

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Thursday, September 8, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, September 7, 1949.

The President in the Chair.

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

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

—38

A quorum present.

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

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, September 7, 1949, was corrected and as corrected was approved.

The President announced the appointment of the following standing committees of the Senate for this extraordinary session of the Legislature:

SENATE COMMITTEES

COMMITTEE ON AGRICULTURE AND LIVESTOCK

Senator Alford, Chairman; Senator Wilson, Vice Chairman; Senators Leaird, Shands, Pearce, Shivers, Lindler, Carroll, Ayers, King, Johnston.

COMMITTEE ON APPROPRIATIONS

Senator Collins, Chairman; Senator Mathews, Vice Chairman; Senators Wilson, Johnston, Alford, Gautier, Pope, Johns, King, Moore, Shivers, Beacham, Baynard.

COMMITTEE ON AVIATION AND RADIO

Senator Gautier, Chairman; Senator Boyle, Vice Chairman; Senators Mathews, Getzen, Beacham, Crary, King, Ayers.

COMMITTEE ON BANKING AND BUILDING AND LOANS

Senator Clarke, Chairman; Senator Carroll, Vice Chairman; Senators Sheldon, Shands, Collins, Crary, Beacham.

COMMITTEE ON CITIES AND TOWNS

Senator Rodgers, Chairman; Senator Baker, Vice Chairman; Senators Baynard, King, Ray, Collins, Gautier.

COMMITTEE ON CITRUS FRUITS

Senator Baker, Chairman; Senator King, Vice Chairman; Senators Sheldon, Baynard, Johnston, Crary, Getzen, Rodgers, Pearce, Boyle, Walker.

COMMITTEE ON CONSTITUTIONAL AMENDMENTS

Senator Sturgis, Chairman; Senator Walker, Vice Chairman; Senators Clarke, Ray, Beall, Carroll, Mathews.

COMMITTEE ON CORPORATIONS

Senator Wilson, Chairman; Senator Smith, Vice Chairman; Senators Sanchez, Tucker, Ayers.

COMMITTEE ON COUNTY ORGANIZATIONS

Senator Crary, Chairman; Senator Beacham, Vice Chairman; Senators Rodgers, Franklin, Boyle, Moore, Johnston.

COMMITTEE ON DRAINAGE AND WATER CONSERVATION

Senator Beacham, Chairman; Senator Leaird, Vice Chairman; Senators Gautier, McArthur, Franklin, Pearce, Shands, Getzen, Moore.

COMMITTEE ON EDUCATION

Senator Leaird, Chairman; Senator Lindler, Vice Chairman; Senators Walker, Shivers, Sheldon, Collins, Wright, Baynard, Shands.

COMMITTEE ON EXECUTIVE COMMUNICATIONS

Senator Smith, Chairman; Senator Sanchez, Vice Chairman; Senators Wright, Getzen, Mathews.

COMMITTEE ON FINANCE AND TAXATION

Senator Shands, Chairman; Senator Sheldon, Vice Chairman; Senators Beall, Carroll, Boyle, McArthur, Rodgers, Sturgis, Ray, Pearce, Leaird, Walker, Getzen.

COMMITTEE ON FORESTRY AND PARKS

Senator Lindler, Chairman; Senator Beall, Vice Chairman; Senators Pearce, Tucker, McArthur, Shands, Sturgis.

COMMITTEE ON GAME AND FISHERIES

Senator Pearce, Chairman; Senator Moore, Vice Chairman; Senators Ray, Pope, Alford, Walker, Johnston.

COMMITTEE ON GOVERNMENTAL REORGANIZATION

Senator Sturgis, Chairman; Senator Leaird, Vice Chairman; Senators Pearce, Alford, Shands, Walker, Ray.

COMMITTEE ON INSURANCE

Senator Baynard, Chairman; Senator Rodgers, Vice Chairman; Senators Shands, Beall, Baker, Sturgis, Clarke.

COMMITTEE ON JUDICIARY "A"

Senator Sheldon, Chairman; Senator Beall, Vice Chairman; Senators Leaird, Clarke, Ray, Sturgis, Boyle.

COMMITTEE ON JUDICIARY "B"

Senator Walker, Chairman; Senator Getzen, Vice Chairman; Senators Franklin, Baynard, Rodgers, Gautier, King.

COMMITTEE ON JUDICIARY "C"

Senator Mathews, Chairman; Senator Johnston, Vice Chairman; Senators Sanchez, Davis, Crary, Collins, Moore.

