

JOURNAL OF THE SENATE

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Wednesday, July 13, 1955

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, July 12, 1955.

The President in the Chair.

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

Mr. President	Clarke	Houghton	Pearce
Baker	Connor	Johns	Pope
Barber	Douglas	Johnson	Rawls
Beall	Floyd	Kicklitter	Rodgers
Black	Fraser	King	Rood
Bronson	Gautier (28th)	Melvin	Shands
Cabot	Gautier (13th)	Morgan	Stenstrom
Carlton	Getzen	Morrow	Stratton
Carraway	Hodges	Neblett	Tapper

—36.

A quorum present.

Senators Edwards and Phillips were excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, Reverend E. E. Snow:

Lord! Our Light and our Salvation, help us, we beseech Thee, to enter into, and abide in, the secret place of the Most High; and may the shadow of the Almighty be our covering defense. Help each of us to set his love upon Thee, to bring thoughts and affections and purposes to Thyself, to think as Thou dost teach us, to love as Thou hast loved us, to do and will as Thou dost command us. So may we live in union with Thyself, and our prayer in this place be in harmony with our consecration of life in our daily work. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, July 12, 1955, was corrected and as corrected was approved.

REPORT OF COMMITTEE ENROLLING REPORT

Your Enrolling Clerk, to whom was referred—

H. B. No. 10-X

—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 July 13, 1955.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Senator Melvin moved that the rules be waived and the Senate proceed to the consideration of Senate Concurrent Resolution No. 17-X(55).

Which was agreed to by a two-thirds vote.

Senate Concurrent Resolution No. 17-X(55):

A CONCURRENT RESOLUTION CONCERNING ADJOURNMENT SINE DIE.

WHEREAS, the regular session of the legislature of the State of Florida, for 1955, adjourned sine die, on Friday, June 3, 1955, without having reapportioned the representation in the house of representatives and the senate of the Florida

legislature as required in section 3 of article VII of the constitution of the State of Florida; and,

WHEREAS, by proclamation of his Excellency, LeRoy Collins, Governor of the State of Florida, dated June 3, 1955, the legislature of the State of Florida, convened in extraordinary session on June 6, 1955, to consider the question of reapportionment of the representation in the legislature, as mandatorily required by said section 3 of article VII of the constitution of Florida; and,

WHEREAS, the legislature of the State of Florida, did convene in extraordinary session on June 6, 1955, as directed in said proclamation, and proceed to consider the question of reapportionment of the representation in the legislature as mandatorily required by section 3 of article VII of the constitution of Florida; and,

WHEREAS, the house of representatives has been reapportioned under the provisions of house bill no. 4X, by designating three (3) representatives to each of the five (5) most populous counties, and two (2) representatives to each of the next eighteen (18) more populous counties, and one (1) representative to each of the remaining counties of the state; and,

WHEREAS, the senate of the State of Florida has been reapportioned under the provisions of house bill no. 10X, by apportioning thirty-eight (38) senatorial districts within the State of Florida, such districts being as nearly equal in population as practicable, according to the opinion of the legislature; and,

WHEREAS, the legislature being limited in such session to consider no other business, other than to reapportion and that the legislature has determined by the passage of house bill no. 10X, that reapportionment has been accomplished according to the provisions of section 3 of article VII of the constitution of the State of Florida; NOW, THEREFORE,

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

Section 1. That the time for adjournment sine die of the Florida legislature, 1955 extraordinary session, be and the same is hereby fixed at the hour of 2:30 o'clock p. m., Tuesday, July 12, 1955, at which time the extraordinary session of the Florida legislature of 1955 shall be adjourned sine die.

Was taken up and read the second time in full.

Senator Melvin offered the following amendment to Senate Concurrent Resolution No. 17-X(55):

In Section 1, line 4, (typewritten bill) strike out the words and figures: "Tuesday, July 12, 1955," and insert in lieu thereof the following: "Wednesday, July 13, 1955,".

Senator Melvin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The question was put on the adoption of Senate Concurrent Resolution No. 17-X(55), as amended, which reads as follows:

Senate Concurrent Resolution No. 17-X(55):

A CONCURRENT RESOLUTION CONCERNING ADJOURNMENT SINE DIE.

