

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

66

Wednesday, August 10, 1955

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, August 9, 1955.

The President in the Chair.

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

| | | | |
|---------------|---------|------------|-----------|
| Mr. President | Connor | Houghton | Pearce |
| Baker | Douglas | Johns | Pope |
| Beall | Edwards | Johnson | Rawls |
| Black | Floyd | Kicklitter | Rodgers |
| Carlton | Fraser | Melvin | Shands |
| Carraway | Getzen | Morgan | Stenstrom |
| Clarke | Hodges | Neblett | Stratton |

—28.

A quorum present.

Senators Barber, Bronson, Cabot, Gautier (28th), Gautier (13th), King, Phillips, Morrow, Rood and Tapper were excused from attendance upon the Session.

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

Almighty God, help us to realize that difficulties are inevitable in this life we live. In the midst of these difficulties that we face in every day life and in our State Legislature may we make our aim to be great in spirit. When things get at their worst help us to be at our best. Help us to strive above all things for understanding and creative goodwill.

Bless each of our Senators in his personal life. Bless Senator Jack Phillips in his illness. Some of the rest of us have illness in our homes. Give strength to those who suffer and those who minister to them. Come close, dear Lord, to us all we humbly pray in Jesus Name. Amen.

The reading of the Journal of Friday, August 5, 1955, was dispensed with.

The Senate daily Journal of Friday, August 5, 1955, was corrected and as corrected was approved.

The reading of the Journal of Tuesday, August 9, 1955, was dispensed with.

The Senate daily Journal of Tuesday, August 9, 1955, was corrected and as corrected was approved.

The Senate daily Journal of Monday, June 6, 1955, was further corrected as follows:

Page 1, column 1, line 26, counting from the bottom of the column, following the word "Section" and before the word "of" insert the figure "3".

And as further corrected was approved.

Senator Melvin moved that the rules be waived and the Senate proceed to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
August 9, 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 passed—

By Messrs. Bryant of Marion, David of Broward, Smith of Indian River, Williams of Seminole, Gibbons and Johnson of Hillsborough, Cobb of Volusia, Boyd of Lake, Land of Orange, Grimes and Pratt of Manatee, Okell, Orr and Herrell of Dade, Roberts and Dickinson of Palm Beach, Bartholomew of Sarasota, Brewer of Brevard, Mahon, Westberry and Maness of Duval, Musselman of Broward, Williams of Pasco, Horne and Ballinger of Leon, Surles and Murray of Polk, Smith of DeSoto, Arrington of Gadsden, Livingston of Highlands, Hopkins of Escambia and Usina of St. Johns—

H. B. No. 22-X—A bill to be entitled An Act to apportion the Representation in the Senate of the State of Florida; amending Section 10.01, Florida Statutes; providing an effective date November 6, 1956.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 22-X, contained in the above message, was read the first time by title only and referred to the Committee on Reapportionment.

The following message from the House of Representatives was read:

Tallahassee, Florida,
August 5, 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 failed to adopt—

By Senator Tapper—

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

A CONCURRENT RESOLUTION RELATING TO
RECESSING OF THE 1955 EXTRAORDINARY SES-
SION 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 November 16, 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.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Rodgers moved that the Senate recess until 11:25 o'clock A. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 11:07 o'clock A. M.

The Senate was called to order by the President at 11:25 o'clock A. M.

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

| | | | |
|---------------|---------|------------|-----------|
| Mr. President | Connor | Houghton | Pearce |
| Baker | Douglas | Johns | Pope |
| Beall | Edwards | Johnson | Rawls |
| Black | Floyd | Kicklitter | Rodgers |
| Carlton | Fraser | Melvin | Shands |
| Carraway | Getzen | Morgan | Stenstrom |
| Clarke | Hodges | Neblett | Stratton |

—28.

A quorum present.

By permission the following Report of Committee was received:

REPORT OF COMMITTEE

Senator Rodgers, Vice-Chairman of the Committee on Reapportionment, reported that the Committee had carefully considered the following Bill:

H. B. No. 22-X—A bill to be entitled An Act to apportion the representation in the Senate of the State of Florida; amending Section 10.01, Florida Statutes; providing an effective date November 6, 1956.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Melvin moved that the Senate recess until 12:00 o'clock, Noon, this day.

