

**EXTRAORDINARY SESSION**  
**JOURNAL OF THE SENATE**

**Wednesday, September 21, 1949**

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Tuesday, September 20, 1949.

The President in the Chair.

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

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

—37.

A quorum present.

Senator Baker was excused from attendance upon the session today on account of his continued illness.

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

"Almighty God:

"We humbly come to Thee again seeking help in this time of need. Help us through this day, oh God, in our efforts for mankind and in service to Thee. Bless this Senate in their efforts and be with us all through life unto the end—we ask in Jesus' name—Amen."

The reading of the Journal was dispensed with.

The Senate Daily Journal of Tuesday, September 20, 1949, was corrected as follows:

Page 2, column 1, between lines 6 and 7 insert the following:

"And Senate Bill No. 43-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule."

Also—

Page 2, column 1 between lines 49 and 50 insert the following:

"And Senate Bill No. 18-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule."

Also—

Page 2, column 2, between lines 7 and 8 insert the following:

"And Senate Bill No. 19-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule."

Also—

Page 2, column 2, between lines 22 and 23 insert the following:

"And Senate Concurrent Resolution No. 47-X(49), contained in the above report, was ordered certified to the House of Representatives immediately, by waiver of the rule."

And as corrected was approved.

**REPORTS OF COMMITTEES**

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

Senate Bill No. 75-X(49)—A bill to be entitled An Act creating a State Purchasing Department under the control and administration of an executive board composed of the Governor, the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Superintendent of Public Instruction, and the Commissioner of Agriculture; prescribing its powers and duties.

Senate Bill No. 77-X(49)—A bill to be entitled An Act to license electrically operated console type pari-mutuel metered games of chance; defining the same and imposing license taxes thereon, and defining the "Pari-Mutuel Pool" of monies played through such machines and imposing a six percent tax thereon; providing for the distribution of revenue arising from the license taxes hereby imposed and the six percent tax on the pari-mutuel pool herein defined; prescribing the division of the remainder of the pari-mutuel pool and other matters properly related thereto; providing for the licensing of such machines and the supervision of their operation by the Beverage Department of the State of Florida; providing for the collection of funds due the State of Florida hereunder by the Comptroller of the State of Florida; and providing for re-call elections in any county to determine whether such licenses should be revoked or continued therein; and repealing all laws and parts of laws in conflict herewith.

—and the Committee reports same without recommendation.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

House Bill No. 80-X('49)—A bill to be entitled An Act amending Section 550.16, Florida Statutes, 1941, as amended by Chapter 21,744, Laws of Florida Acts of 1943 and Chapter 22,589, Laws of Florida Acts of 1945, and Chapter 25,257, Laws of Florida Acts of 1949, relating to pari-mutuel pools authorized within enclosure at dog race tracks and providing that dog race tracks having an average daily pari-mutuel pool of less than \$23,000.00 for the preceding racing season, shall be permitted to operate pari-mutuel wagering upon the payment of a daily license fee of \$500.00 and providing for the distribution of the proceeds from said license tax; repealing all laws or parts of laws in conflict herewith and fixing the effective date of this Act.

—and the Committee reports same without recommendation.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

**ENGROSSING REPORT**

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

Senate Bill No. 10-X(49):

A bill to be entitled An Act authorizing and directing the Board of County Commissioners of Duval County to appoint and employ a County Medical Examiner to be named and

recommended to the board by the State Attorney for the Fourth Judicial Circuit which includes Duval County; to fix the term of his employment and his compensation; to provide said medical examiner shall be empowered to investigate deaths of persons resulting from criminal violations, by casualties, by suicide, suddenly when in apparent good health, when not attended by a physician, in prison or in any suspicious or unusual manner; to make investigation or examination, when called upon by the State Attorney of said Judicial Circuit in respect to any female person allegedly raped; to provide the County Medical Examiner shall make a report of all investigations and examinations and otherwise to prescribe the powers and duties of such County Medical Examiner; to provide for assistant examiners and other personnel necessary to carry out the provisions hereof; and to provide for and authorize funds, to provide, set up, establish and erect the necessary properties and facilities for carrying out the purposes hereof; and to authorize the performance of autopsies.

