

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

78

Thursday, September 29, 1955

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, September 28, 1955.

The President in the Chair.

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

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

—34.

A quorum present.

Senators Beall, Carlton, Morgan and Phillips were excused from attendance upon the Session.

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

Almighty God we pray that the spirit of Christian goodwill possessed by the Apostle may be ours: "Grace be unto you, and peace from God our Father and the Lord Jesus Christ." Let Thy blessing rest upon the deliberations of this hour. Let the words of our mouths and the meditations of our hearts, be acceptable in Thy sight, O Lord our strength and our Redeemer. In the Name of the Father, Son, and Holy Ghost, we offer our prayer, Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, September 28, 1955, was corrected and as corrected was approved.

The Senate daily Journal of Tuesday, September 27, 1955, was further corrected as follows:

Page 73, column 2, between lines 12 and 13 insert the following:

"And Senate Concurrent Resolution No. 25-X(55), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling."

And as further corrected was approved.

The President announced that, at the request of the Legislative Council for the appointment of two members of the Senate to membership on the Mental Health Committee of the Legislative Council pursuant to the provisions of Chapter 29673, Laws of Florida, Acts of 1955, (House Bill No. 40), he had appointed Senator Fraser of the 29th District and Senator Stenstrom of the 37th District as members of said committee on the part of the Senate.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Houghton, Morrow and Cabot—

S. B. No. 29-X(55)—A bill to be entitled An Act amending Section 10.01, Florida Statutes, relating to the apportionment of the representation of Florida in the Senate of the State of Florida; providing an effective date.

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

Senator Tapper moved that the Senate recess until 11:15 o'clock A. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 11:05 o'clock A. M.

The Senate was called to order by the President at 11:15 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	Douglas	Johns	Rawls
Baker	Edwards	Johnson	Rodgers
Barber	Floyd	Kickliter	Rood
Black	Fraser	King	Shands
Bronson	Gautier (28th)	Melvin	Stenstrom
Cabot	Gautier (13th)	Morrow	Stratton
Carraway	Getzen	Neblett	Tapper
Clarke	Hodges	Pearce	
Connor	Houghton	Pope	

—34.

A quorum present.

Senator Tapper moved that the Senate recess until 11:30 o'clock A. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 11:17 o'clock A. M.

The Senate was called to order by the President at 11:30 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	Douglas	Johns	Rawls
Baker	Edwards	Johnson	Rodgers
Barber	Floyd	Kickliter	Rood
Black	Fraser	King	Shands
Bronson	Gautier (28th)	Melvin	Stenstrom
Cabot	Gautier (13th)	Morrow	Stratton
Carraway	Getzen	Neblett	Tapper
Clarke	Hodges	Pearce	
Connor	Houghton	Pope	

—34.

A quorum present.

Senator Tapper 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.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
September 29, 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 Messrs. Dukes and Shipp of Jackson, Pruitt of Jefferson, Andrews of Union, Beck of Putnam and Marshburn of Levy—

House Concurrent Resolution No. 28-X:

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 several months, and

WHEREAS, everything possible has been done toward removing irresistible forces from the immovable objects, and

WHEREAS, it now appears that the forces are even more deadlocked in reaching any solution to the reapportionment problem, and

WHEREAS, this problem needs the guidance of Solomon in the form of the people, and

WHEREAS, the people of this state have the right to have fair representation, and

WHEREAS, in the hope that an additional period of time will bring about a cooling of tempers and a degree of forgetfulness of certain newspaper reports of remarks alleged to have been publicly made during the recent recess which have had the effect of making an agreement on reapportionment impossible at this time, NOW THEREFORE,

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

Section 1. That when the two houses adjourn on Thursday, September 29, 1955, they stand adjourned until 4:00 p. m., June 4, 1956.

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

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 28-X, contained in the above message, was read the first time in full.

Senator Tapper moved that the rules be waived and House Concurrent Resolution No. 28-X be placed on the Calendar, without reference.

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

Senator Tapper asked unanimous consent of the Senate to take up and consider House Concurrent Resolution No. 28-X, out of its order.

Which was agreed to.