Which was agreed to.

Thereupon the Senate stood in recess at 11:26 o'clock A. M.

The Senate was called to order by the President at 12:00 o'clock, Noon.

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

| | | | |
|---------------|---------|------------|-----------|
| Mr. President | Connor | Houghton | Pearce |
| Baker | Douglas | Johns | Pope |
| Beall | Edwards | Johnson | Rawls |
| Black | Floyd | Kicklitter | Rodgers |
| Carlton | Fraser | Melvin | Shands |
| Carraway | Getzen | Morgan | Stenstrom |
| Clarke | Hodges | Neblett | Stratton |

—28.

A quorum present.

Senator Melvin moved that the Senate recess until 2:30 o'clock P. M., this day.

Which was agreed to.

And the Senate stood in recess at 12:42 o'clock P. M., until 2:30 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:30 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 | Connor | Houghton | Pearce |
| Baker | Douglas | Johns | Pope |
| Beall | Edwards | Johnson | Rawls |
| Black | Floyd | Kicklitter | Rodgers |
| Carlton | Fraser | Melvin | Shands |
| Carraway | Getzen | Morgan | Stenstrom |
| Clarke | Hodges | Neblett | Stratton |

—28.

A quorum present.

Senator Melvin moved that the rules be waived and the Senate revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
August 10, 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 passed with amendments—

By Senators King, Kicklitter and Stenstrom—

Senate Concurrent Resolution No. 24-X(55):

A CONCURRENT RESOLUTION RELATING TO A RECESS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO NOVEMBER 17, 1955.

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

Section 1. That the senate and house of representatives be in recess until 4 p.m. November 17, 1955.

Section 2. During the recess period, all per diem shall be waived.

Which amendments read as follows:

Amendment No. 1—

Strike out Section 1 and insert the following in lieu thereof:

Section 1. That when the two Houses adjourn on August 10, 1955, they stand adjourned until 4:00 P. M., September 14, 1955.

Amendment No. 2—

Strike out Section 2 and insert the following in lieu thereof:

Section 2. During the recess period, all per diem and mileage allowance is waived.

Amendment No. 3—

Strike out the title and insert the following in lieu thereof:

A CONCURRENT RESOLUTION RELATING TO ADJOURNMENT OF THE SENATE AND HOUSE OF REPRESENTATIVES ON AUGUST 10, 1955, TO 4:00 P. M., SEPTEMBER 14, 1955.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 24-X(55), contained in the above message, was read, together with House Amendments thereto.

Senator Melvin moved that the Senate do not concur in House Amendment No. 1 to Senate Concurrent Resolution No. 24-X(55).

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Concurrent Resolution No. 24-X(55).

Senator Melvin moved that the Senate do not concur in House Amendment No. 2 to Senate Concurrent Resolution No. 24-X(55).

Which was agreed to and the Senate refused to concur in House Amendment No. 2 to Senate Concurrent Resolution No. 24-X(55).

Senator Melvin moved that the Senate do not concur in House Amendment No. 3 to Senate Concurrent Resolution No. 24-X(55).

Which was agreed to and the Senate refused to concur in House Amendment No. 3 to Senate Concurrent Resolution No. 24-X(55).

Senator Melvin moved that the House of Representatives be respectfully requested to recede from House Amendments Nos. 1, 2 and 3 to Senate Concurrent Resolution No. 24-X(55) or, in the alternative, that the Speaker of the House of Representatives be respectfully requested to appoint a Conference Committee on the part of the House of Representatives to confer with a like Committee to be appointed by the President of the Senate on the part of the Senate to adjust the differences between the Bodies on House Amendments Nos. 1, 2 and 3 to Senate Concurrent Resolution No. 24-X(55).

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin moved that the Senate recess until 3:10 o'clock P. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 2:40 o'clock P. M.

The Senate was called to order by the President at 3:10 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 | Connor | Houghton | Pearce |
| Baker | Douglas | Johns | Pope |
| Beall | Edwards | Johnson | Rawls |
| Black | Floyd | Kicklitter | Rodgers |
| Carlton | Fraser | Melvin | Shands |
| Carraway | Getzen | Morgan | Stenstrom |
| Clarke | Hodges | Neblett | Stratton |

—28.

A quorum present.

