

## EXTRAORDINARY SESSION

# JOURNAL OF THE SENATE

Monday, September 19, 1949

The Senate convened at 12:00 o'clock, Noon, pursuant to adjournment on Friday, September 16, 1949.

The President in the Chair.

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

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

—35.

A quorum present.

Senators Baker, Smith, and Walker were excused from attendance upon the Session today.

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

"Most Holy and Righteous Father:

"We humbly approach Thy throne of grace at this time, seeking guidance from you, God, who art the source of all light and knowledge for all men as Thou has taught us for the leaders of the nations of the earth and for the members of this Senate, that you will guide them through this, their days work, and guide us all through this life, and in the end give us a home with Thee in Heaven.

"We ask these blessings in Jesus' name—Amen."

The reading of the Journal was dispensed with.

The Senate Daily Journal of Friday, September 16, 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. 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.

—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. 17-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President of the Senate addressed the following remarks to the Body:

"I deem it advisable to call the Senate's attention to the fact that the time for closing this Extraordinary Session of the Legislature is rapidly approaching.

"Important legislation, vitally affecting the State, is now pending. I believe that most of the Senators have made up their minds how they will vote on pending legislation.

"For the remainder of the session, it is my hope that the Senate will stay in session reasonable hours, so that pending legislation can be completed. It is my further hope that no unnecessary motions for adjournments or delaying tactics will be resorted to.

"The people of the State are looking to us to do a job. We have sufficient time to complete that job if we will stay in session reasonable hours and bring bills to a vote."

Senator Shands moved that the rules be waived and the Senate remain in session until consideration of all bills now on the Senate Calendar is completed.

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

### 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 Senators King and Alford—

Senate Bill No. 64-X(49):

A bill to be entitled An Act to abolish and prohibit the defense of entrapment in prosecutions for bribery, offering bribes, accepting bribes, and offering or accepting unauthorized compensation for performance or non-performance of official duty, including but not restricted to prosecutions for the violation of any of the provisions of Section 838.01 to 838.10, both inclusive, and 875.27, Florida Statutes, relating to bribery, accepting bribes, and accepting unauthorized compensation for the performance or non-performance of official duty, and prosecutions for offering a bribe contrary to Section 475.42, Florida Statutes, and prosecutions for violating Section 476.24, Florida Statutes, by obtaining or attempting to obtain any certificate of registration provided for by Chapter 476, Florida Statutes, for money or thing of value other than the required fee, and prosecutions for violating Section 477.27, Florida Statutes, by obtaining or attempting to obtain any certificate of registration provided for by Chapter 477 Florida Statutes, for money or thing of value other than th

required fee, and prosecutions for violating Section 875.12, Florida Statutes, by bribery.

Pursuant to the rule the President submitted the question of whether or not Senate Bill No. 64-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. 64-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 Judiciary "B".

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 Sheldon—

Senate Bill No. 65-X(49):

A bill to be entitled An Act to provide for reduction of ad valorem tax millage in any year whenever the assessment valuation of property has been raised above that for the previous year on the basis of the full cash value thereof in all counties in the State of Florida having a population of not less than 150,000 and not more than 250,000, according to the last State Census.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 65-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 65-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 65-X(49) was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 65-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. 65-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 65-X(49) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 65-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 Beacham—

Senate Bill No. 66-X(49):

A bill to be entitled An Act providing that the City Commission of the City of West Palm Beach may assess the total

net cost of increased trash collection service occasioned by certain natural calamities against all lands in the city, including homesteads, on some equitable or uniform basis; providing the manner in which such assessments shall be equalized and paid, prescribing interest rates, due dates and providing means for enforcing such assessments; repealing all laws and parts of laws in conflict herewith; providing when this Act shall be effective; and for other purposes.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 66-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. 66-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 Beacham moved that the rules be waived and Senate Bill No. 66-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 66-X(49) was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 66-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. 66-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 66-X(49) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 66-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 bills 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 Ray—