—begs leave to report that the House 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. 10-X(49), contained in the above report, was referred to the Secretary of the Senate as Ex-Officio Enrolling Clerk, for enrolling.

Senator Shands moved that when the Senate adjourns at this Session it recess to reconvene at 3:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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 Senators Collins and Sturgis—

Senate Bill No. 79-X(49):

A bill to be entitled An Act creating a small claims court in each county in this State having a population of not less than 35,200 and not more than 38,200 according to the last State Census; providing for the appointment, qualifications and tenure of office of the judge of such small claims court; prescribing the jurisdiction, the pleading, practice and service of process therein; providing for the duties of the judge and his remuneration.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 79-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Collins moved that the rules be waived and Senate Bill No. 79-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79-X(49) was read the second time by title only.

Senators Sturgis and Collins offered the following amendment to Senate Bill No. 79-X(49):

Strike the figure "35,200" wherever the same appears in title and body of bill and insert in lieu thereof the following: "35,100".

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins moved that the rules be further waived and Senate Bill No. 79-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. 79-X(49), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 79-X(49), as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 79-X(49), passed, as amended, and was referred to the Secretary of the Senate as Ex-Officio Engrossing Clerk, for engrossing.

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 Tucker—

Senate Bill No. 80-X(49):

A bill to be entitled An Act to create and designate a certain State Road in Wakulla County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 80-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Tucker moved that the rules be waived and Senate Bill No. 80-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 80-X(49) was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 80-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. 80-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 80-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 80-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. 81-X(49):

A bill to be entitled An Act making Chapter 23,077, Laws of Florida, Acts of 1945, entitled "An Act to authorize housing authorities to clear blighted areas and prevent blight; to acquire by purchase or eminent domain real property in blighted areas and make it available under certain conditions for redevelopment by private enterprise or by public agencies in accordance with approved redevelopment plans; to confer necessary powers on housing authorities, cities, towns and other public bodies in connection with redevelopment projects; to make obligations issued by housing authorities in connection with redevelopment projects legal investments and security for deposits; to enable the advance preparation of projects so they can provide jobs and stimulate industry when necessary in the period of reconversion; and to authorize the creation of an advisory board to housing authorities composed of representatives of business, real estate, home financing and other interests and providing the cities in which this law shall be applicable;" applicable to the housing authority of the city of West Palm Beach, Florida, and to the City of West Palm Beach, Florida; and for other purposes.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 81-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 81-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. 81-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81-X(49) was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 81-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. 81-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 81-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 81-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. 82-X(49):

A bill to be entitled An Act fixing the compensation of the members of the Board of Public Instruction of all counties

in the State of Florida having a population of not less than 40,000 and not more than 50,000 according to the last state census.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 82-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Shivers moved that the rules be waived and Senate Bill No. 82-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 82-X(49) was read the second time by title only.

Senator Shivers moved that the rules be further waived and Senate Bill No. 82-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. 82-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 82-X(49) the roll was called and the vote was:

Yeas—33.

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

Nays—4.

Collins	Pope	Ray	Wilson
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So Senate Bill No. 82-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 Leaird—

Senate Bill No. 83-X(49):