Senator Melvin moved that the rules be waived and the Senate revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
August 10, 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 refused to recede from House Amendments Nos. 1, 2 and 3 to—

By Senators King, Kicklitter and Stenstrom—

Senate Concurrent Resolution No. 24-X(55):

A CONCURRENT RESOLUTION RELATING TO A RECESS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO NOVEMBER 17, 1955.

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

Section 1. That the senate and house of representatives be in recess until 4 p.m. November 17, 1955.

Section 2. During the recess period, all per diem shall be waived.

Which amendments read as follows:

Amendment No. 1—

Strike out Section 1 and insert the following in lieu thereof:

Section 1. That when the two Houses adjourn on August 10, 1955, they stand adjourned until 4:00 P. M. September 14, 1955.

Amendment No. 2—

Strike out Section 2 and insert the following in lieu thereof:

Section 2. During the recess period, all per diem and mileage allowance is waived.

Amendment No. 3—

Strike out the title and insert the following in lieu thereof:

A CONCURRENT RESOLUTION RELATING TO ADJOURNMENT OF THE SENATE AND HOUSE OF REPRESENTATIVES ON AUGUST 10, 1955, TO 4:00 P. M., SEPTEMBER 14, 1955.

—and the Speaker of the House of Representatives has appointed Messrs. Brewer of Brevard, Belser of Holmes and Gibbons of Hillsborough as the conference committee on the part of the House of Representatives to confer with a like committee on the part of the Senate to adjust the differences between the two bodies on the House amendments to Senate Concurrent Resolution No. 24-X(55).

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Whereupon the President appointed Senators Shands, Pope and Carlton as the Conference Committee on the part of the Senate to confer with the Committee appointed on the part of the House of Representatives to adjust the differences between the two Bodies on the House Amendments to Senate Concurrent Resolution No. 24-X(55), and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Melvin moved that the Senate recess until 4:15 o'clock P. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 3:13 o'clock P. M.

The Senate was called to order by the President at 4:15 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 | Connor | Houghton | Pearce |
| Baker | Douglas | Johns | Pope |
| Beall | Edwards | Johnson | Rawls |
| Black | Floyd | Kicklitter | Rodgers |
| Carlton | Fraser | Melvin | Shands |
| Carraway | Getzen | Morgan | Stenstrom |
| Clarke | Hodges | Neblett | Stratton |

—28.

A quorum present.

Senator Melvin moved that the rules be waived and the Senate revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
August 10, 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 the report of the Conference Committee heretofore appointed to adjust the differences between the two Bodies on House Amendments Nos. 1, 2 and 3 to—

By Senators King, Kickliter and Stenstrom—

Senate Concurrent Resolution No. 24-X(55):

A CONCURRENT RESOLUTION RELATING TO
A RECESS OF THE SENATE AND HOUSE OF
REPRESENTATIVES TO NOVEMBER 17, 1955.

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

Section 1. That the senate and house of representatives be in recess until 4 p.m. November 17, 1955.

Section 2. During the recess period, all per diem shall be waived.

Which Conference Committee Report reads as follows:

Tallahassee, Florida,
August 10, 1955.

*Honorable W. T. Davis
President of the Senate*

*Honorable Ted David
Speaker of the House of Representatives*

Sirs:

Your Conference Committees appointed to adjust the differences between the Senate and the House of Representatives on House Amendments Nos. 1, 2 and 3 to Senate Concurrent Resolution No. 24-X(55)—

By Senators King, Kickliter and Stenstrom—

Senate Concurrent Resolution No. 24-X(55):

A CONCURRENT RESOLUTION RELATING TO
A RECESS OF THE SENATE AND HOUSE OF
REPRESENTATIVES TO NOVEMBER 17, 1955.

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

Section 1. That the senate and house of representatives be in recess until 4 p.m. November 17, 1955.

Section 2. During the recess period, all per diem shall be waived.

Which Amendments read as follows:

House Amendment No. 1—

Strike out Section 1 and insert the following in lieu thereof:

Section 1. That when the two Houses adjourn on August 10, 1955, they stand adjourned until 4:00 P.M., September 14, 1955.

House Amendment No. 2—

Strike out Section 2 and insert the following in lieu thereof:

Section 2. During the recess period, all per diem and mileage allowance is waived.

