

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

4

Wednesday, June 8, 1955

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Tuesday, June 7, 1955.

The President in the Chair.

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

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

—31.

A quorum present.

Senators Morrow, Morgan, Rawls, Shands, Gautier (13th), Tapper and Phillips were excused from attendance upon the Session.

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

O God, we pray that Thou wilt give us economy and plainness of speech in our prayers. Help us not to deal in pious platitudes and vague generalities. Give wisdom courage and spiritual strength to the Chaplain. Bend his will and mind to Thy control.

O God, help us to realize that these are days that are testing the statesmanship of our Governor and every member of our State Legislature. With all our mind, with all our heart, with all our strength, with all our soul, we pray that out of this struggle there will emerge a greatness of statesmanship worthy of our best and worthy of God.

Spirit of God, fall on us this very moment! Fire us with a steadfast devotion to Thee and to the people of our State. Give us such a genuine devotion and consecration that will make little men big!

Cleanse our hearts and minds and give us the moral strength of goodness and integrity. Help us, O Spirit of the Living God, to know we are not here just on another routine call of our Legislature. Shake our complacency with the shocking realization that here, whether we take six days, six weeks, or six months, we, each of us, have our own personal responsibility, and our collective responsibility to God, and our people. God have mercy on us as we meet this date with destiny. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, June 7, 1955, was corrected and as corrected was approved.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Houghton—

S. B. No. 1-X(55)—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate of the State of Florida.

Which was read the first time by title only and referred to the Committee on Reapportionment.

By Senator Stratton—

S. B. No. 2-X(55)—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate of the State of Florida.

Which was read the first time by title only and referred to the Committee on Reapportionment.

By Senator Davis—

Senate Concurrent Resolution No. 3-X(55):

A CONCURRENT RESOLUTION APPORTIONING THE REPRESENTATION OF THE STATE OF FLORIDA IN THE SENATE OF THE STATE OF FLORIDA.

WHEREAS, The 1955 legislature has re-examined the apportionment of the state of Florida according to the last official census, and

WHEREAS, After due study and consideration by the legislature it has been decided that the following apportionment is equitable and as nearly equal in population as practicable, NOW, THEREFORE

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

Section 1. The representation of the people of the state of Florida in the senate of the state of Florida, shall from and after the sixth (6th) day of November, A.D., 1956, be apportioned as hereinafter set forth in this act.

Section 2. There shall be thirty-eight (38) senatorial districts in the state of Florida which shall be each represented in the senate of the state of Florida by one senator, and be designated by numbers, and the said thirty-eight (38) districts shall be composed each of the counties mentioned and named after the respectively numbered districts as follows, to-wit:

First district—Santa Rosa county and Okaloosa county.

Second district—Escambia county.

Third district—Walton county, Holmes county and Washington county.

Fourth district—Jackson county.

Fifth district—Gulf county, Franklin county and Liberty county.

Sixth district—Gadsden county.

Seventh district—Polk county.

Eighth district—Leon county.

Ninth district—Citrus county and Hernando county.

Tenth district—Madison county, Taylor county.

Eleventh district—Pinellas county.

Twelfth district—St. Lucie county, Indian River county, and Martin county.

Thirteenth district—Dade county.

Fourteenth district—Columbia county.

Fifteenth district—Union county and Bradford county.

Sixteenth district—Nassau county, Baker county, and Clay county.

- Seventeenth district—Suwannee county, Hamilton county and Lafayette county.
- Eighteenth district—Duval county.
- Nineteenth district—Orange county.
- Twentieth district—Marion county.
- Twenty-first district—Levy county, Dixie county and Gilchrist county.
- Twenty-second district—Jefferson county, Wakulla county.
- Twenty-third district—Lake county.
- Twenty-fourth district—Monroe county.
- Twenty-fifth district—Bay county and Calhoun county.
- Twenty-sixth district—Putnam county.
- Twenty-seventh district—Hardee county, Highlands county, and DeSoto county.
- Twenty-eighth district—Volusia county.
- Twenty-ninth district—Lee county, Hendry county, and Collier county.
- Thirtieth district—Broward county.
- Thirty-first district—St. Johns county and Flagler county.
- Thirty-second district—Alachua county.
- Thirty-third district—Osceola county, Okeechobee county, and Glades county.
- Thirty-fourth district—Hillsborough county.
- Thirty-fifth district—Palm Beach county.
- Thirty-sixth district—Manatee county, Sarasota county and Charlotte county.
- Thirty-seventh district—Seminole county, Brevard county.
- Thirty-eighth district—Pasco county and Sumter county.