COMMITTEE ON LABOR AND INDUSTRY

Senator Johnston, Chairman; Senator Shands, Vice Chairman; Senators Carroll, Johns, Wilson, Sheldon, McArthur, Shivers, Boyle.

COMMITTEE ON LEGISLATIVE MANAGEMENT

Senator Pope, Chairman; Senator Davis, Vice Chairman; Senators Pearce, Lindler, Alford, Wright, Clarke.

COMMITTEE ON MISCELLANEOUS LEGISLATION

Senator Getzen, Chairman; Senator McArthur, Vice Chairman; Senators Leaird, Walker, Gautier, Sheldon, Boyle, Moore, Baker, Crary, Beall, Ray, Rodgers.

COMMITTEE ON MOTOR VEHICLES

Senator King, Chairman; Senator Pearce, Vice Chairman; Senators Tucker, Boyle, Baynard.

COMMITTEE ON OIL AND NATURAL RESOURCES

Senator Franklin, Chairman; Senator Tucker, Vice Chairman; Senators Gautier, Carroll, Getzen, Shivers, Smith, Wright, Ayers.

COMMITTEE ON PENSIONS AND CLAIMS

Senator Tucker, Chairman; Senator Wright, Vice Chairman; Senators Sanchez, Ayers, Davis, Carroll, Pope, Lindler, Wilson.

COMMITTEE ON POPULATION

Senator Wright, Chairman; Senator Ayers, Vice Chairman; Senators Smith, Sanchez, Johns.

COMMITTEE ON PRISONS AND CONVICTS

Senator Johns, Chairman; Senator Sturgis, Vice Chairman; Senators Beacham, Alford, Smith.

COMMITTEE ON PRIVILEGES AND ELECTIONS

Senator Davis, Chairman; Senator Baynard, Vice Chairman; Senators Franklin, Moore, Ray, Gautier, Sturgis, Walker, Shivers.

COMMITTEE ON PUBLIC HEALTH

Senator Sanchez, Chairman; Senator Collins, Vice Chairman; Senators Beacham, Sheldon, Baker, Johns, Getzen, McArthur, Shands.

COMMITTEE ON PUBLIC ROADS AND HIGHWAYS

Senator Shivers, Chairman; Senator Johns, Vice Chairman; Senators Sturgis, Tucker, Baker, Crary, Davis, Wilson, Johnston, Pope, Carroll, Getzen, Lindler.

COMMITTEE ON PUBLIC UTILITIES

Senator Moore, Chairman; Senator Shivers, Vice Chairman; Senators Pearce, Clarke, Johns, Rodgers, Sturgis, Boyle, Leaird.

COMMITTEE ON PUBLICITY AND ADVERTISING

Senator Carroll, Chairman; Senator Leaird, Vice Chairman; Senators Beall, Ray, King, Collins, Beacham, Walker, Gautier, Mathews, McArthur.

COMMITTEE ON RULES AND CALENDAR

Senator McArthur, Chairman; Senator Clarke, Vice Chairman; Senators Pearce, Ray, Sheldon, Leaird, Walker.

COMMITTEE ON STATE INSTITUTIONS

Senator Ayers, Chairman; Senator Alford, Vice Chairman; Senators Wilson, Beall, Pope, Davis, Wright.

COMMITTEE ON TEMPERANCE

Senator Beall, Chairman; Senator Ray, Vice Chairman; Senators Moore, Shivers, Lindler, Beacham, Boyle, Johns, Crary, Gautier, Leaird.

COMMITTEE ON TRANSPORTATION AND TRAFFIC

Senator Franklin, Chairman; Senator Gautier, Vice Chairman; Senators Lindler, Clarke, Carroll, Shands, McArthur.

COMMITTEE ON VETERANS AFFAIRS

Senator Boyle, Chairman; Senator Franklin, Vice Chairman; Senators Sturgis, Beall, Wright, Pearce, Leaird.

COMMITTEE ON WELFARE

Senator Ray, Chairman; Senator Tucker, Vice Chairman; Senators Sheldon, Beall, Johnston, Walker, Moore, Johns, Shivers, Wright, Pope.

INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

Senate Resolution No. 1-X(49):

IN RE: SPECIAL RULE FOR THE CONSIDERATION OF BILLS AND LEGISLATIVE BUSINESS AT THE EXTRAORDINARY SESSION OF THE LEGISLATURE PURSUANT TO THE PROCLAMATION OF THE GOVERNOR CONVENING THE EXTRAORDINARY SESSION, WEDNESDAY, SEPTEMBER 7, 1949.

