

JOURNAL OF THE SENATE

Beginning the thirty-ninth Biennial Session of the Legislature of the State of Florida, under the Constitution of the State, A. D., 1885, begun and held at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the second day of April, A. D., 1963, being the day fixed by the Constitution of the State of Florida for the convening of the Legislature.

Tuesday, April 2, 1963

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

By direction of the President the roll was called and the following Senators answered to their names:

Senator Clayton W. Mapoles—1st District
Senator Reubin O'D. Askew—2nd District
Senator Clyde Galloway—3rd District
Senator Robert Williams—4th District
Senator Luther Tucker—5th District
Senator Dewey M. Johnson—6th District
Senator Scott Kelly—7th District
Senator Wilson Carraway—8th District
Senator James E. Connor—9th District
Senator L. P. Gibson—10th District
Senator C. W. Young—11th District
Senator John M. McCarty—12th District
Senator W. C. Herrell—13th District
Senator G. T. Melton—14th District
Senator Charley E. Johns—15th District
Senator Harry O. Stratton—16th District
Senator Houston W. Roberts—17th District
Senator John E. Mathews, Jr.—18th District
Senator Beth Johnson—19th District
Senator L. K. Edwards, Jr.—20th District
Senator S. D. Clarke—22ndX District (As provided by S. B. No. 10-X(63), Chapter No. 63-1(63), Laws of Florida, 1963)
Senator J. A. Boyd—23rd District
Senator Elmer O. Friday, Jr.—24th District
Senator Dempsey J. Barron—25th District
Senator B. C. Pearce—26th District
Senator G. W. Williams—27th District
Senator E. William Gautier—28th District
Senator Edwin G. Fraser—29thX District (As provided by S. B. No. 10-X(63), Chapter No. 63-1(63), Laws of Florida, 1963)
Senator A. J. Ryan, Jr.—30th District
Senator Verle A. Pope—31st District
Senator J. Emory Cross—32nd District
Senator Irlo O. Bronson—33rd District
Senator Tom Whitaker, Jr.—34th District

Senator Ralph J. Blank, Jr.—35th District
Senator Ed H. Price, Jr.—36th District
Senator Bernard Parrish—37th District
Senator D. D. Covington, Jr.—38th District

The Secretary of the Senate announced that the Honorable Tom Adams, Secretary of State, had certified to the election of certain Senators at the Special Primary Elections and the Special General Election of 1963, and that the certificate of the Secretary of State had been received.

By direction of the President, the Secretary of the Senate read the following certificate of the Secretary of State:

STATE OF FLORIDA

OFFICE OF SECRETARY OF STATE

I, TOM ADAMS, Secretary of State of the State of Florida, do hereby certify that pursuant to Chapter 63-1 (X) Laws of Florida, the Governor called First Special Primary Elections February 26, 1963, Second Special Primary Elections March 12, 1963 and Special General Elections March 26, 1963 to fill vacancies created by said Chapter 63-1 (X) which reapportioned the Florida Legislature in compliance with the interlocutory decree of the Three Judge Federal District Court dated July 23, 1962;

I further certify that the following State Senators were elected in said Special General Elections held March 26, 1963:

District No. 22—Warren S. Henderson, Venice
District No. 29—Merrill P. Barber, Vero Beach
District No. 39—Ferrin C. Campbell, Crestview
District No. 40—Hayward H. Davis, Lake Placid
District No. 41—John M. Spottswood, Key West
District No. 42—Mack N. Cleveland, Jr., Sanford
District No. 43—George L. Hollahan, Jr., Coral Gables

I further certify that at a Special General Election held on March 26, 1963, Etter Usher was elected State Senator of the Twenty first Senatorial District to fill vacancy occasioned by the resignation of Senator W. Randolph Hodges, which resignation became effective February 8, 1963, as shown by the records of this office.

GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee the Capital, this the 1st day of April, A. D., 1963.

(Seal)

TOM ADAMS
Secretary of State

The oath of office was then administered by the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, to the newly elected Senators named in the foregoing certificate of the Secretary of State.