Section 3. Those senators holding over in office shall, during that part of their respective terms of office succeeding the sixth (6th) day of November, A. D., 1956, each be deemed and held to be the senator representing the senatorial district embracing the county in which he resides; provided he shall not have removed his place of residence in the meantime from said senatorial district.

Section 4. This resolution shall take effect on the sixth (6th) day of November, A. D. 1956, the same being the date of the next general election to be held in the state of Florida, at which election senators to represent the odd numbered districts as herein described shall be elected.

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

By Senator Houghton—

S. B. No. 4-X(55)—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate of the State of Florida; providing effective date.

Which was read the first time by title only and referred to the Committee on Reapportionment.

By the Committee on Legislative Management and Population—

Senate Resolution No. 5-X(55):

A RESOLUTION RELATING TO RULES, EXPENSES AND PER DIEM OF THE EXTRA SESSION OF THE LEGISLATURE OF 1955.

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

Section 1. The rules of procedure of the 1955 regular session shall govern until the rules committee of the senate reports otherwise.

Section 2. Each member of the senate shall be allowed mileage for one round trip home for each seven (7) days of the extra session.

Section 3. Each member of the senate shall receive per diem as authorized by law.

Section 4. Attaches and personnel employed at the extra session shall receive twelve dollars (\$12.00) per day, except messengers and pages who shall receive eight dollars (\$8.00) per diem. This rate of pay shall apply also to all necessary attaches employed before and after the extra session of the legislature.

Which was read the first time in full.

Upon the adoption of Senate Resolution No. 5-X(55) the roll was called and the vote was:

Yeas—30.

Mr. President	Carraway	Getzen	Neblett
Baker	Clarke	Hodges	Pearce
Barber	Connor	Houghton	Rodgers
Beall	Douglas	Johns	Rood
Black	Edwards	Johnson	Stenstrom
Bronson	Floyd	Kickliter	Stratton
Cabot	Fraser	King	
Carlton	Gautier(28th)	Melvin	

Nays—None.

So Senate Resolution No. 5-X(55) was adopted.

By Senator Stratton—

Senate Joint Resolution No. 6-X(55):

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTIONS 1, 2 AND 3. ARTICLE VII. OF THE STATE CONSTITUTION, RELATING TO THE MEMBERSHIP OF THE SENATE AND HOUSE OF REPRESENTATIVES AND THE APPORTIONMENT OF SUCH MEMBERS AMONG THE COUNTIES.

WHEREAS, it is hereby determined by the legislature of the State of Florida that an emergency exists, within the contemplation and purview of Section 3, Article XVII, of the Florida Constitution, requiring an early decision by the electors of the State, relative to the membership of the House of Representatives and the Senate of the Florida legislature and the apportionment of such membership among the several counties of said State due to the great increase of the State's population since 1945, and the concentration of such increase of population in different areas from the concentration of population in 1945; and

WHEREAS, it is necessary that an amendment of Sections 2, 3 and 4, Article VII, of the State Constitution be submitted to the electors of the State and passed upon by such electors prior to the 1956 primaries and general election, NOW, THEREFORE,

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

That the following amendment of Sections 2, 3 and 4 of Article VII, of the Constitution of the State of Florida, relating to membership of the Senate and House of Representatives and the apportionment of such members among the counties, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for approval or rejection at a special election to be held on the Tuesday next after the expiration of ninety days from and after the filing of this joint resolution in the office of the Secretary of State of the State of Florida, all in accordance with the requirements of Section 3, Article XVII, of the State Constitution. That is to say that Sections 2, 3 and 4, of Article VII, of the Constitution of the State of Florida, be amended to read as follows:

Section 2. Terms of Senate and House apportionment of Senate.—

(1) The legislature shall consist of the Senate and the House of Representatives, House members shall serve for a term as provided in Section 3, Article VII hereof; and members of the Senate shall serve for a term of four (4) years, except as herein otherwise provided. The election for mem-

bers of the House of Representatives and Senate shall be at the same time and place. The Senate shall consist of one senator from each county of the State of Florida.

