

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.

Tuesday, January 29, 1963

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 Wilson Carraway; 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
EXECUTIVE DEPARTMENT
TALLAHASSEE

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

WHEREAS, in the General Election of 1962 the people of the State of Florida rejected a resolution proposing an amendment to Article VII of the Constitution of the State of Florida, providing for the apportionment of the Florida Legislature, and

WHEREAS, subsequent to the General Election, I called the Florida Legislature into extra session on November 9, 1962; that body labored until November 28, 1962, at which time the session was terminated by operation of law without effecting a solution of the reapportionment problem, and

WHEREAS, the responsibility for apportionment of the Florida Legislature is delegated to that body by the Florida Constitution and it is my desire to preserve to the elected representatives of the people of Florida this decision-making power if at all possible, and

WHEREAS, it clearly appears that the Legislature must now either exercise its responsibility to fairly apportion prior to the 1963 regular session or relinquish to the Federal Courts that portion of our state sovereignty;

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 extra session at the Capitol at 11:00 a.m. on January 29, 1963, 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 23rd day of January, A.D., 1963.

FARRIS BRYANT
Governor

(SEAL)

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 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 W. Randolph Hodges—21st District

Senator S. D. Clarke—22nd District

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—29th District

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

—38.

A quorum present.

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

O God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; We beseech thee so to guide and bless the Legislature of this State, and its Senate in particular, that they may ordain for our governance only such things as please thee, to the glory of thy Name and the welfare of the people; through Jesus Christ, thy Son, our Lord. Amen.

Senator Pearce moved that a committee be appointed to wait upon the Governor and inform His Excellency that the Senate is ready to proceed with the business of the Extraordinary Session.

Which was agreed to.

The President appointed Senators Pearce, Whitaker and Covington as the committee.

The committee withdrew.

Senator Williams (4th) moved that a committee be appointed to notify the House of Representatives that the Senate is ready to proceed with the business of the Extraordinary Session.

Which was agreed to.

The President appointed Senators Williams (4th), Askew and Johnson (19th) as the committee.

The committee withdrew.

A committee from the House of Representatives, composed of Messrs. Griffin of Polk, Smith of DeSoto and Wells of Escambia, 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.

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.

The committee appointed to wait upon the Governor and inform His Excellency of the organization of the Senate appeared at the Bar of the Senate and reported to the President that its duty had been performed.

The committee was then discharged.

Senator Hodges moved that the Rules of the November, 1962 Extraordinary Session, with the following amendments, be adopted to govern the Senate during the present Extraordinary Session:

Rule 32. The last paragraph of Senate Rule 32 is amended to read as follows:

All Bills to be introduced shall be presented to the Secretary of the Senate prior to the convening of the Senate for the Session in which they are to be introduced.

Rule 47 is amended to read as follows:

Rule 47. When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same Legislative day or the next Legislative day move a reconsideration thereof, and such motion may be made pending a motion to adjourn, and the making of

such motion shall be in order though the time of adjournment has arrived or passed, and such motion shall be acted upon by the Senate on the day on which it is made and unless acted upon on said day it shall be considered abandoned; and if the Senate shall refuse to consider, or upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent.

The question was put on the motion made by Senator Hodges.

Which was agreed to and it was so ordered.

Pursuant to the motion made by Senator Hodges, and duly adopted by the Senate, the President announced the appointment of the following Committees:

COMMITTEE ON RULES AND CALENDAR

Senator Hodges, Chairman; Senator Edwards, Vice Chairman; Senators Melton, Barron, Cross, Fraser, Gallo-way, Kelly, Tucker, Pope, Roberts and Clarke.

COMMITTEE ON LEGISLATIVE MANAGEMENT AND POPULATION

Senator Bronson, Chairman; Senator Stratton, Vice Chairman; Senators Young, Williams (4th), Covington, Askew, Friday, Gibson, Johnson (19th), McCarty, Ryan and Whitaker.

COMMITTEE ON APPORTIONMENT

Senator Johnson (6th), Chairman; Senator Bronson, Vice Chairman; Senators Clarke, Mathews, Herrell, Gautier, Boyd, Johns, Pearce, Williams (27th), Hodges, Mapoles, Connor, Blank and Price.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received and read:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

January 29, 1963

*Honorable Wilson Carraway
President of the Senate
Capitol Building
Tallahassee, Florida*

*Honorable Mallory Horne
Speaker, House of Representatives
Capitol Building
Tallahassee, Florida*

Gentlemen:

The history of efforts to reapportion the Legislature of the State need not be repeated. The seriousness of our current position cannot be overstated.

