EXTRAORDINARY SESSION
JOURNAL OF THE SENATE
Tuesday, June 12, 1945

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

The President in the Chair.

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

Mr. President: Bryant
Auley: Carroll
Barringer: Clarke
Baynard: Coleman 13th
Beacham: Coleman 26th
Black: Davis
Boyle: Fraser 29th
Brackin: Fraser 31st
Branch: Gray
Brackin (29th Dist.): Lindler
Barringer Clarke (7th Dist.): Johnson
Baynard Coleman (13th Dist.): Johnson
Beacham Coleman 26th: King 27th
Black: Lewis
Boyle: Linder
Brackin: Linder 31st
Branch: Lindler
Branch: Lindler
Branch: Lindler

Yeas—12.
Mr. President: Beacham
Barringer: Bryant
Baynard: Carroll
Auley: Coleman 28th
Black: Davis
Boyle: Fraser 26th
Brackin: Fraser 31st
Branch: Gray
Clarke: Griner

Nays—21.
Auley: Coleman 28th
Black: Davis
Boyle: Fraser 26th
Brackin: Fraser 31st
Branch: Gray
Clarke: Griner

So Senate Bill No. 5-X failed to pass.

Senate Bill No. 6-X was taken up in its order and the consideration thereof was informally passed.

HOUSE BILLS ON THIRD READING
H. B. No. 2-X—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate of the State of Florida.

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

Upon the passage of House Bill No. 2-X the roll was called and the vote was:

Yeas—12.
Mr. President: Beacham
Barringer: Bryant
Baynard: Carroll
Auley: Coleman 28th
Black: Davis
Boyle: Fraser 26th
Brackin: Fraser 31st
Branch: Gray
Clarke: Griner

Nays—23.
Auley: Coleman 28th
Black: Davis
Boyle: Fraser 26th
Brackin: Fraser 31st
Branch: Gray
Clarke: Griner

So House Bill No. 2-X failed to pass, and the action of the Senate was ordered certified to the House of Representatives.

SENATE BILLS ON SECOND READING
Senate Bill No. 4-X was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 7-X was taken up in its order and the consideration thereof was informally passed.

Senator Shands moved the rules be waived and when the Senate adjourned it recess until 12:30 o'clock P. M., this day.

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

By permission the following Senate Joint Resolutions were introduced:

CONSIDERATION OF OTHER RESOLUTIONS
Senate Concurrent Resolution No. 1-X was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON THIRD READING
S. B. No. 5-X—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate of the State of Florida.

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

Upon the passage of Senate Bill No. 5-X the roll was called and the vote was:
By Senators Lewis, Ausley and Davis—

S. J. R. No. 10-X—A Joint Resolution proposing an amendment to Section 3, Article VII, of the Constitution of the State of Florida, relative to apportionment, by amending Section 3 of said Article so as to provide for forty-three senatorial districts and certain districts and creating certain districts.

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

That reapportionment of representation in the Legislature constitutes an emergency such as will require an early decision by the electors of the State; and the following amendment to Section 3, Article VII, of the Constitution of the State of Florida, relative to apportionment by providing for forty-three senatorial districts and for redefining and creating certain districts be, and the same is hereby agreed to, and shall be submitted to the electors of the State for approval or rejection at a special election to be held not less than ninety nor more than one hundred eighty days after adjournment and after publication of notice thereof:

"Section 3. The Legislature that shall meet in Regular Session A. D. 1947, and those that shall meet every ten years thereafter, shall apportion the Representation in the Senate and shall provide for forty-three (43) Senatorial Districts, such Districts to be as nearly equal in population as practicable, but no County shall be divided in making such apportionment, and each District shall have one Senator; provided that the First District shall consist of Escambia County; the Second District of Escambia County; the Third District of Washington, Holmes and Walton Counties; the Fourth of Jackson County; the Fifth of Liberty, Franklin and Wakulla Counties; the Sixth of Gadsden County; the Seventh of Calhoun and Columbia Counties; the Eighth of Gadsden and Calhoun Counties; the Ninth of Hernando and Citrus Counties; the Tenth of Madison County; the Eleventh of Pinellas County; the Twelfth of Taylor, Lafayette and Dixie Counties; the Thirteenth of Dade County; the Fourteenth of Lightin and Union Counties; the Fifteenth of Nassau County; the Sixteenth of Sumter County; the Seventeenth of Duval County; the Eighteenth of Marion County; the Nineteenth of Leon County; the Twentieth of Jefferson County; the Twenty-first of Lake County; the Twenty-second of Lee, Collier and Hendry Counties; the Twenty-third of Bay County; the Twenty-fourth of Lee, Collier and Hendry Counties; the Twenty-fifth of Pasco and Sumter Counties; the Twenty-sixth of Pinellas County; the Twenty-seventh of Pinellas County; the Twenty-eighth of Volusia County; the Twenty-ninth of Clay and Baker Counties; the Thirtieth of Hamilton County; the Thirty-first of St. Johns and Flagler Counties; the Thirty-second of Alachua and Gilchrist Counties; the Thirty-third of Okeechobee Counties; the Thirty-fourth of Hillsborough County; the Thirty-fifth of Palm Beach County; the Thirty-sixth of Manatee, Sarasota and Charlotte Counties; the Thirty-seventh of Brevard County; the Thirty-eighth of Pasco and Sumter Counties; the Thirty-ninth of Monroe County; the Fortieth of Calhoun and Gulf Counties; the Fortieth-first of Martin, Indian River and St. Lucie Counties; the Forty-second of St. Johns and Flagler Counties; the Forty-third of St. Johns and Flagler Counties; and, at the same time, the Legislature shall also apportion the representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous Counties, and two (2) Representatives to each of the next eighteen more populous Counties, and one Representative to each of the remaining Counties of the State at the time of such apportionment. It is provided that the State Senators representing Senatorial Districts numbers 38, 39, 40, shall be elected for terms of two years, and at the general election to be held in November, 1946, and for terms of four years at the general election to be held in 1948 and every four years thereafter, as is provided by law, and that the State Senators representing Senatorial Districts numbers 40 and 42 shall be elected for terms of four years at the general election to be held in November, 1946, and every four years thereafter, as is provided by law. Should the Legislature fail to apportion representation in the Senate or the House of Representatives, at any Regular Session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such Regular Session to apportion the representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State Census, whichever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event the Legislature shall fail to apportion the representation in the Legislature as required by this amendment, the Governor shall (within thirty days after the adjournment of the Regular Session) call the Legislature to a Special Session to consider the question of reapportionment and such Extraordinary Session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment and such Extraordinary Session so called for reapportionment shall not be limited to expire at the end of twenty days or at all, until reapportionment is effected, and shall consider no business other than such reapportionment.