House Concurrent Resolution No. 28-X:

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 several months, and

WHEREAS, everything possible has been done toward removing irresistible forces from the immovable objects, and

WHEREAS, it now appears that the forces are even more deadlocked in reaching any solution to the reapportionment problem, and

WHEREAS, this problem needs the guidance of Solomon in the form of the people, and

WHEREAS, the people of this state have the right to have fair representation, and

WHEREAS, in the hope that an additional period of time will bring about a cooling of tempers and a degree of forgetfulness of certain newspaper reports of remarks alleged to have been publicly made during the recent recess which have had the effect of making an agreement on reapportionment impossible at this time, NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-

TIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

Section 1. That when the two houses adjourn on Thursday, September 29, 1955, they stand adjourned until 4:00 p.m., June 4, 1956.

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

Was taken up and read the second time in full.

Senator Morrow offered the following amendment to House Concurrent Resolution No. 28-X:

In Section 1, line 3, (typewritten bill) strike out the words: "June 4, 1956." and insert in lieu thereof the following: "January 6, 1957."

Senator Morrow moved the adoption of the amendment.

A roll call was demanded.

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

Yeas—10.

Barber	Houghton	Pope	Stenstrom
Gautier (28th)	King	Rodgers	
Gautier (13th)	Morrow	Rood	

Nays—21.

Mr. President	Connor	Johnson	Shands
Baker	Douglas	Kickliter	Stratton
Black	Edwards	Melvin	Tapper
Bronson	Floyd	Neblett	
Carraway	Getzen	Pearce	
Clarke	Hodges	Rawls	

So the amendment failed of adoption.

Senator Johns was excused from voting.

PAIRINGS

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

I am paired with Senator Beall on the amendment to House Concurrent Resolution No. 28-X.

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

TED CABOT
Senator 30th District.

I am paired with Senator Carlton on the amendment to House Concurrent Resolution No. 28-X.

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

EDWIN G. FRASER
Senator 29th District.

Pending further consideration of House Concurrent Resolution No. 28-X, Senator Johnson moved that the rules be waived and the time of adjournment be extended until final disposition of House Concurrent Resolution No. 28-X.

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

The question was put on the adoption of the Concurrent Resolution.

Upon the adoption of House Concurrent Resolution No. 28-X, the roll was called and the vote was:

Yeas—29.

Mr. President	Connor	Johnson	Rood
Baker	Douglas	Kickliter	Shands
Barber	Edwards	King	Stenstrom
Black	Fraser	Melvin	Stratton
Bronson	Gautier (28th)	Pearce	Tapper
Cabot	Getzen	Pope	
Clarke	Johns	Rawls	
Carraway	Hodges	Rodgers	

Nays—5.

Floyd Houghton Neblett
Gautier (13th) Morrow

So House Concurrent Resolution No. 28-X was adopted, and 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:

REPORTS OF COMMITTEES

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

S. B. No. 29-X(55)—A bill to be entitled An Act amending Section 10.01, Florida Statutes, relating to the apportionment of the representation of Florida in the Senate of the State of Florida; providing an effective date.

—and recommends that the same not pass.

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

Senator Tapper, Chairman of the Committee on Reapportionment, reported that the Committee had carefully considered the following Concurrent Resolutions:

Senate Concurrent Resolution No. 27-X(55):

A CONCURRENT RESOLUTION RELATING TO
RECESSING OF THE 1955 EXTRAORDINARY SES-
SION OF THE LEGISLATURE.

Senate Concurrent Resolution No. 28-X(55):

A CONCURRENT RESOLUTION REQUESTING

THE GOVERNOR TO CONVENE THE LEGISLATURE IN SPECIAL SESSION UPON THE ADJOURNMENT OF THE PRESENT EXTRAORDINARY SESSION ON REAPPORTIONMENT AND TO INCLUDE IN HIS PROCLAMATION THE JOINT RESOLUTION PROPOSING AN AMENDMENT OF ARTICLE VII, SECTION 3 OF THE FLORIDA CONSTITUTION RELATIVE TO CENSUS AND APPORTIONMENT REFERRED TO HEREIN.

—and recommends that the same do not pass.

And the Concurrent Resolutions contained in the preceding report were laid on the table.

ENROLLING REPORT

Your Enrolling Clerk, to whom was referred—

House Concurrent Resolution No. 28-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 September 29, 1955.

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 12:57 o'clock P. M., to stand adjourned until 4:00 o'clock P. M., Monday, June 4, 1956, pursuant to the provisions of House Concurrent Resolution No. 28-X.