The District Court of the United States for the Southern District of Florida has found that the existing provisions of the Constitution and statutes of the State of Florida which relate to the apportionment for the nomination and election of the members of the Senate and House of Representatives of the Legislature of Florida are invidiously discriminatory. It stated the obvious fact that "the duty to place the State in compliance with the requirement of the United States Constitution rests primarily and rests heavily upon the State itself." It warned that "should the State fail or neglect to perform this obligation with that dispatch which the urgency of the matter requires the then less desirable reapportionment by judicial decree would be required." It noted that there was "ample time for a valid reapportionment to be made and become effective prior to the time for the convening of the regular legislative session in 1963."

If you fail in this special session to produce a plan for apportionment acceptable to the Federal Court the consequences will be grave.

1. It is possible that some action of the Federal Court will preclude the conduct of a legislative session beginning April 2 as called for by our State Constitution.

2. It is possible that every act of the Legislature, if it meets, will be subject to successful challenge in the Federal Court.

3. It is possible that the Court will itself undertake reapportionment.

It was my intention not to call the Legislature back into session without agreement on a plan for apportionment, but further consideration of these consequences caused me to abandon that intent. I do not wish, by either omission or commission, to contribute to a failure by the Legislature to do its duty or to its inability to exercise the sovereign prerogatives of the State entrusted to it.

I recognize that it is possible that the Federal Court will conclude that for the general welfare or other sufficient reason further opportunity must be granted to the Legislature to perform its duty, particularly in view of the fact that the requirement for a three-fourths vote for submitting a constitutional proposal to the people on an emergency basis provided an insuperable obstacle, precluding by the formidable degree of unanimity required those reasonable compromises normally productive of sound legislation; but to lean the welfare of our State on this slender reed is to incur an unconscionable risk.

I further recognize that reapportionment by statute inconsistent with the terms of the Constitution of the State of Florida may be held void by the courts of the State of Florida. This is a horn of our dilemma we can neither avoid nor control.

Proposals are advanced for adopting a plan for reapportionment of the State Senate within the limit of 38 set by the Florida Constitution. Such a plan is attractive, particularly for those of us who believe so deeply in state sovereignty. It runs directly into the face of the expression by the District Court which I earlier quoted to the effect that our present constitutional provisions are invidiously discriminatory. Such a plan, if adopted, should be strengthened by an improvement in the present plan for apportionment of the House of Representatives. Thus strengthened its chances for judicial approval would, in my opinion, be adequate.

The only other guidelines I find in the Court's opinion are those offered by its approval of the plan submitted to the electorate in November. Any plan adopted by you in this session must meet the standards set by the Court in approving that proposal, so far as they are apparent.

I am eager to reach an early conclusion for this problem, but I would not have you feel that my eagerness to reach a conclusion can be converted into a willingness to approve any conclusion. It would appear to me that the equity of the proposal submitted by you to the people last November should be a minimum.

The time for debate has long since passed. The time for action is at hand.

Respectfully,
FARRIS BRYANT
Governor

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Carraway and Johnson (6th)—

S. B. No. 1-X(63)— A Bill to be entitled An Act providing for the apportionment of the membership of the

Senate of the Legislature of the State of Florida into forty-two (42) districts; amending Section 10.01, adding Section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

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

By Senators Carraway and Johnson (6th)—

Senate Joint Resolution No. 2-X(63)—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF FLORIDA BY ADDING A SECTION TO BE NUMBERED BY THE SECRETARY OF STATE; PROVIDING FOR THE APPORTIONMENT OF THE MEMBERSHIP OF THE SENATE OF THE STATE OF FLORIDA.

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

That an amendment to article VII of the constitution of Florida, by adding thereto a section to be assigned a number by the secretary of state, is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in November, 1964:

Section —. **Senate apportionment.**—The legislature shall divide the state into forty-two (42) senatorial districts, each of which shall be represented in the senate by one (1) member. The districts shall be apportioned among the several counties of the state so as to provide equitable representation based upon similar economic interests, geographic area and population.

The legislature that shall meet in regular session in 1971 and those that shall meet every ten (10) years thereafter shall reapportion the representation in the senate in accordance with the provisions of this section.

Which was read the first time in full and referred to the Committee on Apportionment.

By Senator Boyd—

S. B. No. 3-X(63)— A Bill to be entitled An Act apportioning the Senate of the Legislature of the State of Florida; providing for a special election; amending Section 10.01 and creating Section 10.04, Florida Statutes; providing an effective date.

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

By Senator Herrell—

Senate Joint Resolution No. 4-X(63)—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA, PROVIDING FOR APPORTIONMENT OF THE FLORIDA LEGISLATURE; PROVIDING FOR A SPECIAL ELECTION.