Senate Bill No. 67-X(49):

A bill to be entitled An Act authorizing and empowering any drainage district located in any county in the State of Florida having a population of not less than 19,020 and not more than 19,330 according to the last State Census, to compromise, adjust, cancel and settle delinquent sinking fund and maintenance drainage taxes together with accrued penalties, costs and interests thereon for the years 1924 to 1945, both inclusive, at a sum equal to ten (10%) per cent thereof, upon payment in full, in cash, of all sinking fund and maintenance drainage taxes together with accrued penalties, costs, and interest thereon, for the years 1946, 1947, 1948, and 1949; and authorizing the Board of Supervisors of any such drainage district to receive such payments in full settlement of such drainage taxes; and providing further for written permission of the holders of seventy-five (75%) per cent of the district bonds before any such drainage district may proceed to adjust and

settle such taxes under the provisions of this Act; and other matters relating to the drainage taxes in any such county.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 67-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. 67-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 67-X(49) was read the second time by title only.

Senator Ray moved that the rules be further waived and Senate Bill No. 67-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. 67-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 67-X(49) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 67-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 Shivers—

Senate Bill No. 68-X(49):

A bill to be entitled An Act providing for the relief of the Bank of Blountstown by a payment from funds of the Board of Public Instruction of Calhoun County.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 68-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. 68-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 Shivers moved that the rules be waived and Senate Bill No. 68-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 68-X(49) was read the second time by title only.

Senator Shivers moved that the rules be further waived and Senate Bill No. 68-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. 68-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 68-X(49) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 68-X(49) passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1949 Extraordinary Session of the Florida Legislature, 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 Moore—

Senate Bill No. 69-X(49):

A bill to be entitled An Act designating and establishing certain State roads in Highlands County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 69-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Moore moved that the rules be waived and Senate Bill No. 69-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 69-X(49) was read the second time by title only.

Senator Moore moved that the rules be further waived and Senate Bill No. 69-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. 69-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 69-X(49) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 69-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 Franklin moved that the rules be waived and the Senate dispense with the order of procedure and proceed immediately to the consideration of bills on the Calendar.

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

## ORDER OF THE DAY

Senate Bill No. 31-X(49) was taken up in its order and consideration of the question of whether or not it was within the purview of the business for which this extraordinary session was convened was informally passed.

## SENATE BILLS-ON SECOND READING

Senate Bill No. 16-X(49) was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 19-X(49):

A bill to be entitled An Act relating to taxation, levying and imposing an additional tax on gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivisions of gasoline taxes; providing for the purposes of such tax and appropriating the same for the construction and maintenance of public highways and rights of way therefor designated state roads in the several counties, acquiring rights of way for such roads or payment of bonded indebtedness incurred for road and bridge purposes; prescribing the duties of the several boards of county commissioners or other county board having similar powers over roads and bridges and the State Road Department; and allocating said taxes for public highway use in the several counties; providing for the enforcement of this Act and penalties for violation thereof. Repealing all laws in conflict with this Act and particularly Chapter 25266, Laws of Florida, Acts of 1949, and providing for impounding of the proceeds of the tax imposed in this Act in the event of invalidity of certain sections of this Act; providing that this Act shall become effective October 1, 1949.

Was taken up in its order.

Senator Ray moved that the rules be waived and Senate Bill No. 19-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 19-X(49) was read the second time by title only.

Senator Shands offered the following amendment to Senate Bill No. 19-X(49):

In Section 14, line 4 (mimeographed bill) after the word "petroleum" in line 4 strike out the semi-colon (;) and insert in lieu thereof the following: A comma (,) and add the following: "with exception of Chapter 25266, Laws of Florida, Acts of 1949."

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands also offered the following amendment to Senate Bill No. 19-X(49):

In Section 15, line 2 (mimeographed bill) strike out the words and figures "Florida Statutes, 1949" and insert in lieu thereof the following: "Laws of Florida, Acts of 1949."