WHEREAS, the Governor in his Proclamation convening this Legislature stated the purpose for which it is to be convened and under Section 8, Article IV of the Constitution, the Legislature shall transact no legislative business other than that for which it is especially convened or such other legislative business as the Governor may call to its attention while in session except by a two-thirds vote of each House;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

1. That each bill introduced or offered, except purely local bills, before being considered or placed on the Calendar for consideration shall either receive a two-thirds vote of the entire membership of the Senate authorizing such consideration or in lieu thereof shall be referred by the President of the Senate to the Committee on Rules and Calendar for its consideration of the sole question as to whether or not the subject matter of such bill is within the purpose stated by the Governor in his Proclamation convening the Extraordinary Session. This rule shall apply to all bills contained in House Messages.

2. It shall be the duty of the Committee on Rules and Calendar to report each such bill to the Senate within 24 hours after the same has been offered in the Senate or received in a House Message.

3. In the event the report of the Committee on Rules and Calendar shall be that a general bill is not embraced within the purposes stated by the Governor, the same shall not be placed on the Calendar and shall not be considered by the Senate without the affirmative vote of two-thirds of the membership of the Senate.

Was taken up, having been read the first time in full on September 7, 1949.

The question was put on the adoption of the Resolution.

Pending adoption of Senate Resolution No. 1-X(49) Senator Baynard offered the following Substitute for Senate Resolution No. 1-X(49):

A SENATE RESOLUTION

ADOPTING A SPECIAL RULE FOR THE CONSIDERATION OF BILLS AND OTHER LEGISLATIVE BUSINESS AT THIS EXTRAORDINARY SESSION OF THE FLORIDA LEGISLATURE CONVENED PURSUANT TO A PROCLAMATION OF THE GOVERNOR PURSUANT TO SECTION 8, ARTICLE IV, OF THE STATE CONSTITUTION.

WHEREAS, the Governor, in his proclamation convening this extraordinary session of the Florida Legislature, stated the purposes for which it was convened; and,

WHEREAS, section 8, article IV, of the state constitution provides that the legislature, when organized into an extraordinary session, pursuant to said Section 8, article IV, of the state constitution, "shall transact no legislative business other than that for which it was especially convened, or such other legislative business as the Governor may call to its attention while in session, except by a two-thirds vote of each House."

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

Section 1. Whenever any bill or joint resolution is offered for introduction in the Senate, or is transmitted to the Senate

from the House of Representatives with a message that it has passed such body, the President of the Senate shall cause such bill or joint resolution to be read by its title. When the said bill or joint resolution has been read by its title as aforesaid the said President of the Senate shall either submit the question of whether it is within the legislative business for which this extraordinary session was convened or not to the body, or shall indicate whether in his opinion it is within the said legislative business or not. Should the said president indicate whether in his opinion the said bill or joint resolution is within the legislative business or not as aforesaid, any one or more members of the body may call for a vote upon that question; provided, however, that if no such vote is forthwith called for the said indication by the said president of the body shall become its ruling upon such question, and shall be final.

Section 2. Whenever a vote upon the question is called for by one or more members of the body as aforesaid (and the calling for such vote by one or more members shall not be taken or considered to be an appeal from the ruling of the chair), or whenever the president of the body elects to submit the question to the body as aforesaid, the said president shall submit the question in the following form:

Senate Bill No..... (or House Bill No....., as the case may be) has been read by its title, is the said bill within the legislative business for which the extraordinary session was convened?

The members who are of the opinion that the said bill is within the legislative business for which this extraordinary session was convened shall vote "YEA", those who do not think that it is within such legislative business shall vote "NO." Only a majority vote of the members present (there must be a quorum present) shall be necessary to determine the question.

Section 3. If the said bill is found, under either section 1 or section 2, to be within the legislative business for which this extraordinary session was convened it shall be received and placed upon the calendar for first reading.

Section 4. If the said bill is found, under either section 1 or section 2, not to be within the legislative business for which this extraordinary session was convened the president of the senate shall submit the question of whether it shall be introduced or taken up, notwithstanding its not being within the legislative business for which this extraordinary session was called, in the following form:

Senate Bill No..... (or House Bill No....., as the case may be) is not within the legislative business for which this extraordinary session was convened, shall it be introduced or taken up for consideration notwithstanding it is not within the legislative business for which this extraordinary session was convened?

Those voting for introduction of the bill, notwithstanding it is not within the legislative business for which this extraordinary session was convened, shall vote "YEA", those voting against the introduction of the bill shall vote "NO." Two-thirds of the members present (there must be a quorum present) shall vote "YES" to permit the introduction and consideration of the bill.

Which was read the first time in full.

Senator Baynard moved the adoption of the Substitute for Senate Resolution No. 1-X(49).