A bill to be entitled An Act relating to the Napoleon B. Broward Drainage District, providing a referendum to determine the will of the people, providing that the boundaries of said district shall be reduced and specifying the boundaries of the reduced area; that after the year 1949 no taxes shall be levied upon said reduced area except an acreage tax of forty cents per acre per annum; that all levies, taxes and benefits on the former area of said district heretofore included within the boundaries of the district shall be discontinued after the year 1949; that all district taxes, liens and tax certificates upon all lands heretofore embraced within the boundaries of the district levied or due prior to this Act becoming effective shall continue to be a lien upon the property and enforceable until paid in full; that the power to issue bonds against the district be repealed and expressly prohibited; that in lieu of the existing board of supervisors three commissioners shall be elected to manage the affairs of the district to serve without compensation; providing for the nomination, qualification, election, and term of office of said commissioners and appointment in case of vacancy; that upon this Act becoming a law the term of office of the present board of supervisors and employees of the same shall terminate as of November 30, 1950 and said newly elected commissioners shall take office and all assets of the district shall be turned over to said commissioners as of November 30, 1950; that said commissioners shall not be required to employ an engineer or attorney unless deemed necessary; that said commissioners may allow district draglines and equipment to be used for private work for property owners within the reduced district area, provided that payment for such work

shall be paid in advance and include a fair amount for depreciation; this Act shall take effect only upon its ratification by a majority of the qualified voters who reside within the existing boundaries of said drainage district and who vote for or against the ratification of this Act at the first primary in May in 1950; and that upon ratification of this Act notice shall be given by the Clerk of the Circuit Court that taxes shall be levied in accordance with this Act on the reduced area; that the State Auditor shall make an audit of the affairs of the district as of November 30, 1950 and every two years thereafter, the expense of said audits to be paid for by the drainage district.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 83-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Leaird moved that the rules be waived and Senate Bill No. 83-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83-X(49) was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 83-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. 83-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 83-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 83-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 Rodgers—

Senate Bill No. 84-X(49):

A bill to be entitled An Act amending Section 7, of Chapter 20200, Laws of Florida, Acts of 1939, relating to the organization of government of the City of Winter Garden, by providing for the qualifications of candidates for and officers elected to the city commission of said city; and fixing the effective date of this Act.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 84-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 84-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 Rodgers moved that the rules be waived and Senate Bill No. 84-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84-X(49) was read the second time by title only.

Senator Rodgers moved that the rules be further waived and Senate Bill No. 84-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. 84-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 84-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 84-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 Rodgers—

Senate Bill No. 85-X(49):

A bill to be entitled An Act amending Section 12 of Chapter 20200, Laws of Florida, Acts of 1939, relating to the Mayor of the City of Winter Garden, by providing for the qualifications of candidates for and the officer elected Mayor of said city; and fixing the effective date of this Act.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 85-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 85-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 Rodgers moved that the rules be waived and Senate Bill No. 85-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85-X(49) was read the second time by title only.

Senator Rodgers moved that the rules be further waived and Senate Bill No. 85-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. 85-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 85-X(49) the roll was called and the vote was:

Yeas—37.

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

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

Nays—None.

So Senate Bill No. 85-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 Ray—

Senate Bill No. 86-X(49):

A bill to be entitled An Act authorizing each county in this State having a population of not less than 25,000 and not more than 27,500 inhabitants by the most recent State census, acting through its Board of County Commissioners, to donate and convey without cost, to the Board of Public Instruction (School Board) of that county, and execute deeds of conveyance, any lands suitable for school purposes, owned now or hereafter acquired by such county, when not needed for other county purposes; and to authorize the County Boards of Public Instruction of each county in the State to donate and convey without cost to the Board of County Commissioners of that county, lands owned by the county school system which are not suited for school purposes; public notice unnecessary.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 86-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Ray moved that the rules be waived and Senate Bill No. 86-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86-X(49) was read the second time by title only.

Senator Ray moved that the rules be further waived and Senate Bill No. 86-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. 86-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 86-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 86-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 Ray—

Senate Bill No. 87-X(49):

