funds available for September.

—and recommends that it do pass.

And the Senate Concurrent Resolution contained in the preceding report was placed on the Calendar of Bills on Second Reading.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

S. B. No. 14-X(49)

S. B. No. 24-X(49)

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on September 15, 1949, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex-Officio Enrolling Clerk
of the Senate.

UNFINISHED BUSINESS

Senate Bill No. 17-X(49):

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 personal property, upon admissions and upon rentals of real and personal property; providing for

certain exemptions; to define certain words and terms used in this Act; to provide for the creation and enforcement of liens upon real and personal property of persons liable for the payment of such taxes to authorize the promulgation of rules and regulations for the administration and enforcement of this Act; to appropriate monies derived from such taxes and to direct the payment of such monies derived from such taxes to the General Revenue Fund of the State of Florida, to the cost of administration and enforcement of this Act and to provide for impounding any surplus revenue; to provide for the operation of this Act in the event certain provisions herein shall be held invalid; providing for an effective date; to provide penalties for the violation of this Act; and repealing Section 204.03 and 204.04, Florida Statutes, 1941, and conflicting laws.

Which was pending amendment at the hour of recess, this day was taken up.

Pending further amendment of Senate Bill No. 17-X(49) Senator Collins made the following motion:

“That it is the sense of the Senate:

(1) That the exemptions provided under Senate Bill No. 17-X(49) are too broad;

(2) That the tax should have a broader spread and the rate reduced to 2%;

(3) That the yield of the tax under the bill in its present form will be inadequate;

Further that Senate Bill No. 17-X(49) be recommitted to a committee with directions to report amendments which will be in accord with the above.”

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

A roll call was demanded.

Upon the motion made by Senator Collins the roll was called and the vote was:

Yeas—16.

| | | | |
|---------|----------|----------|---------|
| Alford | Collins | Johnston | Shivers |
| Ayers | Davis | Moore | Sturgis |
| Baynard | Franklin | Pope | Wilson |
| Clarke | Johns | Sheldon | Wright |

Nays—22.

| | | | |
|---------------|---------|----------|--------|
| Mr. President | Crary | Mathews | Shands |
| Baker | Gautier | McArthur | Smith |
| Beacham | Getzen | Pearce | Tucker |
| Beall | King | Ray | Walker |
| Boyle | Leaird | Rodgers | |
| Carroll | Lindler | Sanchez | |

So the motion failed of adoption.

Senator Johnston then offered the following amendment to Senate Bill No. 17-X(49):

In Section 8, page 25 (mimeographed bill) after the ‘period’ add the words: “There shall also be exempted all sales of caskets and other funeral materials and supplies.”

Senator Johnston moved the adoption of the amendment.

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

Pending further amendment of Senate Bill No. 17-X(49) Senator Ray moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 4:20 o'clock P. M., until 11:00 o'clock A. M., Friday, September 16, 1949.