(2) The senate shall be divided into two groups:

The first group to consist of the following counties: Alachua, Bay, Broward, Calhoun, Columbia, Dixie, Duval, Escambia, Gadsden, Glades, Hamilton, Hernando, Highlands, Hillsborough, Indian River, Jackson, Jefferson, Lee, Leon, Liberty, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okaloosa, Putnam, Sumter, Union, Volusia, Wakulla and Walton; and

The second group to consist of the following counties: Baker, Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Dade, Desoto, Flagler, Franklin, Gilchrist, Gulf, Hardee, Hendry, Holmes, Lafayette, Lake, Levy, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Johns, St. Lucie, Santa Rosa, Sarasota, Seminole, Suwannee, Taylor and Washington.

(3) Senators elected at the 1954 general election shall be the senator for their home county for the remainder of the term for which elected. There shall be elected from each of the counties in the first above group, except where there is a resident senator elected at the 1954 election, as aforesaid, at the 1956 election a senator who shall serve for a term of two years. There shall be elected from each of the counties in the second above group, at the 1956 election a senator who shall serve for a term of four (4) years. Thereafter all senators shall be elected for terms of four years each.

Section 3. Number of state representatives; apportionment by the governor.—

(1) The house of representatives shall consist of one hundred thirty-five members, to be apportioned as hereinafter provided.

(2) Forthwith upon the adoption of this amendment, and thereafter on or before January first next after the taking of each official state or federal census, the Governor shall by proclamation apportion the said membership in the house of representatives in the manner following:

(a) There shall be allotted to each county one representative, and the remaining representatives shall be apportioned among those counties having a population in excess of eight thousand as follows:

(b) The population in excess of eight thousand in each county shall be divided by the number of representatives in excess of one for each county and the quotient shall constitute the unit to be used as a basis for apportioning the representatives in excess of one for each county. For each such unit or major portion thereof, in each county, computed on the population in excess of eight thousand in each county, the county shall be allowed one additional representative, except that if within the limits set forth herein, any county or counties cannot be allowed a representative for a major portion of such unit, or if there should remain any representatives to be apportioned, then a representative shall be allowed to each of the counties having the greatest portion of such unit until all of said number of representatives shall be apportioned.

Section 4. Effective date; duties of the Board of Commissioners of State Institutions, etc.—

(1) Sections 2 and 3 as above amended shall take effect upon ratification by the electors of the State; provided, that there shall be no change in the membership of the State Legislature until the 1956 General Election.

(2) Should this amendment of Sections 2, 3 and 4, of Article VII, of the State Constitution, be adopted the Board of Commissioners of State Institutions shall provide for the enlargement of the senate and house chambers so as to accommodate the increased membership of the senate and house of representatives, and there is hereby appropriated from the general revenue fund of the State sufficient funds to provide for such enlargement and necessary accommodations occasioned thereby.

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

By Senator Barber—

S. B. No. 7-X(55)—A bill to be entitled An Act to apportion the representation of the state of Florida in the Senate and in the House of Representatives of the state of Florida; amending Sections 10.01 and 10.03, Florida Statutes; providing an effective date November 6, 1956.

Which was read the first time by title only and referred to the Committee on Reapportionment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
June 7, 1955.

The Honorable W. T. Davis,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Mr. Mahon of Duval—

House Concurrent Resolution No. 3-X—

A CONCURRENT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO STUDY AND CONFER UPON A SUITABLE PLAN FOR REAPPORTIONMENT OF THE LEGISLATURE.

WHEREAS, The House of Representatives has reconvened pursuant to the call of the Governor in extraordinary session to consider the question of reapportionment of the representation in the Legislature as mandatorily required by Section 3 of Article VII of the Constitution, and that said House of Representatives is organized and ready to consider said question, and

WHEREAS, The House of Representatives feels that it is the desire of both the Senate and the House of Representatives that the matter of reapportionment as required by the Constitution be considered and resolved as expeditiously as possible, yet with adequate consideration to insure a proper and constitutional reapportionment, and

WHEREAS, The Constitution requires the joint action of both the Senate and the House of Representatives to reapportion the Legislature, and said Constitution and the call of the Governor pursuant thereto allow the consideration of no other matters other than reapportionment, NOW, THEREFORE,

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

Section 1. That a joint committee composed of seven members of the Senate to be appointed by the President of the Senate, and seven members of the House of Representatives to be appointed by the Speaker of the House of Representatives, be immediately appointed to study and confer upon a suitable plan for reapportionment of the Legislature of the State of Florida and to report back to the respective bodies of their appointment after adequate consideration with all due speed.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 3-X, contained in the above message, was read the first time in full and referred to the Committee on Reapportionment.

Senator Johnson moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:22 o'clock P.M., until 11:00 o'clock A. M., Thursday, June 9, 1955.