A bill to be entitled An Act establishing Sarasota County Public Hospital Board as a body corporate, with jurisdiction extending in all of Sarasota County; providing for the qualifications and method of appointment of the members of such hospital board; providing for the term of office and for the compensation to be paid the members of such hospital board, its duties, and powers, and for the adoption of a seal for said hospital board; giving said hospital board power to purchase property, construct hospital building or buildings and to operate, maintain and supervise such hospitals; authorizing said hospital board to borrow money and issue bonds to purchase property, to construct hospital buildings and equip and maintain the same; providing for the calling of special tax elections for the issuance of evidence of indebtedness and bonds; providing for the condemnation of property under the right of eminent domain; providing rules and regulations for the use and operation of such hospitals or hospital; providing for the levy of a millage on all property in Sarasota County, Florida, and the manner of the collection of the same; providing for the right to accept gifts and donations and declaring said Act to be for public purposes; providing for the issuance of benefit certificates and the terms and conditions upon which same may be issued; providing for a referendum.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 87-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Ray moved that the rules be waived and Senate Bill No. 87-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 87-X(49) was read the second time by title only.

Senator Ray moved that the rules be further waived and Senate Bill No. 87-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. 87-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 87-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 87-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. 88-X(49):

A bill to be entitled An Act enabling any municipality located in any county in the State of Florida having a population of more than 250,000 according to the last census taken by the United States Government, to fill in, or extend privately

owned land abutting any creek, bay or other body of water in part or full payment for an easement or easements over adjacent lands or portions thereof acquired by said municipality for street or highway purposes; declaring said acts to be for municipal purposes.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 88-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Gautier moved that the rules be waived and Senate Bill No. 88-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 88-X(49) was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 88-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. 88-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 88-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 88-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 Johns—

Senate Bill No. 89-X(49):

A bill to be entitled An Act fixing the compensation of members of the school board in counties of the State of Florida having a population of not less than 10,565 and not more than 10,735 inhabitants according to the last preceding regular state census.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 89-X(49), title as aforesaid, should be introduced for consideration by the Senate so it was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 89-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 89-X(49) was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 89-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. 89-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 89-X(49) the roll was called and the vote was:

Yeas—33:

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

Nays—4.

Collins	Pope	Ray	Wilson
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So Senate Bill No. 89-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 Johnston asked unanimous consent of the Senate to take up and consider House Bill No. 82-X(49), out of its order, at this time.

Which was agreed to.

House Bill No. 82-X(49)—A bill to be entitled An Act fixing the compensation of members of the Board of Public Instruction of Citrus County, State of Florida and providing the time of payment of such compensation.

Was taken up.

Senator Johnston moved that the rules be waived and House Bill No. 82-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 82-X(49) was read the second time by title only.

Senator Johnston offered the following amendment to House Bill No. 82-X(49):

In Section 1, line 4, (typewritten bill) strike out the figures: ("10¢") and insert in lieu thereof the following: ("7½¢")

Senator Johnston moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnston also offered the following amendment to House Bill No. 82-X(49):

In Section 1, line 4, (typewritten bill) strike out the figures:

"\$50.00" and insert in lieu thereof the following: "\$35.00"

Senator Johnston moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnston moved that the rules be further waived and House Bill No. 82-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 House Bill No. 82-X(49), as amended, was read the third time in full.

Upon the passage of House Bill No. 82-X(49), as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So House Bill No. 82-X(49) passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Shands asked unanimous consent of the Senate to take up and consider House Bill No. 83-X('49), out of its order, at this time.

Which was agreed to.

House Bill No. 83-X('49)—A bill to be entitled An Act designating and establishing a certain state road.

Was taken up.

Senator Shands moved that the rules be waived and House Bill No. 83-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 83-X('49) was read the second time by title only.

Senator Shands moved that the rules be further waived and House Bill No. 83-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. 83-X('49) was read the third time in full.

Upon the passage of House Bill No. 83-X('49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So House Bill No. 83-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 asked unanimous consent of the Senate to take up and consider House Bill No. 14-X('49), out of its order, at this time.

Which was agreed to.

House Bill No. 14-X('49)—A bill to be entitled An Act to amend Chapter 23374, Laws of Florida, Acts of the Legislative year 1945, being the Charter of the City of Key West, Florida, by amending Section 8 of Article I of the introductory chapter thereof so as to exclude certain land from the present territorial boundaries of the City of Key West, Florida.

Was taken up.

