

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

At an extraordinary session of the Florida Legislature convened by proclamation of His Excellency, Farris Bryant, Governor of the State of Florida, hereinafter set forth, begun and held at the Capitol in the City of Tallahassee, in the State of Florida.

Wednesday, August 1, 1962

In pursuance of the Proclamation of Honorable Farris Bryant, Governor of the State of Florida, the Senate met in Extraordinary Session at 11:00 o'clock A. M., and was called to order by the President of the Senate, Honorable W. Randolph Hodges; the Secretary of the Senate, Honorable Robt. W. Davis, and the Sergeant At Arms of the Senate, Honorable LeRoy Adkison, being at their posts.

The Proclamation of the Governor convening the Legislature in Extraordinary Session was read to the Senate, as follows:

A PROCLAMATION BY THE GOVERNOR

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

TO THE HONORABLE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, the District Court of the United States in and for the Southern District of Florida on July 23, 1962, found and declared the existing constitutional and statutory provisions relating to the apportionment and reapportionment for the nomination and election of the Senate and the House of Representatives of the Florida Legislature to be prospectively null, void and inoperative, and

WHEREAS, the Court has thereby removed all constitutional and statutory limitations heretofore restricting the Legislature in reapportioning itself, and

WHEREAS, under the above ruling the existing Florida Legislature is legally constituted only for the purposes of apportionment and reapportionment, and

WHEREAS, in view of the foregoing extraordinary condition now existing in Florida, I find that the best interests of the State of Florida will be served by calling a special session of the State Legislature;

NOW, THEREFORE, I, Farris Bryant, by virtue of the power and authority vested in me by Article IV, Section 8, of the Constitution of the State of Florida, do hereby convene the Legislature of the State of Florida in extraordinary session at the Capitol at 11:00 a.m. on August 1, 1962, for the sole and exclusive purpose of considering reapportionment of the Florida Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 24th day of July, A. D., 1962.

(Seal)

FARRIS BRYANT
Governor

ATTEST:

TOM ADAMS
Secretary of State

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

Senator Clayton W. Mapoles—1st District

Senator Philip D. Beall—2nd District

Senator Clyde Galloway—3rd District

(Resignation from the Senate of the Honorable John S. Rawls created a vacancy in the 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 W. T. Davis—10th District

Senator C. W. Young—11th District

Senator Harry J. Kieliter—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 Wayne E. Ripley—18th District

(Resignation from the Senate of the Honorable John A. Sutton created a vacancy in the 19th District.)

Senator L. K. Edwards, Jr.—20th District

Senator W. Randolph Hodges—21st District

Senator S. D. Clarke—22nd District

Senator J. A. Boyd—23rd District

Senator Travis A. Gresham, Jr.—24th District

Senator Dempsey J. Barron—25th District

Senator B. C. Pearce—26th District

(Senator G. W. Williams of the 27th District had previously informed the President of the Senate of his inability to attend the session because of recent eye surgery.)

Senator E. William Gautier—28th District

Senator Edwin G. Fraser—29th District

Senator Thomas E. David—30th District

Senator Verle A. Pope—31st District

Senator J. Emory Cross—32nd District
 Senator Irlo O. Bronson—33rd District
 Senator Sam M. Gibbons—34th District

(Senator Ralph J. Blank, Jr., 35th District, communicated to the President of the Senate that he had been delayed en route to Tallahassee but will be present on Thursday, August 2, 1962.)

Senator Ed H. Price, Jr.—36th District
 Senator Bernard Parrish—37th District
 Senator J. C. Getzen, Jr.—38th District
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A quorum of the Senate was announced.

The following Prayer was offered by the Senate Chaplain, Reverend James H. Paddock:

Oh Lord, as Thou art the Giver of every good and perfect gift, we therefore ask Thee to give these Senators wisdom and understanding in the matter of reapportioning our State—may their accomplishments be well-pleasing to Thee and satisfactory to our people.

May the spirit of fairness and of justice motivate each Senator and may there be no fear, but rather love for all and good will toward all.

We pray also that the dignity and the glory of our self-government be preserved.

In the name of Christ, Amen.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Rules of the 1961 Regular Session, with the exception of Rule 71, be adopted to govern this Extraordinary Session of the Senate.

Which was agreed to and it was so ordered.