House Amendment No. 3—

Strike out the title and insert the following in lieu thereof:

A CONCURRENT RESOLUTION RELATING TO
ADJOURNMENT OF THE SENATE AND HOUSE
OF REPRESENTATIVES ON AUGUST 10, 1955, TO
4:00 P. M., SEPTEMBER 14, 1955.

Beg leave to report that your Conferees have met and after due deliberation recommend the following:

That the House recede from Amendment No. 1 and adopt in lieu thereof the following Amendment:

Conference Committee Amendment No. 1—

Strike out Section 1 and insert in lieu thereof the following:

Section 1. That when the two Houses adjourn on August 10, 1955 they stand adjourned until 4:00 o'clock P. M., September 26, 1955.

It is the further recommendation of your Conferees that the House of Representatives recede from Amendment No. 3 and adopt in lieu thereof the following:

Conference Committee Amendment No. 3—

Strike out the Title and insert in lieu thereof the following:

A CONCURRENT RESOLUTION RELATING TO
ADJOURNMENT OF THE SENATE AND THE
HOUSE OF REPRESENTATIVES ON AUGUST 10,
1955, TO 4:00 O'CLOCK P. M., SEPTEMBER 26, 1955.

Further, your Conferees recommend that the Senate concur in House Amendment No. 2 and adopt Conference Committee Amendments Nos. 1 and 3.

Respectfully submitted,

W. A. SHANDS

SAM M. GIBBONS

VERLE A. POPE

A. MAX BREWER

DOYLE E. CARLTON, JR.

HARVIE J. BELSER

Conferees on the Part
of the Senate.

Conferees on the part of the
House of Representatives.

And pursuant thereto the House of Representatives has receded from House Amendments Nos. 1 and 3 and has adopted Conference Committee Amendments Nos. 1 and 3, as set forth in the foregoing report, and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 24-X(55), contained in the above message, was read, together with the Conference Committee Report.

Senator Shands moved the adoption of the Conference Committee Report on Senate Concurrent Resolution No. 24-X(55), as contained and set forth in the above message.

Which was agreed to and the Conference Committee Report on Senate Concurrent Resolution No. 24-X(55) was adopted.

Senator Shands moved that the Senate concur in House Amendment No. 2 to Senate Concurrent Resolution No. 24-X(55) pursuant to, and as set forth in the foregoing Conference Committee Report.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Concurrent Resolution No. 24-X(55).

Senator Shands moved the adoption of Conference Committee Amendment No. 1 to Senate Concurrent Resolution No. 24-X(55) pursuant to, and as set forth in the foregoing Conference Committee Report.

Which was agreed to and the Senate adopted Conference Committee Amendment No. 1 to Senate Concurrent Resolution No. 24-X(55).

Senator Shands moved the adoption of Conference Committee Amendment No. 3 to Senate Concurrent Resolution No. 24-X(55) pursuant to, and as set forth in the foregoing Conference Committee Report.

Which was agreed to and the Senate adopted Conference Committee Amendment No. 3 to Senate Concurrent Resolution No. 24-X(55).

The question was put on the adoption of Senate Concurrent Resolution No. 24-X(55), as amended.

Which was agreed to and Senate Concurrent Resolution No. 24-X(55), as amended, was adopted and referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By permission the following Reports of Committees were received:

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred, with amendments, for engrossing—

Senate Concurrent Resolution No. 24-X(55)—

A CONCURRENT RESOLUTION RELATING TO
ADJOURNMENT OF THE SENATE AND THE
HOUSE OF REPRESENTATIVES ON AUGUST 10,
1955, TO 4:00 O'CLOCK P. M., SEPTEMBER 26, 1955.

—begs leave to report that the amendments have been incorporated in the Concurrent Resolution and the same is returned herewith, as engrossed.

Very respectfully,

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

And Senate Concurrent Resolution No. 24-X(55), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk for enrolling.

ENROLLING REPORT

Your Enrolling Clerk, to whom was referred—

S. C. R. No. 24-X(55)

—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 August 10, 1955, for his approval.

Very respectfully,

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

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate adjourned at 4:26 o'clock P. M., to stand adjourned until 4:00 o'clock P. M., Monday, September 26, 1955, pursuant to the provisions of Senate Concurrent Resolution No. 24-X(55).