The roll of the Senate, as then constituted, was called

by the Secretary in alphabetical order and the following members of the Senate answered to their names:

Askew	Cross	Johnson (19th)	Ryan
Barber	Davis	Johnson (6th)	Spottswood
Barron	Edwards	Kelly	Stratton
Blank	Fraser	McCarty	Tucker
Boyd	Friday	Mapoles	Usher
Bronson	Galloway	Mathews	Whitaker
Campbell	Gautier	Melton	Williams (27th)
Carraway	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

—45.

A quorum of the Senate was announced.

The following Prayer was offered by the Senate Chaplain, The Reverend George C. Bedell:

O Lord, our Governor, open our hearts and minds to perceive thy will that we may not shrink the responsibilities that are thrust upon us in the days ahead but with high courage and deep faith in Thee may perform our duties with diligence, dispatch, graciousness, and kindly understanding, one toward another. Amen.

The Senate then proceeded to the organization of the body for the 1963 Regular Session of the Legislature.

Senator Cross moved that the action of the Senate on November 9, 1962, in electing Senator Wilson Carraway to be President of the Senate; Senator Harry O. Stratton to be President Pro Tempore of the Senate; Robt. W. Davis to be Secretary of the Senate; and LeRoy Adkison to be Sergeant At Arms of the Senate, be ratified and confirmed; and that the said officers be continued in their respective offices for the ensuing two years and until their respective successors are qualified.

Upon call of the roll on the motion by Senator Cross the vote was:

Yeas—43.

Askew	Cross	Johns	Price
Barber	Davis	Johnson (19th)	Roberts
Barron	Edwards	Johnson (6th)	Ryan
Blank	Fraser	Kelly	Spottswood
Boyd	Friday	McCarty	Tucker
Bronson	Galloway	Mapoles	Usher
Campbell	Gautier	Mathews	Whitaker
Clarke	Gibson	Melton	Williams (27th)
Cleveland	Henderson	Parrish	Williams (4th)
Connor	Herrell	Pearce	Young
Covington	Hollahan	Pope	

Nays—None.

Senators Carraway and Stratton not voting.

So the Senate ratified and confirmed the previous action of the Senate in electing Senator Wilson Carraway, Senator Harry O. Stratton, Robt. W. Davis and LeRoy Adkison, as President of the Senate, President Pro Tempore of the Senate, Secretary of the Senate, and Sergeant At Arms of the Senate, respectively, and continued said officers in their respective offices for the ensuing two years and until their successors are qualified.

Senator Harry O. Stratton, Robt. W. Davis and LeRoy Adkison then ascended the dais of the Senate to join Senator Wilson Carraway, the Presiding Officer, where the oath of office was administered to each of them by the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida.

Senator Edwards moved that a committee be appointed to escort Mrs. Wilson Carraway, wife of the President of the Senate, to a seat on the rostrum.

Which was agreed to.

Whereupon the President appointed Senators Edwards, Parrish and Johns as the committee.

The committee escorted Mrs. Carraway to the rostrum where she was received courteously by the Senate, standing, and seated beside the President.

Senator Pearce moved that a committee be appointed to escort Mrs. Harry O. Stratton, wife of the President Pro Tempore, to the rostrum.

Which was agreed to.

The President appointed Senators Pearce, Fraser and Friday as the committee which escorted Mrs. Stratton to the rostrum where she was received by the Senate, standing, and seated beside the President Pro Tempore.

President Wilson Carraway then addressed the Senate as follows:

I am humbly sensible of the honor which you have conferred upon me and I will long cherish the memory of your confidence. No man could be less than grateful for the privilege of serving as President of the Florida Senate.

The critical needs of the State lend a challenge to your task and mine and provide us with the opportunity to render an unselfish and farseeing service to those who sent us here.

In the field of general legislation, several troublesome questions of major importance will demand your attention. Fortunately, your background of broad experience plus your obvious competency can be depended upon for the right answers. But there is one other problem which gives me great concern.

No recent Session of this Legislature has been confronted with fiscal problems as difficult as those we are now called upon to solve. Not since the 1945 Session and the end of World War II, during which all our public services, the roads and the highways, the schools, the universities and public requirements generally, had been subordinated to the war effort, have the demands for capital and administrative outlay pressed us so hard.

I need not recount to you the manner in which the State has grown, how its population has multiplied, how its facilities for education, its system of highways and its demand for better and more efficient public service on every hand, have all combined to lay upon our shoulders the job of providing a material increase in appropriations and revenue.