Senator Franklin moved that the rules be waived and House Bill No. 14-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 14-X('49) was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 14-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. 14-X('49) was read the third time in full.

Upon the passage of House Bill No. 14-X('49) the roll was called and the vote was:

Yeas—37.

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

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

Nays—None.

So House Bill No. 14-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.

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

Senator Walker moved that the consideration of Senate Bill No. 16-X('49) be informally passed, and that the bill be placed at the foot of the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

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.

Senate Bill No. 22-X('49):

A bill to be entitled An Act amending Section 561.46, Florida Statutes of 1941, as amended by Chapter 22562, Laws of 1945, and relating to excise tax on alcoholic beverages.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 22-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 22-X('49) was read the second time by title only.

The Committee on Finance and Taxation offered the following Committee Substitute for Senate Bill No. 22-X('49):

Committee Substitute for Senate Bill No. 22-X('49):

A bill to be entitled An Act amending Section 561.46, Florida Statutes, 1941, as amended by Chapter 22562, Laws of Florida, Acts of 1945, and being an Act relating to taxation, levying and imposing a State excise tax on alcoholic beverages.

Which was taken up and read the first time by title only.

Senator Mathews moved that the rules be waived and Committee Substitute for Senate Bill No. 22-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 22-X('49) was read the second time by title only.

Senator Mathews moved the adoption of the Committee Substitute for Senate Bill No. 22-X('49).

Which was agreed to and the Committee Substitute for Senate Bill No. 22-X('49) was adopted.

Senator Mathews offered the following amendment to Committee Substitute for Senate Bill No. 22-X('49):

In Section 5, (typewritten bill) strike out the period at the end thereof and insert in lieu thereof the following: a comma, and add the following words: "said tax to be evidenced by stamps as hereinafter provided."

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews also offered the following amendment to Committee Substitute for Senate Bill No. 22-X('49):

In Section 6, (typewritten bill) strike out the period at the end thereof and insert in lieu thereof the following: a comma,

and add the following words: "said tax to be evidenced by stamps as hereinafter provided."

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis offered the following amendment to Committee Substitute for Senate Bill No. 22-X(49):

In Section 1, line 2 (typewritten bill) insert the word "of" immediately ahead of the word "alcohol".

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to Committee Substitute for Senate Bill No. 22-X(49):

Insert the following language immediately after the first sentence in Section 1:

"There is further levied and assessed a floor tax upon vendors as described in this law of two and one-eighth cents on each pint or fraction thereof, upon all malt beverages in excess of ten gallons owned and possessed by said vendors as of October 1, 1949."

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to Committee Substitute for Senate Bill No. 22-X(49):

In Section 7, line 2 (typewritten bill) add the word "or" immediately ahead of the words and figures "of Chapter 25340"

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Committee Substitute for Senate Bill No. 22-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 Committee Substitute for Senate Bill No. 22-X(49), as amended, was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 22-X(49), as amended, the roll was called and the vote was:

Yeas—31.

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

Nays—2.

Beall Moore

So Committee Substitute for Senate Bill No. 22-X(49), passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

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

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 64-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 64-X(49) was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 64-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. 64-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 64-X(49) the roll was called and the vote was:

Yeas—34.

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

Nays—1.

Moore

So Senate Bill No. 64-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 Ray, President Pro Tempore, now presiding.

Senate Joint Resolution No. 26-X(49):

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO TAXATION AND FINANCE.

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

The following amendment to Article IX of the Constitution of the State of Florida is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in the year 1950, A. D., that is to say: A new section shall be added to said Article IX, reading and providing as follows:

Amended as follows:

Section ( ).—Income Tax.—the legislature shall have power to lay and collect taxes on incomes, from whatever source derived, in an amount not exceeding twenty per centum of the income tax from time to time imposed by the Federal Government.

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

Senator Mathews moved that the rules be waived and Senate Joint Resolution No. 26-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 Joint Resolution No. 26-X(49) was read the third time in full.

