

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

58

Thursday, August 4, 1955

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, August 3, 1955.

The President in the Chair.

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

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

—36.

A quorum present.

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

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

Speak to us, O God, amid the tumult of a confused and bewildered world. Comfort us and strengthen us in an unquiet and uneasy society. Give to us Thy quiet and peace. Turn our minds to things eternal and vital. Give us the courage to do our duty and to go forward in Thy Name. Help us to see that which is invisible to the natural eye. Help us to be capable to do those things which are well pleasing to Thee. Give us sympathy and brotherliness in our relations with one another. Give us steadfastness of purpose and keenness to discern the right and the wrong. In the Name of Christ we humbly pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, August 3, 1955, was corrected and as corrected was approved.

Senator Tapper reported that the Committee on the part of the Senate appointed by the President on July 26, 1955, to endeavor to work out a compromise proposal in the stalemate on the reapportionment issue before the Senate had labored diligently without satisfactory results.

Senator Shands moved that the Committee be discharged.

Which was agreed to and the Committee was ordered discharged.

Senator Tapper moved that the Senate resolve itself into a Committee of the Whole.

Pending consideration of the motion made by Senator Tapper, Senator Melvin moved, as a substitute motion, that the Senate proceed with the Order of the Day.

The question was put on the substitute motion made by Senator Melvin.

A roll call was demanded.

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

Yeas—20.

Mr. President	Black	Connor	Fraser
Baker	Carraway	Douglas	Getzen
Beall	Clarke	Edwards	Hodges

Johns	Melvin	Rawls	Shands
Johnson	Pearce	Rood	Stratton

Nays—16.

Barber	Floyd	Kicklitter	Neblett
Bronson	Gautier (28th)	King	Pope
Cabot	Gautier (13th)	Morgan	Rodgers
Carlton	Houghton	Morrow	Tapper

So the substitute motion made by Senator Melvin was adopted.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Shands and Melvin—

S. B. No. 18-X(55)—A bill to be entitled An Act setting forth certain findings of the Legislature; apportioning the representation of the State of Florida in the Senate; amending Section 10.01, Florida Statutes; and providing an effective date November 6, 1956.

Which was read the first time by title only.

Senator Melvin presiding.

Senator Gautier (13th) raised a Point of Order that the consideration of Senate Bill No. 18-X(55) would be out of order for the following reasons:

"1. That the bill seeks to reapportion the State in the identical manner that was set forth and under which the state was reapportioned by House Bill No. 10-X which was vetoed by the Governor.

"2. And it would be out of order to consider an identical bill as the same would have the effect of presenting to the Governor a bill which would have the identical effect of the bill that he vetoed."

The Chair ruled that the point of order was not well taken because Senate Bill No. 18-X(55) was not identical with House Bill No. 10-X.

Senator Shands moved that the rules be waived and Senate Bill No. 18-X(55) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 18-X(55) was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 18-X(55) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 18-X(55) was read the third time in full.

The President presiding.

Upon the passage of Senate Bill No. 18-X(55) the roll was called and the vote was:

Yeas—20.

Mr. President	Clarke	Getzen	Neblett
Baker	Connor	Hodges	Pearce
Beall	Douglas	Johnson	Rawls
Black	Edwards	Melvin	Shands
Bronson	Fraser		Tapper

Nays—14.

Cabot	Gautier (13th)	Morgan	Rood
Carlton	Houghton	Morrow	Stratton
Floyd	Kicklitter	Pope	
Gautier (28th)	King	Rodgers	

So Senate Bill No. 18-X(55) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

PAIRINGS

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

I am paired with Senator Phillips, 14th District, on the passage of Senate Bill No. 18-X(55).

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

MERRILL P. BARBER
Senator, 12th District.

I am paired with Senator Stenstrom, 37th District, on the passage of Senate Bill No. 18-X(55).

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

WILSON CARRAWAY
Senator, 8th District.

By Senators Shands and Melvin—

Senate Concurrent Resolution No. 19-X(55):

A SENATE CONCURRENT RESOLUTION CONCERNING ADJOURNMENT SINE DIE.

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

That the time for adjournment sine die of the Florida Legislature, Extraordinary Session, 1955, be and the same is hereby fixed at the hour of 6:00 o'clock, p. m., Thursday, August 4, 1955, at which time the Extraordinary Session of the Florida Legislature of 1955 shall be adjourned sine die.

Which was read the first time in full.

Senator Shands moved that the further consideration of Senate Concurrent Resolution No. 19-X(55) be informally passed.

Which was agreed to and it was so ordered.

Senator Pope moved that the Senate recess until 3:00 o'clock P. M., this day.

Which was agreed to.