To accomplish that purpose without waste and without discriminatory or confiscatory taxation will not be easy. The budget demands must be subjected to long and thoughtful hours of scrutiny. Every ounce of fat must be taken out but, at the same time, every pressing need must be met. Each request for funds must have your cold and impersonal consideration. Selfishness and favoritism have no place in the processes which lead to your conclusions.

The revenue measures must be treated in the light of economic necessity. Whatever must be done should be accomplished with an eye to the fiscal stability of the State and without disrupting the principles of sound business. We can be neither niggardly nor liberal—we need to be as exact as is possible under the circumstances and as wise as our ability will permit.

To those of you who have come to the Senate for the first time, I should like to say that, despite what you may have heard and read, you will find an attitude of understanding. There will be differences of opinion fought out along hard lines, but there will be no personalities. You will find the membership from every part of the State

anxious to be helpful to you and to the district you represent.

You will be pleased with the quality of the Senators with whom you must work and you may be surprised by the earnest manner in which they seek to discharge their responsibilities.

I have been deeply concerned in past Sessions with the manner in which many bills, particularly in the closing days, have been walked out of a committee by the members signing a roll call which was presented to them. I am requesting the Rules Committee to include a new rule for this Session which will provide that no bill or resolution shall be voted out of any committee except at a called meeting of the Committee at which a majority of the membership of that Committee is in attendance. I feel that this will improve the caliber of the legislation passed during the closing days and will prevent the individual members of the Committee being placed in an embarrassing position.

As for myself, I will, as your Presiding Officer, endeavor to be fair in every particular. I hope that, when the Session shall have ended, I may say that my every decision was made in the light of what was best for Florida.

Senator Price moved that a committee be appointed to wait upon the Governor and inform His Excellency that the Senate was organized and ready to proceed to the business of the Session, awaiting any message he may wish to convey to the Body.

Which was agreed to.

The President appointed Senators Price, Herrell and Johnson (6th) as the committee.

The committee withdrew.

Senator Mathews moved that a committee be appointed to notify the House of Representatives that the Senate was organized and ready to proceed with the business of the Session.

Which was agreed to.

The President appointed Senators Mathews, Cleveland and Ryan as the committee.

The committee withdrew.

Senator Cross moved that the Rules of the 1961 Regular Session be adopted to govern the Senate until such time as the Committee on Rules and Calendar, when announced by the President, may report Rules for the 1963 Regular Biennial Session, and the same may be adopted by the Senate.

Which was agreed to and it was so ordered.

Senator Tucker moved that the flowers and floral arrangements, which had been so generously and thoughtfully contributed to the members of the Senate for the beautification of the Chamber on the opening day, be given to the patients of Tallahassee Memorial Hospital and W. T. Edwards Hospital, Tallahassee, with the permission of the respective Senators.

Which was agreed to and it was so ordered.

A committee from the House of Representatives, composed of Representatives Chaires of Dixie, Rowell of Sumter and Long of Broward, appeared at the Bar of the Senate, and after being received with due courtesy, notified the Body that the House of Representatives was duly organized and ready to proceed with the business of the Session.

The President expressed the appreciation of the Senate for the report and the committee withdrew.

The committee appointed to wait upon the Governor

appeared at the Bar of the Senate and reported to the President that its duty had been performed, and the Governor had requested the committee to inform the Senate that he would like to deliver his biennial message to the Senate and the House of Representatives in Joint Session at 2:50 o'clock P. M., this day.

The committee having performed its duty was thereupon discharged.

The committee appointed to notify the House of Representatives of the organization of the Senate appeared at the Bar of the Senate and reported that its duty had been performed.

The committee having performed its duty was thereupon discharged.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

Tallahassee, Florida
April 2, 1963

The Honorable Wilson Carraway
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 Representative Chappell of Marion—

H. C. R. NO. 1—A CONCURRENT RESOLUTION PROVIDING THAT THE HOUSE OF REPRESENTATIVES AND THE SENATE CONVENE IN JOINT SESSION IN THE CHAMBER OF THE HOUSE OF REPRESENTATIVES AT 2:50 P.M., APRIL 2, 1963.