Upon the passage of Senate Joint Resolution No. 26-X(49) the roll was called and the vote was:

Yeas—22.

Mr. President	Gautier	Rodgers	Sturgis
Alford	Mathews	Sanchez	Walker
Ayers	Moore	Shands	Wilson
Baynard	Pearce	Sheldon	Wright
Boyle	Pope	Shivers	
Collins	Ray	Smith	

Nays—15.

Beacham	Crary	Johns	Lindler
Beall	Davis	Johnston	McArthur
Carroll	Franklin	King	Tucker
Clarke	Getzen	Leaird	

So Senate Joint Resolution No. 26-X(49) failed to pass by the required Constitutional three-fifths vote of all members elected to the Senate for the 1949 extraordinary session of the Florida Legislature.

Senate Bill No. 75-X(49):

A bill to be entitled An Act creating a State Purchasing Department under the control and administration of an executive board composed of the Governor, the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Superintendent of Public Instruction, and the Commissioner of Agriculture; prescribing its powers and duties.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 75-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 75-X(49) was read the second time by title only.

Senators Baynard and Shands offered the following amendment to Senate Bill No. 75-X(49):

In Section 2, line 11, (typewritten bill) strike out the word: "may" and insert in lieu thereof the word: "shall".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Baynard and Shands also offered the following amendment to Senate Bill No. 75-X(49):

In Section 6, line 4, (typewritten bill) at the end of the first sentence, change the period to a semi-colon, and add to said sentence the following, "provided, that the office of attorney general of the state shall exclusively provide all legal services incident to the powers and duties of the state purchasing department."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Baynard and Shands also offered the following amendment to Senate Bill No. 75-X(49):

In Section 9, (typewritten bill) add the following additional sentence at the end of said section, to wit: "Provided, however, that no such surplus exceeding the sum of twenty-five (\$25.00) dollars may be sold without the approval of the advisory committee on purchasing."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Baynard and Shands also offered the following amendment to Senate Bill No. 75-X(49):

In Section 10, line 5, (typewritten bill) between the words "rules" and "and" insert the following, "amendments or rescission of rules".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Baynard and Shands also offered the following amendment to Senate Bill No. 75-X(49):

Renumber present sections 11, 12 and 13, and make them sections 12, 13 and 14, and insert a new and additional section, following present section 10, the same to be numbered section 11 and reading as follows:

Section 11. *Three or more bids to be received; advertising for bids; etc.*—(1) No purchase of any goods, wares, merchandise, material, supplies or equipment pursuant to this chapter may be made, where the purchase price of the same may or will exceed fifty (\$50.00) dollars, unless and until the department of purchasing has procured not less than three bona fide bids from persons, firms or corporations dealing therein, or shall have advertised for bids therefor in some newspaper published in this state, under such rules and regulations as shall be adopted by the advisory committee on purchasing, for not less than two times in two consecutive weeks; provided, however, that no purchase exceeding the sum of one thousand (\$1,000.00) dollars may be made without advertising for bids therefor in some newspaper as aforesaid. The lowest and best bid shall be accepted.

(2) Any person, firm or corporation feeling themselves aggrieved by the action of the department of purchasing in accepting or rejecting bids as aforesaid shall have the right to appeal to the advisory committee on purchasing who shall take such action thereon as shall seem equitable and proper.

(3) The department of purchasing shall at all times have the right in its discretion to reject all bids offered.

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Brackin and Mathews offered the following amendment to Senate Bill No. 75-X(49):

Strike out the title and insert in lieu thereof the following:

"A bill to be entitled An Act creating a State Purchasing Department to be operated under rules and regulations of an executive board composed of the Governor, the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Superintendent of Public Instruction, and the Commissioner of Agriculture; providing for the appointment of a Director of Purchasing by the Governor and for his confirmation by the Senate and for the removal of such director, filling vacancies and confirmation thereof by the Senate and prescribing powers and duties of said director and the State Purchasing Department."