And the Senate recessed at 12:28 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 3:00 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	Hodges	Neblett
Baker	Connor	Houghton	Pearce
Barber	Douglas	Johns	Pope
Beall	Edwards	Johnson	Rawls
Black	Floyd	Kicklitter	Rodgers
Bronson	Fraser	King	Rood
Cabot	Gautier (28th)	Melvin	Shands
Carlton	Gautier (13th)	Morgan	Stratton
Carraway	Getzen	Morrow	Tapper

—36.

A quorum present.

Senator Tapper moved that the rules be waived and the Senate revert to the introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Tapper—

Senate Concurrent Resolution No. 20-X(55):

A CONCURRENT RESOLUTION RELATING TO RECESSING OF THE 1955 EXTRAORDINARY SESSION OF THE LEGISLATURE.

WHEREAS, this extraordinary session of the Legislature has been in session for a period of sixty (60) days, and

WHEREAS, everything possible has been done toward resolving of the problem of reapportionment, including joint meetings of special committees of each house, conferences with the Chief Executive of the state, package plans, and every other device known to legislative procedures, and

WHEREAS, it now appears that we are further from any possible solution than even at the start of our labors sixty (60) days ago, that tempers are frayed and the members are all tired and discouraged, and

WHEREAS, in view of these things the most sensible action to be taken at this time is to recess for a period of time sufficient for us all to go home and test the public sentiment of our constituents in the premises, then return with refreshed energies and make a new start, NOW, THEREFORE,

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

That this 1955 extraordinary session of the legislature do stand recessed until October 3, 1955, at 4:00 o'clock p. m. and that all per diem expense compensation of the members be suspended and discontinued during the period of such recess.

Which was read the first time in full.

Senator Tapper moved that the rules be waived and Senate Concurrent Resolution No. 20-X(55) be placed on the Calendar, without reference.

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

Senator Melvin moved that the Senate stand in recess until 4:30 o'clock P. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 3:50 o'clock P. M.

The Senate was called to order by the President at 4:30 o'clock P. M.

The roll was called to determine the presence of a quorum and the following Senators answered to their names:

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

—36.

A quorum present.

Senator Johnson moved that the rules be waived and the Senate revert to the introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator King—

Senate Resolution No. 21-X(55):

A RESOLUTION RELATING TO RELINQUISHMENT OF OFFICE SPACE BY THE SENATE.

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

That the Senate do relinquish all office space in the Capitol building as is customarily used by the various departments of the state government between sessions of the Legislature; that the Sergeant-at-Arms be instructed to remove all Senate furniture and office equipment therefrom and that said office space be immediately turned over to the Secretary of State for occupancy by said state departments.

Which was read the first time in full.

Senator King moved that the rules be waived and Senate Resolution No. 21-X(55) be placed on the Calendar, without reference.

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

By Senators Johnson, Shands and Melvin—

S. B. No. 22-X(55)—A bill to be entitled An Act setting forth certain findings of the Legislature; apportioning the representation of the State of Florida in the Senate; amending Section 10.01, Florida Statutes; and providing an effective date November 6, 1956.

Which was read the first time by title only.

Senator Johnson moved that the rules be waived and Senate Bill No. 22-X(55) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 22-X(55) was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 22-X(55) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 22-X(55) was read the third time in full.

Upon the passage of Senate Bill No. 22-X(55) the roll was called and the vote was:

Yeas—20.

Mr. President	Beall	Bronson	Connor
Baker	Black	Clarke	Douglas

Edwards	Hodges	Melvin	Rawls
Fraser	Johns	Neblett	Shands
Getzen	Johnson	Pearce	Tapper

Nays—14.

Cabot	Gautier(13th)	Morgan	Rood
Carlton	Houghton	Morrow	Stratton
Floyd	Kicklitter	Pope	
Gautier(28th)	King	Rodgers	

So Senate Bill No. 22-X(55) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

PAIRINGS

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

I am paired with Senator Stenstrom, 37th District, on the passage of Senate Bill No. 22-X(55).

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

WILSON CARRAWAY
Senator, 8th District.

I am paired with Senator Phillips, 14th District, on the passage of Senate Bill No. 22-X(55).

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

MERRILL P. BARBER
Senator, 12th District.

Senator Melvin moved that the Senate adjourn.

Pending consideration of the motion made by Senator Melvin, Senator Rood moved, as a substitute motion, that the Senate recess until 8:00 o'clock, P. M., this day.

The question was put on the substitute motion.

Which was not agreed to so the substitute motion failed of adoption.

The question recurred on the motion made by Senator Melvin.

Which was agreed to.

And the Senate stood adjourned at 4:53 o'clock P. M., until 11:00 o'clock A. M., Friday, August 5, 1955.