

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Friday, September 9, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, September 8, 1949.

The President in the Chair.

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

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

—36.

A quorum present.

Senators Davis and Lindler were excused from attendance upon the Session today.

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

The reading of the Journal was dispensed with.

The Senate Daily Journal of Thursday, September 8, 1949, was corrected as follows:

Page 2, column 2, line 9 counting from the bottom of the column, strike out the figure "2" and insert in lieu thereof the figure "8".

Also—

Page 3, column 2, line 16, strike out the figures "210.08" and insert in lieu thereof the figures "210.18".

And as corrected was approved.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

S.C.R. No. 2-X(49)

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on Sept. 8, 1949, for his approval.

ROBT. W. DAVIS,

Secretary of the Senate as Ex-Officio
Enrolling Clerk of the Senate.

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 Senators Mathews, Shands, Rodgers and Ray—

Senate Bill No. 21-X(49):

A bill to be entitled An Act Amending Section 561.34, Florida Statutes of 1941, as amended by Chapter 23746, Laws of 1947, and relating to license fees to be paid by vendors of alcoholic beverages.

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 Mathews, Shands, Rodgers and Ray—

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.

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 Sanchez—

Senate Bill No. 23-X(49):

A bill to be entitled An Act to declare, designate and establish a certain State road in Suwannee County, Florida.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 23-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Sanchez moved that the rules be waived and Senate Bill No. 23-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 23-X(49) was read the second time by title only.

Senator Sanchez moved that the rules be further waived and Senate Bill No. 23-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. 23-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 23-X(49) the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 23-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. 24-X(49):

A bill to be entitled An Act to validate the incorporation of the town of Sweetwater in Dade County.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 24-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. 24-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 Gautier moved that the rules be waived and Senate Bill No. 24-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 24-X(49) was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 24-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. 24-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 24-X(49) the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 24-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 Senate determined that the following bill was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senators Gautier, Leaird and Sturgis—

Senate Bill No. 25-X(49):

A bill to be entitled An Act amending Section 192.06, Florida Statutes, relating to the exemption of certain properties from ad valorem taxes, and excluding properties held and operated for profit from the right to exemption under said section as amended.

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 Senate Joint Resolution was within the legislative business for which this extraordinary session of the Legislature was convened:

By Senators Shands, Ray, Mathews and Rodgers—

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.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

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 Wilson—

Senate Bill No. 27-X(49):

A bill to be entitled An Act to amend Section 37.01 of Chapter 37, Florida Statutes 1941, relating to jurisdiction of Justices of the Peace Courts, and making certain exemptions for counties in special classifications.

It was agreed by a two-thirds vote of the Senate that Senate Bill No. 27-X(49), title as aforesaid, should be introduced for consideration by the Senate and it was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 27-X(49) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27-X(49) was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 27-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. 27-X(49) was read the third time in full.

Upon the passage of Senate Bill No. 27-X(49) the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 27-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 McArthur moved that the rules be waived and when the Senate adjourns at this Session today it adjourn to reconvene at 12:00 o'clock, Noon, Monday, September 12, 1949.

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

Senator McArthur moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:21 o'clock, A. M., until 12:00 o'clock, Noon, Monday, September 12, 1949.