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Senate Bill No. 75-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. 75-X(49), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 75-X(49), as amended, the roll was called and the vote was:

Yeas—35.

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

Nays—1.

Pope

So Senate Bill No. 75-X(49) passed, as amended, and was referred to the Secretary of the Senate as Ex-Officio Engrossing Clerk, for engrossing.

Senate Bill No. 77-X(49) was taken up in its order and the consideration thereof was informally passed.

House Bill No. 80-X(49)—A bill to be entitled An Act

amending Section 550.16, Florida Statutes 1941, as amended by Chapter 21,744, Laws of Florida Acts of 1943 and Chapter 22,589, Laws of Florida Acts of 1945, and Chapter 25,257, Laws of Florida Acts of 1949, relating to pari-mutuel pools authorized within enclosure at dog race tracks and providing that dog race tracks having an average daily pari-mutuel pool of less than \$23,000.00 for the preceding racing season, shall be permitted to operate pari-mutuel wagering upon the payment of a daily license fee of \$500.00 and providing for the distribution of the proceeds from said license tax; repealing all laws or parts of laws in conflict herewith and fixing the effective date of this Act.

Was taken up in its order.

Senator Brackin moved that the rules be waived and House Bill No. 80-X('49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 80-X('49) was read the second time by title only.

Senator Baynard offered the following amendment to House Bill No. 80-X('49):

Strike out the figures "\$23,000" wherever they appear in the bill and insert in lieu thereof the following: "\$20,000"

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to House Bill No. 80-X('49):

In title, line 8 (typewritten bill) strike out the figures: "\$23,000" and insert in lieu thereof the following: "\$20,000.00".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin moved that the rules be further waived and House Bill No. 80-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 House Bill No. 80-X('49), as amended, was read the third time in full.

Upon the passage of House Bill No. 80-X('49), as amended, the roll was called and the vote was:

Yeas—20.

Mr. President	Crary	McArthur	Shands
Alford	Franklin	Moore	Sheldon
Beall	Johns	Pearce	Shivers
Carroll	King	Pope	Walker
Clarke	Leaird	Ray	Wright

Nays—15.

Ayers	Collins	Johnston	Smith
Baynard	Davis	Mathews	Sturgis
Beacham	Gautier	Rodgers	Wilson
Boyle	Getzen	Sanchez	

So House Bill No. 80-X('49) passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Baynard moved that the Senate adjourn.

Which was agreed to and the Senate recessed at 12:58 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	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

—37.

A quorum present.

Senator Shivers moved that the Senate reconsider the vote by which the Senate determined on September 20, 1949, that Senate Bill No. 78-X(49) was not within the legislative business for which this extraordinary session of the Legislature was convened.

And the motion went over under the rule.

Senator Johnston moved that the Senate reconsider the vote by which Senate Joint Resolution No. 26-X(49) failed to pass the Senate this day.

And the motion went over under the rule.

By permission the following bills were introduced:

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted the question to the Senate of whether or not the following Concurrent Resolution 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 Shands—

Senate Concurrent Resolution No. 90-X(49):

A CONCURRENT RESOLUTION DIRECTING THE LEGISLATIVE REFERENCE BUREAU TO CAUSE TO BE MADE UNDER ITS DIRECTION A SURVEY, STUDY, AND EVALUATION OF THE OPERATION OF THE MINIMUM FOUNDATION PROGRAM WITH THE VIEW OF DETERMINING WHETHER OR NOT A SAVING CAN BE MADE IN ITS OPERATION WITHOUT IMPAIRING THE EFFICIENCY OF THE PUBLIC FREE SCHOOLS.