Which was read the first time in full.

Senator Lewis moved that the rules be waived and Senate Joint Resolution No. 10-X be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 10-X was read the second time in full.

Senator Lewis moved that the rules be further waived and Senate Joint Resolution No. 10-X 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. 10-X was read the third time in full.

Upon the passage of Senate Joint Resolution No. 10-X the roll was called and the vote was:

Yea-21.

Ausley Davis Lewis Shands
Black Fraser 39th Lindler Thomas
Brackin Fraser 31st McArthur Wilson
Branch Gray Perdue
Brewer Griner Riddle
Coleman 28th Johns Sanchez

Nay-15.

Mr. President Boyle Johnson Moon
Barringer Bryant King 7th Sheldon
Baynard Carroll King 27th Sturgis
Beacham Coleman 13th Mathews

So Senate Joint Resolution No. 10-X failed to pass by the required Constitutional three-fourths vote of all members elected to the Senate for the 1945 Session of the Florida Legislature.

The following explanation of vote on Senate Joint Resolution No. 10-X was filed with the Secretary:

I am voting "No" because our people have rejected by their vote a like amendment to the Constitution and while I believe an emergency does exist and the President of the Senate has by Constitutional Amendment, I feel anything less than a 3 to 1 basis would be rejected by our people. I do not believe we should attempt to change our Constitution to the extent of fixing the Senatorial District boundaries when we know that it should be done by Act of the Legislature.

RAYMOND SHELDON,
34th District.

Senator Baynard moved that the rules be waived and the hour of adjournment be extended thirty (30) minutes.

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

By Senators Lewis, Ausley and Davis—

S. J. R. No. 11-X—A Joint Resolution proposing an amendment to Section 3, Article VII, of the Constitution of the State of Florida, relative to apportionment, by providing for forty-one senatorial districts and for redefining and creating certain districts.

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

That reapportionment of representation in the Legislature constitutes an emergency such as will require an early decision by the electors of the State; that the following amendment to Section 3, Article VII, of the Constitution of the State of Florida, relative to apportionment, by providing for forty-one senatorial districts and for redefining and creating certain
of the regular session), call the Legislature together in extra-

ordinary session to consider the question of reapportionment
and such extraordinary session of the Legislature is hereby
mandatorily required to reapportion the representation re-
quired by this amendment before its adjournment (and such
extraordinary session so called for reapportionment shall not
be limited to expire at the end of twenty days or at all, until
reapportionment is effected, and shall consider no business
other than such reapportionment).

Which was read the first time in full.

Senator Lewis moved that the rules be waived and Senate
Joint Resolution No. 11-X be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 11-X was read the second
time in full.

Senator Lewis moved that the rules be further waived and
Senate Joint Resolution No. 11-X be read the third time in
call and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 11-X was read the third
time in full.

Upon the passage of Senate Joint Resolution No. 11-X the
roll was called and the vote was:

**Yeas—21**

Ayres—Davis Griner Riddle

Black—Fraser 29th Johnson Sanchez

Brackin—Fraser 31st Lewis Shands

Branch—Gray Lindler Thomas

Clarke—McArthur Ferdue Wilson

Coleman 28th

**Nays—15**

Mr. President—Boyle Johnson Moon

Barringer—Bryant King 7th Sheldon

Baynard—Carroll King 27th Sturgis

Beacham—Coleman 13th Matthews

So Senate Joint Resolution No. 11-X failed to pass by the
required Constitutional three-fourths vote of all members
elected to the Senate for the 1945 Session of the Florida Legis-

lature.

The following explanation of vote on Senate Joint Reso-

lution No. 11-X was filed with the Secretary:

I am voting "No" because our people have rejected by their
vote a like amendment to the Constitution and while I believe
a government does exist and the only possible method to re-

apportion the Senate is by Constitutional Amendment, I feel
anything less than a 3 to 1 basis would be rejected by our
people. I do not believe we should attempt to change our

Constitution to the extent of fixing the Senatorial District
boundaries when we know that it should be done by Act of

the Legislature.

RAYMOND SHELDON,
34th District.

Senator McArthur moved that the rules be waived and when
the Senate adjourns it recess until 3:00 o'clock P. M., this day.

Which was not agreed to.

Senator Gray moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 1:27 o'clock P. M., until
11:00 o'clock A. M., Wednesday, June 13, 1945.