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ray moved that the rules be further waived and Senate Bill No. 19-X(49), as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 19-X(49), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 19-X(49), as amended, the roll was called and the vote was:

Yeas—35.

Mr. President	Ayers	Beacham	Boyle
Alford	Baynard	Beall	Carroll

Clarke	Johns	Moore	Sheldon
Collins	Johnston	Pearce	Shivers
Crary	King	Pope	Sturgis
Davis	Leaird	Ray	Tucker
Franklin	Lindler	Rodgers	Wilson
Gautier	Mathews	Sanchez	Wright
Getzen	McArthur	Shands	

Nays—None.

So Senate Bill No. 19-X(49) passed, as amended, and was referred to the Secretary of the Senate as Ex-Officio Engrossing Clerk, for engrossing.

Senator Clarke now presiding.

Senate Bill No. 18-X(49):

A bill to be entitled An Act amending Chapter 22645, Laws of Florida, Acts of 1945 as amended by Chapter 24363, Laws of Florida, Acts of 1947, also known as Chapter 210, 1947, Cumulative Supplement, Florida Statutes 1941, and being an Act relating to taxation, levying and imposing a State tax on cigarettes; authorizing the levy of a municipal tax on cigarettes and prohibiting any other municipal tax thereon; granting a credit or reduction on State tax to extent of municipal tax paid; defining cigarettes; requiring all cigarette dealers as herein defined to obtain a cigarette permit; providing for the report of sale or other disposition of cigarettes, and the collection and payment of cigarette taxes; providing for the deposit, appropriation and disposition of the proceeds derived from such taxes including distribution of a portion thereof to municipalities and tuberculosis hospitals; requiring municipalities to make financial reports; prescribing the duties and powers of the Director of the State Beverage Department including the power to promulgate rules and regulations having force and effect of law; prescribing duties and powers of other officers and employees under this Act and providing for payment of their salaries and other expenses of the administration of this Act; providing for bonds by agents and dealers; providing for affixing of stamps as evidence of payment of said tax; providing for the exemptions from payment of said tax; providing that the presumption shall be that cigarettes possessed without stamps affixed are kept in violation of the provision of this Act; imposing an occupational tax on cigarette vending machines; providing for records to be kept and reports to be made by persons possessing, selling, or transporting cigarettes; requiring municipalities to reduce ad valorem operating tax millage and providing formula therefor; providing for the enforcement of this Act and the rules and regulations promulgated by the director and penalties for violation thereof.

Was taken up in its order.

Senator Ray moved that the rules be waived and Senate Bill No. 18-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 18-X(49) was read the second time by title only.

Senator Ray offered the following amendment to Senate Bill No. 18-X(49):

In Section 1, page 25, Sub-section 210.20, sub-paragraph (2)(a) (mimeographed bill) strike out the following: "provided that the Comptroller shall first determine that such municipality has complied with Section 210.21 hereof and has furnished the annual financial report required by Section 167.61, Florida Statutes of 1941" and insert in lieu thereof the following: (.) A period.

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands offered the following amendment to Senate Bill No. 18-X(49):

Strike out Subsection (b) of Section 210.20 of Section 1 and insert in lieu thereof the following: (b) After all distributions hereinabove provided for by this Act have been made, there is hereby appropriated to the State Tuberculosis Board from taxes inuring thereby to the State of Florida the sum of Three Million (\$3,000,000.00) Dollars annually for two years,

beginning November 1, 1949, for acquiring sites, constructing, equipping, enlarging, remodeling and improving tuberculosis sanitarium in Florida. All the balance of the funds produced from the tax imposed by this Act, shall be paid into the General Revenue Fund and is hereby appropriated for any State purpose authorized by the General Appropriation Act, passed by the 1949 session of the Legislature, regular or extraordinary.

