

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Thursday, June 21, 1945

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, June 20, 1945.

The President in the Chair.

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

Mr. President	Carroll	Johnson	Riddle
Ausley	Clarke	King 7th	Sanchez
Barringer	Coleman 13th	King 27th	Shands
Baynard	Coleman 28th	Lewis	Sheldon
Beacham	Davis	Lindler	Sturgis
Black	Fraser 29th	Mathews	Thomas
Boyle	Fraser 31st	McArthur	Wilson
Brackin	Gray	Moon	
Branch	Johns	Perdue	

—34.

A quorum present.

Senators McKenzie, Griner and Bryant were excused from attendance upon the session.

The following prayer was offered by the Chaplain:

"O God, when dark hours come, when temptations beset us, when sorrows mantle us with a black shroud, when bereavement overwhelms us, when disappointments overtake us, when doubts and fears engulf us, and when sin seeks to defeat us, grant that each and all of us may seek Thy face, hear Thy voice, feel Thy power, and be encouraged by Thy presence. If great trials befall us, grant us the victory of a yielded heart that gladly accepts Thy will. Amen."

The reading of the Journal was dispensed with.

The Journal of Wednesday, June 20, 1945, was corrected and as corrected was approved.

REPORT OF ENROLLING COMMITTEE

Your Joint Committee on Enrolled Bills, to whom was referred:

H. B. No. 7-X—An Act amending Section 10.03, Florida Statutes, 1941, relating to apportionment of members of the House of Representatives of the Legislature by making such apportionment according to the State Census of 1945, and fixing the effective date thereof.

Have examined the same and find same correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

House Bill No. 7-X contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

H. B. No. 7-X—An Act amending Section 10.03, Florida Statutes, 1941, relating to apportionment of members of the House of Representatives of the Legislature by making such apportionment according to the State Census of 1945, and fixing the effective date thereof.

Beg leave to report that the same has this day been presented to the Governor for his approval.

By unanimous consent Senator Davis withdrew Senate Concurrent Resolution No. 2-X.

Senator Brackin moved that the rules be waived and when the Senate adjourns it recess until 2:00 o'clock P. M., this day.

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

Senator Brackin moved that the Senate do now adjourn.

Which was agreed to.

And the Senate took a recess at 11:55 o'clock A. M., until 2:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:00 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	Clarke	King 7th	Sanchez
Ausley	Coleman 13th	King 27th	Shands
Barringer	Coleman 28th	Lewis	Sheldon
Baynard	Davis	Lindler	Sturgis
Beacham	Fraser 29th	Mathews	Thomas
Boyle	Fraser 31st	McArthur	Wilson
Brackin	Gray	Moon	
Branch	Johns	Perdue	
Carroll	Johnson	Riddle	

—33.

A quorum present.

Senators Black, Bryant, Griner and McKenzie were excused from attendance upon the session.

By permission the following Resolutions were introduced:

By Senators Sheldon, Shands, McArthur, Gray, Riddle, Johns, Brackin, Coleman (13th Dist.), Perdue, Griner, Branch, Beacham, Moon, Coleman (28th Dist.), Lindler, Fraser (29th Dist.), and Thomas—

Senate Concurrent Resolution No. 4-X:

WHEREAS, 1945 State Legislature, in regular session, enacted H. B. 472, known as the Florida Tuberculosis Sanatoria Program; and

WHEREAS, under said program all parts of Florida would benefit by added construction and proper facilities to amply provide care and medical attention for their afflicted tubercular citizens; and

WHEREAS, the 1945 Legislature enacted measures to bring in additional State revenue by the millions of dollars; and

WHEREAS, according to report of State Comptroller, J. M. Lee, the Constitutional officer charged with accounting of State Funds, we now have a General Fund surplus of over \$10,000,000, and a Special Fund deposit of over \$25,000,000, and that the new and increased taxes of the 1945 Legislature, together with anticipated race track revenue will return to Florida an additional tax revenue annully of over \$18,000,000; and

WHEREAS, the Tuberculosis Sanatoria Program required only \$2,500,000, total to be spent over a period of years; and