Which was agreed to and the Substitute for Senate Resolution No. 1-X(49) was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator Shivers—

Senate Bill No. 5-X(49):

A bill to be entitled An Act Relating to the Imposition of an Additional Tax Upon Gasoline or Other Like Products of

Petroleum: Amending Section 3, Chapter 25266, Laws of Florida, Act of 1949, Providing a Change in the Disposition of the Monies Derived From Such Additional Tax.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator Shivers—

Senate Bill No. 6-X(49):

A bill to be entitled An Act amending Section 210.02, 1947, Cumulative Supplement Florida Statutes, 1941, also designated as Section 2, Chapter 24363, Section 1, Chapter 23871, consolidated with Section 2, Chapter 24363, Laws of Florida, Acts of 1947, and Section 210.18, 1947 Cumulative Supplement, Florida Statutes, 1941, also designated as Section 18, Chapter 22645, Laws of Florida, Acts of 1945, all relating to taxation, levying and imposing a tax on cigarettes and the collection and payment thereof; providing for employees and assistants in the administration thereof; providing for cigarette tax permitted to be imposed by incorporated municipalities; providing for a reduction in state cigarette taxes in an amount equal to such municipal tax; providing for disposition by comptroller of funds collected; providing certain records be kept by wholesale dealers and agents; and providing for appropriation for administration hereof; and providing for appropriation of the proceeds of such tax, and providing for impounding of the proceeds of such tax in the event of the invalidity of certain sections of this Act.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator Shivers—

Senate Bill No. 7-X(49):

A bill to be entitled An Act relating to the establishment of a three per cent general sales and use tax; providing for certain exemptions; providing a comprehensive plan of administration and enforcement; providing for the distribution of the proceeds collected; and making an appropriation.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator Shivers—

Senate Bill No. 8-X(49):

A bill to be entitled An Act amending Section 320.20, Florida Statutes, 1941, relating to the disposition of motor vehicle license moneys.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator Shivers—

Senate Bill No. 9-X(49):

A bill to be entitled An Act repealing Section 3 of Chapter 20977, Laws of Florida, Acts of 1941 (the same being Section 204.03, Florida Statutes), relating to a separate and additional license tax on inventory of merchandise.

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

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

By Senator Mathews—

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.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 10-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. 10-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 Mathews moved that the rules be waived and Senate Bill No. 10-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 10-X(49) was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 10-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. 10-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 10-X(49) the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 10-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.

By Senators Collins, Baynard and Walker—

Senate Concurrent Resolution No. 11-X(49):

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

Section 1. That the extraordinary session now convened shall consider no bills outside the Governor's call contravening any of the provisions of the 1947 School Foundation Law, as amended.

Which was read the first time in full.

Senator Collins moved that the rules be waived and Senate Concurrent Resolution No. 11-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. 11-X(49) was read the second time in full.

Pending adoption of Senate Resolution No. 11-X(49), Senator King moved that the rules be waived and Senate Concurrent Resolution No. 11-X(49) be made a Special and Continuing Order of business for consideration by the Senate when Orders of the Day are reached on Monday, September 12, 1949.

Which was not agreed to so the motion failed of adoption.

The question recurred on the adoption of Senate Concurrent Resolution No. 11-X(49).

A roll call was demanded.

Upon the adoption of Senate Concurrent Resolution No. 11-X(49) the roll was called and the vote was:

Yeas—20.

Mr. President	Clarke	Lindler	Shands
Baynard	Collins	Mathews	Shivers
Beacham	Crary	McArthur	Sturgis
Boyle	Johnston	Pope	Walker
Carroll	Leaird	Ray	Wright

Nays—18.

Alford	Franklin	Moore	Smith
Ayers	Gautier	Pearce	Tucker
Baker	Getzen	Rodgers	Wilson
Beall	Johns	Sanchez	
Davis	King	Sheldon	

So Senate Concurrent Resolution No. 11-X(49) was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Alford—

Senate Resolution No. 12-X(49):

WHEREAS the State of Florida has recently witnessed a bribery trial which resulted in an apparent miscarriage of justice resulting largely from inadequate statutes and the imposition of the antiquated common law practice of entrapment, and

WHEREAS many Florida citizens have been nauseated and disgusted with the outcome of the Scruggs trial; THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA

That the President of the Senate is hereby authorized and requested to appoint a committee of three members of the Senate to make a special study of the bribery laws of the State of Florida and of the rules governing court procedure in bribery cases, and report the findings and recommendations of said committee to the 1951 Legislature.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was not agreed to so Senate Resolution No. 12-X(49) failed of adoption.