WHEREAS, The State of Florida has in recent years assumed an increasing part of the annual cost of operating the public free schools; and

WHEREAS, at the 1947 Session of the Legislature there was enacted into law the Minimum Foundation Program; and

WHEREAS, this program was based upon a two-year scientific study of the public school needs of Florida children and was conducted under the direction of the Florida Citizens Committee on Education, appointed by the Governor pursuant to law; and

WHEREAS, the 1947 Legislature appropriated for the support of the Minimum Foundation Program Forty Million Dollars (\$40,000,000.00) for 1947-1948 and Forty-Two Million Dollars (\$42,000,000.00) for 1948-1949; and

WHEREAS, the Regular Session of the 1949 Legislature, in order to continue the Minimum Foundation Program and to provide for the estimated normal increase in public school enrollment, appropriated Forty-Seven Million Four Hundred Ninety-Eight Thousand Dollars (\$47,498,000.00) for the school year 1949-1950 and Fifty-Two Million Two Hundred Ninety-Five Thousand Dollars (\$52,295,000.00) for 1950-1951; and

WHEREAS, the Minimum Foundation Program has been in operation for approximately two years and a survey, study, and evaluation of the operation of the program should now be made to determine whether or not a saving can be made and economies affected in its operation without injuring its efficiency;

NOW, THEREFORE,

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

Section 1. That the Legislative Reference Bureau be and it is hereby directed to cause to be made under its direction a survey, study, and evaluation of the operation of the Minimum Foundation Program with the view of determining whether or not a saving can be made and economies affected in its operation without impairing the efficiency of the public free schools. For the purpose of this resolution the Legislative Reference Bureau is authorized to employ persons who are recognized as experts in the field of public school education and who are competent to conduct the survey, study, and evaluation of the Minimum Foundation Program. The Legislative Reference Bureau shall report its findings and recommendations to the Regular Session of the 1951 Legislature.

Section 2. That the necessary expenses incurred in connection with the work to be done under this resolution shall be paid from any funds specifically appropriated therefor or any other funds available for such purpose.

It was agreed by a two-thirds vote of the Senate that Senate Concurrent Resolution No. 90-X(49), as aforesaid, should be introduced for consideration by the Senate so it was read the first time in full.

Senator Shands moved that the rules be waived and Senate Concurrent Resolution No. 90-X(49) be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 90-X(49) was read the second time in full.

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

Which was agreed to.

And Senate Concurrent Resolution No. 90-X(49) was adopted, 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 Leaird—

Senate Bill No. 91-X(49):

A bill to be entitled An Act creating a small claims court in each county in this State having a population of not less than 45,000 and not more than 55,000 according to the last State census; providing for the appointment, qualifications and tenure of office of the judge of such small claims court; prescribing the jurisdiction, the pleading, practice and service of process therein; providing for the duties of the judge and his remuneration.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 91-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Leaird moved that the rules be waived and Senate Bill No. 91-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 91-X(49) was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 91-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. 91-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 91-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 91-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. 92-X(49):

A bill to be entitled An Act providing that nominees for the office of County Commissioner of Hernando County shall be nominated in primary elections from the county at large, provided that candidates for nomination shall be citizens and residents of the respective county commissioner's district and qualified electors in said district; providing for a referendum election to determine whether this Act shall become effective.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 92-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. 92-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 92-X(49) was read the second time by title only.

Senator Johnston moved that the rules be further waived and Senate Bill No. 92-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. 92-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 92-X(49) the roll was called and the vote was:

Yeas—37.

Mr. President	Crary	Mathews	Shivers
Alford	Davis	McArthur	Smith
Ayers	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	
Collins	Lindler	Sheldon	

Nays—None.

So Senate Bill No. 92-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 Moore moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 3:29 o'clock P. M.

The Senate emerged from Executive Session at 3:53 o'clock P. M. and resumed its session.

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

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

Sturgis Walker Wright  
Tucker Wilson

—37.

A quorum present.

Senator Mathews moved that the Senate recess until 9:00 o'clock P. M., this day.

Pending consideration of the motion made by Senator Mathews, Senator Baynard moved as a substitute motion that the Senate adjourn.

The question was put on the substitute motion made by Senator Baynard.

Which was agreed to.

And the Senate stood adjourned at 4:16 o'clock P. M., until 11:00 o'clock A. M., Thursday, September 22, 1949.