WHEREAS, Hon. Millard F. Caldwell, without full knowledge of all facts involved, did after the adjournment of the 1945 regular session of the State Legislature, veto said measure, thereby depriving thousands of its benefits for a period of two years; and

WHEREAS, a dire emergency now exists throughout the State of Florida, the State Tuberculosis Hospital, located at Orlando, is now overloaded, is daily refusing and rejecting worthy citizens from every county in Florida. Hundreds of Florida citizens have been refused admittance to present State Hospital and are suffering from the dreaded Tubercular infection; and

WHEREAS, it is the wish, desire and intent of the House of Representatives and the Senate that immediate relief be granted to those unfortunate citizens; now awaiting treatment for Tuberculosis in our State Hospital, to the end that they may be speedily restored to normal life as healthy and productive citizens.

NOW, THEREFORE, BE IT RESOLVED:

That the 1945 State Legislature, now assembled in Extraordinary Session, do by concurrent resolution, urgently request Hon. Millard F. Caldwell, to issue his proclamation, under the Great Seal of the State of Florida, permitting the Legislature,

while here assembled for the purpose of reapportioning the Legislature, to take up, consider and pass upon the Florida Tuberculosis Sanatoria Program, H. B. 472, now resting in the Governor's Office with his Veto message attached.

BE IT FURTHER RESOLVED, that upon this request being granted by the Governor, the Legislature consider his Veto message on the State Tuberculosis Sanatoria Program that same be made a special and continuing order of business, to be considered immediately upon the receiving of the Governor's proclamation; and

BE IT FURTHER RESOLVED, that a special committee consisting of three members of the Senate and six members of the House of Representatives be appointed by the presiding officers of the respective Houses to deliver to his Excellency this Resolution upon its adoption by both the Senate and House of Representatives.

BE IT FURTHER RESOLVED, that a majority of the members of the House and Senate commit themselves to consider no other business under this proclamation.

Which was read the first time in full and placed on the Calendar of Bills on Second Reading.

By Senators Coleman (13th Dist.), Sheldon and Mathews—  
Senate Concurrent Resolution No. 5-X.

WHEREAS, THE LEGISLATURE OF THE STATE OF FLORIDA, under Section 3, of Article VII of the Constitution of the State of Florida has been convened in special session for the purpose of performing the constitutional duties required by the Constitution, and,

WHEREAS, the members of the Legislature have been unable up to the present time to enact any legislation required by the Constitution, and,

WHEREAS, it seems advisable that the members of the Legislature, including House and Senate, consider further their constitutional duties and responsibilities, and,

WHEREAS, the performance of the duties and responsibilities imposed upon the members of the Legislature may be better accomplished in committee meetings, and,

WHEREAS, the City of Jacksonville, Florida, through the

managers of the hotels in the City have extended an invitation to the members of the Legislature and its Committees to meet in the City of Jacksonville and that the hotels in question have further made it known that they have adequate meeting spaces and will furnish them to the members of the Legislature and its various Committees without cost, charge or expense, including free ice water, for an indefinite period,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA, FIRST, that the Legislature shall be in recess from this day until such time as the two Committees hereafter named report back to the Legislature which shall not be later than September 1st, A. D. 1945, and,

SECOND, that the members of the Senate and the members of the House be and the same are hereby constituted separate committees to convene at 11:00 A. M. on Tuesday, June 26th, A. D. 1945, at 33 West Adams Street, in the City of Jacksonville, Florida, and having so convened each Committee may designate other places in the City of Jacksonville, Florida, for their meetings for the sole purpose and only purpose of considering, discussing and deciding upon the one question of reapportionment of the Senators of the State of Florida as required by Section 3 of Article VII of the Constitution of the State of Florida. And that such Committees report back to the Legislature of the State of Florida their conclusions and recommendations on the 1st day of September, A. D. 1945, or earlier as agreed upon by a majority of both Committees.

Which was read the first time in full and placed on the Calendar of Bills on Second Reading.

Senator Lewis moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 2:00 o'clock P. M., Monday, June 25, 1945.

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

Senator Lewis moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 2:19 o'clock P. M., until 2:00 o'clock P. M., Monday, June 25, 1945.