WHEREAS, the regular session of the legislature of the State of Florida, for 1955, adjourned sine die, on Friday, June 3, 1955, without having reapportioned the representation in the house of representatives and the senate of the Florida

legislature as required in section 3 of article VII of the constitution of the State of Florida; and,

WHEREAS, by proclamation of his Excellency, LeRoy Collins, Governor of the State of Florida, dated June 3, 1955, the legislature of the State of Florida, convened in extraordinary session on June 6, 1955, to consider the question of reapportionment of the representation in the legislature, as mandatorily required by said section 3 of article VII of the constitution of Florida; and,

WHEREAS, the legislature of the State of Florida, did convene in extraordinary session on June 6, 1955, as directed in said proclamation, and proceed to consider the question of reapportionment of the representation in the legislature as mandatorily required by section 3 of article VII of the constitution of Florida; and,

WHEREAS, the house of representatives has been reapportioned under the provisions of house bill no. 4X, by designating three (3) representatives to each of the five (5) most populous counties, and two (2) representatives to each of the next eighteen (18) more populous counties, and one (1) representative to each of the remaining counties of the state; and,

WHEREAS, the senate of the State of Florida has been reapportioned under the provisions of house bill no. 10X, by apportioning thirty-eight (38) senatorial districts within the State of Florida, such districts being as nearly equal in population as practicable, according to the opinion of the legislature; and,

WHEREAS, the legislature being limited in such session to consider no other business, other than to reapportion and that the legislature has determined by the passage of house bill no. 10X, that reapportionment has been accomplished according to the provisions of section 3 of article VII of the constitution of the State of Florida; NOW, THEREFORE,

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

Section 1. That the time for adjournment sine die of the Florida legislature, 1955 extraordinary session, be and the same is hereby fixed at the hour of 2:30 o'clock p. m., Wednesday, July 13, 1955, at which time the extraordinary session of the Florida legislature of 1955 shall be adjourned sine die.

A roll call was demanded.

Upon the adoption of Senate Concurrent Resolution No. 17-X(55), as amended, the roll was called and the vote was:

Yeas—19.

Mr. President	Carraway	Getzen	Pearce
Baker	Clarke	Hodges	Rawls
Beall	Connor	Johns	Rodgers
Black	Douglas	Johnson	Shands
Bronson	Fraser	Melvin	

Nays—15.

Barber	Gautier (13th)	Morrow	Stenstrom
Cabot	Houghton	Neblett	Stratton
Carlton	Kicklitter	Pope	Tapper
Floyd	Morgan	Rood	

So Senate Concurrent Resolution No. 17-X(55), as amended, was adopted.

PAIRINGS

The following Pairs were announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Phillips on the adoption of S. C. R. No. 17-X(55).

If he were present he would vote "Aye" and I would vote "Nay."

HARRY E. KING,
Senator 7th District.

I am paired with Senator Edwards on the adoption of S.C.R. No. 17-X(55).

If he were present he would vote "Aye" and I would vote "Nay."

E. W. GAUTIER,
Senator 28th District.

Senator Rodgers moved that the Senate reconsider the vote by which Senate Concurrent Resolution No. 17-X(55), as amended, was adopted.

Senator Pearce moved that the Senate immediately consider the motion made by Senator Rodgers to reconsider the vote by which Senate Concurrent Resolution No. 17-X(55), as amended, was adopted.

The question was put on the motion made by Senator Pearce.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Pearce, the vote was:

Yeas—18.

Mr. President	Carraway	Getzen	Pearce
Baker	Clarke	Hodges	Rawls
Beall	Connor	Johns	Shands
Black	Douglas	Johnson	
Bronson	Fraser	Melvin	

Nays—16.

Barber	Gautier (13th)	Morrow	Rood
Cabot	Houghton	Neblett	Stenstrom
Carlton	Kicklitter	Pope	Stratton
Floyd	Morgan	Rodgers	Tapper

So the motion failed to receive the required two-thirds vote, and, therefore, failed of adoption.

PAIRINGS

The following Pairs were announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Edwards on the motion made by Senator Pearce that the Senate immediately consider the motion made by Senator Rodgers to reconsider the vote by which S. C. R. No. 17-X(55) was adopted.

If he were present he would vote "Aye" and I would vote "Nay".

E. W. GAUTIER,
Senator 28th District

I am paired with Senator Phillips on the motion made by Senator Pearce that the Senate immediately consider the motion made by Senator Rodgers to reconsider the vote by which S. C. R. No. 17-X(55) was adopted.

If he were present he would vote "Aye" and I would vote "Nay".

HARRY E. KING
Senator 7th District

The motion made by Senator Rodgers to reconsider the vote by which Senate Concurrent Resolution No. 17-X(55), as amended, was adopted, went over under the rule.

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:55 o'clock P.M., until 11:00 o'clock A. M., Thursday, July 14, 1955.