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ray offered the following amendment to Senate Bill No. 18-X(49):

In Section 1, Sub-section 210.21 (mimeographed bill) on page 25, insert a new sub-section after sub-section (d): "(e) As an alternative to the provisions and requirements of the foregoing sub-paragraphs a-d, inclusive, fifty (50) per cent of the additional cigarette tax revenue received by any municipality during any twelve month period subsequent to January 1, 1950, under the provisions of this Act over any cigarette tax revenue which it received during the twelve months ending January 1, 1950 or so much thereof as shall be necessary for the purpose, shall be placed in the sinking fund of the municipality to reduce the ad valorem debt service millage or appropriation required to provide the annual debt service requirements of said municipality for its general obligation bonds issued for the functions and purposes set forth in sub-paragraph (5) of Section 210.03 of this Act, and the balance of said revenue shall be used for the said purposes set forth in said sub-paragraph of said sub-section.

"Any municipality in order to be entitled to a continuation of the collection and distribution of its cigarette tax by means of the mechanics provided by this Act shall file with the Comptroller the annual financial report required by Section 167.61, Florida Statutes, 1941, for its fiscal year ending in 1948, and for each fiscal year thereafter, and such information as the Comptroller shall require to determine that said municipality is complying with the provisions of this Act, and in case any municipality shall fail to file said annual financial report, or supply such information or comply with the provisions of this Act, the Comptroller shall withhold further distribution to such municipality of its cigarette tax revenues until such default shall be remedied by such municipality."

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The President now presiding.

Senators Shands, Baynard and Mathews offered the following amendment to Senate Bill No. 18-X(49):

Add a new section to be known as Section 5 as follows:

Section 5. Provided, however, if for any reason neither Senate Bill No. 17-X(49) nor House Bill No. 40-X(49) of the 1949 Extraordinary Session should become a law then in such event it is the declared legislative intent that this Act shall not take effect but shall be inoperative and void.

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ray offered the following amendment to Senate Bill No. 18-X(49):

In Title, line 26, (mimeographed bill) strike out the word "operating" and in the Title to Sub-section 210.21, on page 25, strike out the word "operating".

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ray moved that the rules be further waived and Senate Bill No. 18-X(49), as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 18-X(49), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 18-X(49), as amended, the roll was called and the vote was:

Yeas—33.

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

Nays—1.

Lindler

So Senate Bill No. 18-X(49) passed, as amended, and was referred to the Secretary of the Senate as Ex-Officio Engrossing Clerk, for engrossing.

Senate Bill No. 20-X(49):

A bill to be entitled An Act designating and declaring all public roads and bridges now in existence, or which will be hereafter constructed or built, by the several counties of the State of Florida to be general public projects and undertakings and as state roads for the purpose of receiving and participating in the benefits of the Act passed at this session of the Legislature, imposing an additional tax on gasoline or other like products of petroleum and designated "Secondary Roads Assistance Act of 1949."

Was taken up in its order.

Senator Ray moved that the rules be waived and Senate Bill No. 20-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 20-X(49) was read the second time by title only.

Senator Ray moved that the rules be further waived and Senate Bill No. 20-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. 20-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 20-X(49) the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Bill No. 20-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.

Senate Bills Nos. 7-X(49), 8-X(49), 9-X(49) and 6-X(49) were taken up in their order and the consideration thereof was informally passed.

By unanimous consent Senator King withdrew Senate Bill No. 49-X(49).

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.

WHEREAS, the State Budget Commission found it necessary to reduce by twenty-five percent the funds available to the various state agencies; and

WHEREAS, as a result of this reduction the state welfare board was unable to fully match federal funds available for assistance to the aged, blind and dependent children in the months of July, August and September; and

WHEREAS, responsible officials of the Federal Social Security Administration in Washington have indicated that, if the State of Florida, at its special session, will provide the state funds within ninety days to match the federal funds which would ordinarily have gone to the three classes of recipients during July, August and September, that federal funds which tentatively lapsed can be made available; and

WHEREAS, if approximately \$230,000 of unmatched federal funds are matched by September 17th, it is believed that the state welfare board will be able to mail out checks by the 28th of September; Now, Therefore,

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

1. That the State Budget Commission be directed to release sufficient funds as soon as possible to match the federal funds that were available for assistance to the aged, blind, and dependent children for the months of July and August and which have reverted to the federal government.