The President announced the reappointment of the same committees which served during the 1961 Regular Session, with Senator Carraway serving as Chairman of the Committee on Constitutional Amendments and Governmental Reorganization in the place of Senator Rawls, resigned; Senator Barron serving as Chairman of the Committee on Transportation and Highway Safety in the place of Senator Sutton, resigned; Senator Herrell in the place of Senator Rawls on the Committee on Appropriations; Senator Kelly in the place of Senator Sutton on the Committee on Cities and Towns; Senator Blank in the place of Senator Sutton on the Committee on Citrus Fruits; Senator Tucker in the place of Senator Sutton on the Committee on Corporations; Senator Connor in the place of Senator Sutton on the Committee on Drainage and Water Conservation; Senator Pope in the place of Senator Rawls on the Committee on Finance and Taxation; Senator Fraser in the place of Senator Sutton on the Committee on Game and Fisheries; Senator Mapoles in the place of Senator Rawls on the Committee on General Legislation; Senator Bronson in the place of Senator Sutton on the Committee on Industrial and Atomic Energy; Senator Boyd in the place of Senator Rawls on the Committee on Judiciary "A"; Senator Barron in the place of Senator Sutton on the Committee on Judiciary "A"; Senator Davis in the place of Senator Rawls on the Committee on Labor and Industry; Senator Galloway in the place of Senator Rawls on the Committee on Legislative Management and Population; Senator Gresham in the place of Senator Sutton on the Committee on Privileges and Elections; Senator Herrell in the place of Senator Rawls on the Committee on Rules and Calendar; Senator Stratton in the place of Senator Rawls on the Committee on Veterans Affairs, Aviation, Radio and Television.

REPORT OF COMMITTEE

The following Report of the Committee on Rules and Calendar was received and read:

August 1, 1962

The Honorable W. Randolph Hodges
President of the Senate

Sir:

Your Committee on Rules and Calendar recommends the adoption of the following rule:

48A. The President shall appoint a committee on reapportionment, which committee shall consist of thirteen members, to which committee shall be referred all bills on reapportionment. In the event such committee does not act upon any bill referred to it within two legislative days after reference, such bill shall be placed upon the calendar on motion of any Senator.

Respectfully submitted,

W. T. DAVIS
 Chairman of the Committee on
 Rules and Calendar

Senator Davis moved the adoption of the foregoing Report of the Committee on Rules and Calendar.

Which was agreed to and the Report was adopted.

Pursuant to the provisions of the foregoing Report of the Committee on Rules and Calendar, the President announced the appointment of the Committee on Reapportionment as follows:

Senator Carraway, Chairman; Senator Johnson, Vice Chairman; Senators Bronson, Clarke, Davis, Gautier, Getzen, Gresham, Herrell, Johns, Pearce, Ripley, Stratton.

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

Which was agreed to.

The President appointed Senators Johns, Bronson and Johnson as the Committee.

The Committee withdrew.

Senator Price moved that a Committee be appointed to notify the House of Representatives that the Senate is now organized and ready to proceed with the business for which the Session was called.

Which was agreed to.

The President appointed Senators Price, Herrell and Edwards as the Committee.

The Committee withdrew.

The Committee appointed to wait upon the Governor and notify His Excellency of the organization of the Senate appeared at the Bar of the Senate and conveyed to the Senate the following message from His Excellency:

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

The Honorable W. Randolph Hodges
President, The Florida Senate
The Capitol
Tallahassee, Florida

Dear Mr. President:

I desire to address your Honorable Body in joint session with the House of Representatives on Wednesday, August 1, 1962, to present to you the purpose of the call which

I presented under date of July 24, 1962. If it is convenient, I suggest the time of 11:30 a.m.

Respectfully,
FARRIS BRYANT
Governor

The Committee was then 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 was then discharged.

A Committee from the House of Representatives, composed of Mr. Stone of Escambia, Mrs. Johnson of Orange and Mr. Ryan of Broward appeared at the Bar of the Senate and stated that the House of Representatives was duly organized in Extraordinary Session and ready to proceed with the business of the Session.

The Committee withdrew.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida
August 1, 1962

*The Honorable W. Randolph Hodges
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. Horne of Leon—

H. C. R. No. 3-X—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 11:20 A. M., August 1, 1962.

WHEREAS, His Excellency Farris Bryant, Governor of Florida, has expressed a desire to address the Legislature of Florida in Joint Session on this day, Wednesday, August 1, 1962;

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 11:20 A. M. this day, Wednesday, August 1, 1962, 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. 3-X, contained in the above message, was read the first time in full.

Senator Davis moved that the rules be waived and House Concurrent Resolution No. 3-X 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. 3-X was read the second time in full.