WHEREAS, His Excellency Farris Bryant, Governor of Florida, has expressed a desire to address the Legislature of Florida in joint session on this day, Tuesday, April 2, 1963;

Now, Therefore, Be It Resolved by the House of Representatives, the Senate Concurring:

That the House of Representatives and the Senate convene in joint session in the chamber of the House of Representatives at 2:50 P. M. this day, Tuesday, April 2, 1963, for the purpose of receiving the Governor's message.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Concurrent Resolution No. 1, contained in the above message, was read the first time in full.

Senator Cross moved that the rules be waived and House Concurrent Resolution No. 1 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote and House Concurrent Resolution No. 1 was read the second time in full.

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

And House Concurrent Resolution No. 1 was unanimously adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Cross moved that the Senate recess until 2:45 o'clock P. M., this day.

Which was agreed to and the Senate recessed at 12:30 o'clock P. M., until 2:45 o'clock P.M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:45 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	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

—45.

A quorum present.

Pursuant to House Concurrent Resolution No. 1 the Senate formed in processional order and marched in a body to the Chamber of the House of Representatives, in the order of length of service as Senators, with the President and President Pro Tempore of the Senate leading, who were preceded by the Secretary of the Senate, the way being opened to the Chamber of the House of Representatives by the Sergeant At Arms of the Senate.

The House of Representatives received the Senate in due form.

Honorable Mallory E. Horne, Speaker of the House of Representatives, invited the President and the President Pro Tempore of the Senate to the rostrum, and requested the President of the Senate to preside over the Joint Session.

The President in the Chair.

By direction of the President, the Chief Clerk of the House of Representatives called the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker	de la Parte	Loeffler	Russell, J. T.
Adams	Dressler	Long	Saunders, J. A.
Allsworth	Dubbin	MacKenzie	Saunders, S. D.
Anderson, D. C.	Ducker	Mann	Schultz
Anderson, G. H.	Eddy	Markham	Scott
Arnold	Eldredge	Marshburn	Sessums
Arrington	Elrod	Mathews	Sims
Ashler	Fagan	Mattox	Slade
Ayers	Faircloth	McAlpin	Smith
Baker, L. L.	Fee	McDonald	Smoak
Baker, M. E.	Fincher	McLaughlin	Spencer
Basford	Fortune	Mitchell, C. J.	Stallings
Bass	Furlong	Mitchell, R. O.	Stolzenburg
Beck	Gong	Moudry	Stone
Bedenbaugh	Greene	Nash	Strickland
Bell	Griffin, B.H., Jr.	O'Neill	Sweeny
Bennett	Griffin, J. J., Jr.	Owens	Thomas, A.J., Jr.
Boyd	Grizzle	Peoples	Thomas, J.
Broxson	Guilford	Pettigrew	Turlington
Brumback	Hasson	Prescott	Usina
Carter	Holley	Pruitt	Wadsworth
Chaires	Hosford	Putnal	Walker
Chappell	Jones	Ramos	Weissenborn
Chiles	Jordan	Reed	Wells
Craig	Karl	Roberts, C. A.	Westberry
Crews	Karst	Roberts, E. S.	Whitfield
Daniel	Knopke	Rowell	Williams, B. C.
Davis	Land	Russ	Williams, J. J.
Deeb	Liles	Russell, C. E.	Wingate

Wise Wolfson Yarborough Zacchini

—120.

A quorum of the House of Representatives was declared present.

By direction of the President, the Secretary of the Senate called the roll of the Senate and the following members answered to their names:

Mr. President	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

—45.

A quorum of the Senate was declared present.

The President announced a quorum of the Joint Session present.

Prayer was offered by Dr. C. A. Roberts, Pastor, First Baptist Church of Tallahassee.

Senator Blank moved that a committee be appointed to notify the Governor that the Senate and the House of Representatives were assembled in Joint Session, and ready to receive His Excellency's message.

Which was agreed to.

The President appointed Senators Blank and Williams (4th) on the part of the Senate, and Representatives Peeples of Glades, Arrington of Gadsden and Saunders of Clay on the part of the House of Representatives, as the committee.

The committee withdrew.

The President of the Senate requested the Speaker of the House of Representatives to take the Chair.

The Speaker in the Chair.