2. That the State Budget Commission be directed to immediately release sufficient state funds to match approximately \$230,000 of unmatched federal funds on hand and which will revert unless matched by the 17th of September to be used for assistance to the aged, blind and dependent children for the month of September.

Was taken up in its order and read the second time in full.

Senator Shands offered the following amendment to Senate Concurrent Resolution No. 47-X(49):

In Section 2, lines 1 and 2, (typewritten bill) strike out the word: "immediately"; and also in line 2 of Section 2 following the word "funds" insert the following: "when available".

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins offered the following amendment to Senate Concurrent Resolution No. 47-X(49):

In Sections 1 and 2, line 1 of each section (typewritten bill) strike out the word "directed" and insert in lieu thereof the following: "requested".

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins also offered the following amendment to Senate Concurrent Resolution No. 47-X(49):

In Title, line 1, strike out the word "directing" and insert in lieu thereof the following: "requesting".

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the adoption of Senate Concurrent Resolution No. 47-X(49), as amended, the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Concurrent Resolution No. 47-X(49) was adopted, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Shands moved that a committee be appointed to escort Honorable William L. Hill of Gainesville, Florida, former United States Senator from Florida, to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senators Shands, Collins and Sturgis as the committee and Senator Hill was duly escorted to the rostrum.

Senator Mathews moved that a committee be appointed to escort Honorable D. C. Coleman of Miami, Florida, former member of the Senate from the Thirteenth Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senators Mathews, Gautier and Rodgers as the committee and Senator Coleman was duly escorted to the rostrum.

Senate Bill No. 43-X(49):

A bill to be entitled An Act levying a special tax upon any foreign government or agency or commission of a foreign government who engages in the retail sale of articles manufactured in a foreign country; levying a special occupational license tax upon each retail store so operated in the State of Florida and providing a criminal penalty for the violation of this Act, and for other purposes.

Was taken up in its order.

Senator McArthur moved that the rules be waived and Senate Bill No. 43-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43-X(49) was read the second time by title only.

Senator Gautier offered the following amendment to Senate Bill No. 43-X(49):

Add a section to be numbered 2A which shall read as follows:

Section 2A. Nothing contained herein shall in anywise affect or tax any trade mart or international exhibit or fair wherein goods, wares or merchandise of any foreign government are exhibited or sold provided all import duties, levies and taxes have been paid.

Senator Gautier moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator McArthur moved that the rules be further waived and Senate Bill No. 43-X(49), as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43-X(49), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 43-X(49), as amended, the roll was called and the vote was:

Yeas—31.

Mr. President	Collins	Leaird	Sanchez
Alford	Crary	Lindler	Shands
Ayers	Franklin	Mathews	Sheldon
Baynard	Gautier	McArthur	Shivers
Beacham	Getzen	Moore	Sturgis
Boyle	Johns	Pearce	Tucker
Carroll	Johnston	Pope	Wilson
Clarke	King	Rodgers	

Nays—None.

So Senate Bill No. 43-X(49) passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

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.

Was taken up in its order.

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

Which was agreed to by a two-thirds vote.

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

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

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

Yeas—29.

Mr. President	Crary	Lindler	Shands
Alford	Franklin	Mathews	Sheldon
Baynard	Gautier	McArthur	Shivers
Beacham	Getzen	Moore	Sturgis
Boyle	Johns	Pearce	Tucker
Carroll	Johnston	Pope	
Clarke	King	Rodgers	
Collins	Leaird	Sanchez	

Nays—None.

So Senate 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.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:36 o'clock P.M., until 11:00 o'clock A.M., Tuesday, September 20, 1949.