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

Which was agreed to and House Concurrent Resolution No. 3-X was unanimously adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to House Concurrent Resolution No. 3-X the Senate formed in processional order and marched in a body to the Chamber of the House of Representatives in the order of their services as Senators, preceded by the President of the Senate, who was preceded by the Secretary of the Senate, the way being opened to the hall of the House of Representatives for the Senators by the Sergeant At Arms of the Senate.

The House of Representatives received the Senate in due form. Honorable Tom Adams, Secretary of State; Honorable Richard W. Ervin, Attorney General; Honorable Ray E. Green, Comptroller; Honorable Doyle E. Conner, Commissioner of Agriculture, of the Cabinet of the State of Florida, and Mr. Justice Glenn Terrell, Mr. Justice E. Harris Drew, Mr. Justice Campbell Thornal, Mr. Justice Stephen C. O'Connell, of the Supreme Court of Florida, were seated immediately in front of the dais.

Honorable William V. Chappell, Jr., Speaker of the House of Representatives, received the President of the Senate on the rostrum and requested him to preside over the Joint Assembly.

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	Fagan	Mathews, J.E.Jr.	Saunders, J. A.
Allsworth	Frederick	Matthews, C.	Saunders, S. D.
Anderson	Fuqua	Mattox	Scott, B. J.
Arrington	Griffin, B.H., Jr.	McAlpin	Scott, W. R.
Askew	Griffin, J.J., Jr.	McClain	Sims
Askins	Hill	McDonald	Smith, K.
Ayers	Hollahan	Miner	Smith, R. J.
Bass	Holley	Mitchell	Smith, S. C.
Beck	Horne	Nash	Stallings
Bedenbaugh	Hosford	Nelson	Stone
Bennett	Inman	Nichols	Strickland
Boyd	Johnson	O'Neill	Sweeney
Byrom	Jones	Papy	Thomas, A.J., Jr.
Carter	Karl	Peavy	Thomas, J.
Chaires	Knowles	Peeples	Turlington
Chiles	Lancaster	Pruitt	Usina
Cleveland	Land	Reedy	Vocelle
Craig	Liles	Roberts, C. A.	Wadsworth
Crews	Livingston	Roberts, E. S.	Walker
Daniel	Loeffler	Rowell	Whitaker
Ducker	Mann	Russ	Williams, J. J.
Eldredge	Markham	Russell	Williams, R.
Erickson	Marshburn	Ryan	Wise

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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 Senators answered to their names:

Mr. President	David	Herrell	Pope
Barron	Davis	Johns	Price
Beall	Edwards	Johnson	Ripley
Boyd	Fraser	Kelly	Roberts
Bronson	Galloway	Kicliter	Stratton
Carraway	Gautier	Mapoles	Tucker
Clarke	Getzen	Melton	Young
Connor	Gibbons	Parrish	
Cross	Gresham	Pearce	

—34.

A quorum of the Senate was declared present.

The President announced a quorum of the Joint Assembly present.

Prayer was offered by the Reverend Melton Ware of the Trinity Methodist Church, Tallahassee.

Senator Pearce moved that a Committee be appointed to inform His Excellency, Farris Bryant, Governor of Florida, that the Joint Session of the Legislature was assembled and ready to receive his message.

Which was agreed to.

The President appointed Messrs. Horne of Leon, Chiles of Polk and Hollahan of Dade on the part of the House of Representatives; and Senators Pearce and Parrish on the part of the Senate, as the Committee.

The Committee withdrew.

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.

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

Governor Bryant was presented to the Body by the President of the Senate and addressed the Joint Assembly.

At the conclusion of Governor Bryant's address, he was escorted to his office by the Committee previously appointed by the President.

Senator Davis moved that the Joint Assembly dissolve and the Senators resume their Session in the Senate Chamber.

Which was agreed to.

The Senate returned to the Senate Chamber in processional order and resumed its Session at 12:14 o'clock P. M.

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

Mr. President	David	Herrell	Pope
Barron	Davis	Johns	Price
Beall	Edwards	Johnson	Ripley
Boyd	Fraser	Kelly	Roberts
Bronson	Galloway	Kicliter	Stratton
Carraway	Gautier	Mapoles	Tucker
Clarke	Getzen	Melton	Young
Connor	Gibbons	Parrish	
Cross	Gresham	Pearce	

—34.

A quorum present.

Senator Davis moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:15 o'clock P.M., until 11:00 o'clock A.M., Thursday, August 2, 1962.