Representative Westberry of Duval moved that a committee be appointed to escort Senator John E. Mathews, Jr., a former member of the House of Representatives from Duval County, to the rostrum.

Which was agreed to.

The Speaker appointed Representatives Westberry of Duval and Karl of Volusia on the part of the House of Representatives, and Senator Whitaker on the part of the Senate, as the committee which escorted Senator Mathews to the rostrum where the Speaker, on behalf of the St. Petersburg Times, presented him with a plaque, the recipient of which was selected by a poll of legislative correspondents and editors of Florida newspapers as a member of the House of Representatives, 1961 Session of the Florida Legislature, on the basis of outstanding service to the State of Florida, personal and public integrity.

Senator Mathews accepted the plaque with an expression of gratitude.

The President in the Chair.

Senator Gautier moved that a committee be appointed to escort Senator Verle A. Pope of the 31st Senatorial District to the rostrum.

Which was agreed to.

The President appointed Senator Gautier and Senator

Johnson (19th), on the part of the Senate, and Representative Matthews of Dade, on the part of the House of Representatives, as the committee which escorted Senator Pope to the rostrum where the President of the Senate presented him with a plaque, on behalf of the St. Petersburg Times, the recipient of which was selected by a poll of legislative correspondents and editors of Florida daily newspapers at the end of the 1961 Session of the Florida Legislature, on the basis of outstanding service to the State of Florida, personal and public integrity as a member of the Senate, 1961 Session of the Legislature.

Senator Pope accepted the plaque with an expression of gratitude.

The committee appointed to wait upon the Governor reappeared in the Hall of the House of Representatives escorting His Excellency, Farris Bryant, Governor of Florida, accompanied by Honorable Tom Adams, Secretary of State; Honorable Richard W. Ervin, Attorney General; Honorable Ray E. Green, Comptroller; Honorable J. Edwin Larson, Treasurer; Honorable Doyle Conner, Commissioner of Agriculture, and Honorable Thomas D. Bailey, Superintendent of Public Instruction, constituting the Cabinet of the State of Florida, and Mr. Chief Justice B. K. Roberts, Mr. Justice Glenn Terrell, Mr. Justice Elwyn Thomas, Mr. Justice E. Harris Drew, Mr. Justice Campbell Thornal, Mr. Justice Stephen C. O'Connell and Mr. Justice Millard F. Caldwell, constituting the Supreme Court of Florida.

The Governor was received by the Joint Assembly standing, and was escorted to the rostrum.

The members of the Cabinet and the members of the Supreme Court were seated in front of the rostrum.

Senator McCarty moved that a committee be appointed to escort Mrs. Farris Bryant, Florida's First Lady, to the rostrum.

Which was agreed to.

The President appointed Senators McCarty and Stratton on the part of the Senate, and Representatives Chiles of Polk, Boyd of Manatee and Allsworth of Broward, on the part of the House of Representatives, as the committee which escorted Mrs. Bryant to the rostrum where she was presented to the Joint Assembly by the President.

Representative O'Neill of Marion moved that Mrs. Daniel F. Burnett, mother of Mrs. Bryant; and the Misses Cecelia

and Adair Bryant, daughters of Governor and Mrs. Bryant, be asked to stand and be recognized by the Joint Assembly.

Which was agreed to, and, upon standing, they were recognized by applause of the Assembly.

The President of the Senate then presented the Governor, who delivered his message to the Legislature concerning the condition of the state and made his recommendations as required by Article IV, Section 9, of the Constitution of the State of Florida.

Following the Governor's address, the committee consisting of Senators Blank and Williams (4th), and Representatives Peeples of Glades, Arrington of Gadsden and Saunders of Clay, then escorted the Governor from the rostrum and from the House Chamber, followed by the members of the Cabinet and the Justices of the Supreme Court.

Senator Cross moved that the Senate withdraw from the Joint Assembly and resume its Session in the Senate Chamber.

Which was agreed to.

The Senate returned to the Senate Chamber in processional order and resumed its Session at 4:14 o'clock P. M.

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

Mr. President	Cross	Johnson (19th)	Ryan
Asker	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

—45.

A quorum present.

Senator Cross moved that the Senate adjourn.

Which was agreed to and the Senate stood adjourned at 4:16 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 3, 1963.