By the Committee on Rules and Calendar—

Senate Resolution No. 13-X(49):

A RESOLUTION RELATING TO THE ADOPTION OF RULES AND COMMITTEES OF THE SENATE IN THE EXTRAORDINARY SESSION OF THE LEGISLATURE FOR FLORIDA FOR 1949.

BE IT RESOLVED BY THE SENATE OF THE 1949 EXTRA-ORDINARY SESSION OF THE STATE OF FLORIDA THAT:

The rules and committees of the 1949 Senate regular session of the Florida Legislature, be and the same, are hereby adopted for the government for the Senate in the extraordinary session of the legislature of 1949, insofar as said rules do not conflict with the Constitution in matters pertaining to an extraordinary session, except that Rule No. 70 of the Senate Rules of the 1949 regular session be and the same is hereby amended so that Senate Rule No. 70 for the extraordinary session for the 1949 session shall read as follows:

"The President and all Senators may designate one attache who shall receive the pay of secretary, which secretary shall also serve in the attache pool when not needed by the Senator sponsoring said attache."

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 13-X(49) was adopted.

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 Mathews—

Senate Bill No. 14-X(49) :

A bill to be entitled An Act amending Sections 11, 13 and 14 of Chapter 4498, Laws of Florida, Acts of 1895, entitled, "An Act to provide for the municipal officers of the City of Jacksonville, a municipal corporation existing in Duval County, Florida; to prescribe their terms of office, provide for their election and appointment and regulate their compensation, and to repeal Chapter 4301 of the Laws of Florida," so as to provide that only the names of candidates who have been put in nomination by primary election, or in certain cases by the executive committee of a political party, shall be printed on the ballots to be used in general elections in the City of Jacksonville, and to permit candidates to be designated by party and voters to vote a straight party ticket in such elections.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 14-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. 14-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 Mathews moved that the rules be waived and Senate Bill No. 14-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

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

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

Yeas—38.

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

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

Nays—None.

So Senate Bill No. 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.

Senator Shands moved that the rules be waived and the hour of adjournment be extended until completion of introduction of bills.

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

By Senator Sheldon—

Senate Bill No. 15-X(49) :

A bill to be entitled An Act repealing Chapter 25370, Laws of Florida, Acts of 1949, relating to State appropriations.

Was read the first time by title only.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the President submitted to the Senate the question of whether or not Senate Bill No. 15-X(49) was within the legislative business for which this extraordinary session of the Legislature was convened.

Upon call of the roll on the question the vote was:

Yeas—8.

Alford	Davis	Johnston	Tucker
Beall	Johns	Sheldon	Wright

Nays—30.

Mr. President	Collins	Mathews	Shands
Ayers	Crary	McArthur	Shivers
Baker	Franklin	Moore	Smith
Baynard	Gautier	Pearce	Sturgis
Beacham	Getzen	Pope	Walker
Boyle	King	Ray	Wilson
Carroll	Leaird	Rodgers	
Clarke	Lindler	Sanchez	

So the Senate determined that Senate Bill No. 15-X(49), title as aforesaid, was not within the legislative business for which this extraordinary session of the Legislature was convened.

Whereupon the President submitted to the Senate the question of whether or not Senate Bill No. 15-X(49), title as aforesaid, should be introduced for consideration by the Senate notwithstanding it not being within the legislative business for which this extraordinary session of the Legislature was convened.

Upon call of the roll on the question the vote was:

Yeas—15.

Alford	Davis	King	Tucker
Ayers	Franklin	Ray	Wilson
Baynard	Johns	Sheldon	Wright
Beall	Johnston	Sturgis	

Nays—23.

Mr. President	Collins	Mathews	Sanchez
Baker	Crary	McArthur	Shands
Beacham	Gautier	Moore	Shivers
Boyle	Getzen	Pearce	Smith
Carroll	Leaird	Pope	Walker
Clarke	Lindler	Rodgers	

So the Senate refused to permit the introduction of Senate Bill No. 15-X(49) for consideration by the Senate.

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senator Walker—

Senate Bill No. 16-X(49):

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

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senators Shands, Mathews, Rodgers, Ray and Carroll—

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.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senators Shands, Mathews, Rodgers, Ray, and Carroll—

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.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senators Shands, Mathews, Rodgers, Ray, and Carroll—

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.

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

Pursuant to Substitute for Senate Resolution No. 1-X(49) the Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senators Shands, Mathews, Rodgers, Ray and Carroll—

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."

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:09 o'clock P. M., until 11:00 o'clock A. M., Friday, September 9, 1949.