

EXTRAORDINARY SESSION
JOURNAL OF THE SENATE

Monday, July 9, 1945

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Thursday, July 5, 1945.

The President in the Chair.

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

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

—33.

A quorum present.

Senators Barringer, Black, Carroll and McKenzie were excused from attendance upon the session.

The following prayer was offered by the Chaplain:

"Our dear Heavenly Father; We bow before Thee this afternoon because we recognize Thy loving care over us. Because of former answers to our prayers, we come this hour with further petitions. Wilt Thou not just now respond to our plea in behalf of Senator Black who is seriously ill and in great need of a special blessing that Thou alone art able to grant. And we beseech Thee to accept our thanks for the improvement of Mrs. Rose and hear our continued supplication for blessings upon her and those who care for her needs. Be gracious to the loved ones of both these our friends. In Christ's name we pray. Amen."

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Sheldon—

Senate Joint Resolution No. 19-X:

WHEREAS; it is the duty of the Legislature under the Constitution of the State of Florida to at this time reapportion the Senate and

WHEREAS; the Legislature has been in the special session for more than 30 days and the hope of reapportionment of the Senate by Act of the Legislature has become practically impossible and

WHEREAS; the many members of the Legislature who have expressed themselves favoring a form of reapportionment provided same would not distribute, abolish or consolidate other senatorial districts now therefore;

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

That Section 3, Article 7, of the Constitution of the State of Florida shall be amended to read as follows:

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 thirty-eight (38) 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; however, the Legislature shall not disturb any of the Senatorial Districts as provided by Chapter 16780 Acts of 1935, provided that at any time between such Legislature apportionments that the Federal or State Census shall show that the population of anyone or more Senatorial Districts, as theretofore established by Legislature apportionment, exceeds 59,133 major fraction thereof there shall be elected Senators from the State at Large, one Senator for each 100,000 or major fraction thereof not to exceed twelve such Senators at Large; and call and notice for the election of such Senators at Large shall be made and published at the same time and in the same manner as for Senators from the Several Senatorial Districts. Such State Senators at Large shall possess the same eligibility and qualifications as other State Senators and hold

this office for four years from this election, unless and until the Legislature shall provide by law for their alternate election in harmony with the terms of Senators from the several Senatorial Districts; 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 of each of the remaining Counties of the State at the time of such apportionment. Should the Legislature fail to apportion the Representation in the Senate and in 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 of the Legislature, either in special or 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 reapportion 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 together in Extraordinary 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 Sheldon moved that the rules be waived and Senate Joint Resolution No. 19-X be placed on the Calendar of Bills on Second Reading, without reference.

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

SENATE CONCURRENT RESOLUTIONS ON SECOND READING

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

SENATE BILLS ON THIRD READING

Senate Joint Resolution No. 13-X was taken up in its order and the consideration thereof was informally passed.

S. B. No. 17-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.

Pending roll call on the passage of Senate Bill No. 17-X Senator Beacham moved that a committee be appointed to escort Lieutenant John E. Mathews, Jr., son of Senator John E. Mathews of the 18th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senator Beacham as the committee.

Senator McArthur, President Pro Tempore, now presiding.

Upon the passage of Senate Bill No. 17-X the roll was called and the vote was:

Yeas—12.

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

Nays—20.

Ausley	Davis	Johns	Riddle
Brackin	Fraser 29th	Lewis	Sanchez
Branch	Fraser 31st	Lindler	Shands
Clark	Gray	McArthur	Thomas
Coleman 28th	Griner	Perdue	Wilson

So Senate Bill No. 17-X failed to pass.

The President now presiding.

Senate Bill No. 8-X was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Joint Resolutions Nos. 14-X and 15-X, Senate Bill

No. 16-X and Senate Joint Resolution No. 18-X were taken up in their order and the consideration thereof was informally passed.

Senator McArthur moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 6:30 o'clock P. M., until 11:00 o'clock A. M. Tuesday, July 10, 1945.