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

That the following amendment of Section 3, Article VII of the Constitution of Florida is agreed to and shall be submitted to the electors of this state for ratification or rejection at a special called election as provided by Article XVII, Section 3 of the Florida Constitution.

That three-fourths ($\frac{3}{4}$) of all members elected to each house of the legislature does determine that an emergency requiring an early decision by the electors of the state does exist with reference to this amendment to Article VII of the Constitution.

ARTICLE VII

Section 3. **Apportionment of representation in senate and house of representatives.**—The senate shall consist of thirty-eight (38) members which shall be apportioned by the legislature at its first regular session after the return of each federal census. The legislature shall provide for the thirty-eight (38) senatorial districts as follows: The senatorial ratio shall be found by dividing the population of the state at the last federal census by thirty (30). Each county having a population greater than one half ($\frac{1}{2}$) ratio shall be entitled to one (1) senator for each senatorial ratio or major fraction thereof. All counties having a population at the last federal census less than one half ($\frac{1}{2}$) ratio shall be grouped into as many senatorial districts as there are senatorial seats not allotted to counties having a population greater than one half ($\frac{1}{2}$) senatorial ratio and one (1) senator shall be assigned to each such district; provided, however, that no senatorial district shall have a population less than one third ($\frac{1}{3}$) a senatorial ratio.

In senatorial districts entitled to more than one (1) senator the candidates shall qualify for elections in groups. Said groups shall be numbered consecutively beginning with group 1. Senators elected from the odd numbered groups in 1964, shall be elected for two (2) years; those elected from the even numbered groups in 1964 shall be elected for four (4) years. Thereafter all senators from the district shall be elected for four (4) years.

The legislature at its first regular session after the return of each federal census shall allot representatives to the several counties according to the number of representative ratios each county is determined to have. The representative ratio shall be equal to one and one half per cent ($1\frac{1}{2}\%$) of the population of the state at the most recent federal census. All counties having a population at the most recent federal census equal to one (1) representative ratio or less than that ratio shall have one (1) representative; each county having a population greater than one (1) representative ratio but not greater than two (2) ratios shall have two (2) representatives; each county having a population greater than two (2) representative ratios but not greater than three (3) ratios shall have three (3) representatives; and so on, so that each additional representative ratio shall entitle a county to an additional representative; provided, however, that no county shall have more than fifteen (15) representatives.

In the event that the legislature at its first regular session after the return of a federal census fails to reapportion the senate or house of representatives or both the apportionment process described above shall be carried out by the secretary of state, the attorney general and the comptroller acting jointly. A plan of apportionment agreed upon by these officers shall have the same force of law as a statute enacted by the legislature. If these officers do not issue a plan of apportionment within thirty (30) days after the adjournment of the legislature, they shall be subject to a writ of mandamus issued by the supreme court of the state.

Which was read the first time in full and referred to the Committee on Apportionment.

Senator Hodges moved that when the Senate adjourns at this Session, it recess to reconvene at 2:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

Senator Hodges moved that the Senate adjourn.

Which was agreed to.

And the Senate recessed at 11:27 o'clock A. M., until 2:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:00 o'clock P. M., pursuant to recess order.

Senator Hodges presiding.

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

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

—38.

A quorum present.

REPORTS OF COMMITTEE

Senator Johnson (6th), Chairman of the Committee on Apportionment, reported that the Committee had carefully considered the following Bill:

S. B. No. 1-X(63)— A Bill to be entitled An Act providing for the apportionment of the membership of the Senate of the Legislature of the State of Florida into forty-two (42) districts; amending Section 10.01, adding Section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Johnson (6th), Chairman of the Committee on Apportionment, reported that the Committee had carefully considered the following Joint Resolution:

Senate Joint Resolution No. 2-X(63)—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF FLORIDA BY ADDING A SECTION TO BE NUMBERED BY THE SECRETARY OF STATE; PROVIDING FOR THE APPORTIONMENT OF THE MEMBERSHIP OF THE SENATE OF THE STATE OF FLORIDA.

—and recommends that the same pass.

And the Joint Resolution contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Johnson (6th), Chairman of the Committee on Apportionment, reported that the Committee had carefully considered the following Bill:

S. B. No. 3-X(63)— A Bill to be entitled An Act apportioning the Senate of the Legislature of the State of Florida; providing for a special election; amending Section 10.01 and creating Section 10.04, Florida Statutes; 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 Johnson (6th) requested unanimous consent of the Senate to take up and consider Senate Bill No. 1-X(63).

Unanimous consent was granted, and—

S. B. No. 1-X(63)— A Bill to be entitled An Act providing for the apportionment of the membership of

the Senate of the Legislature of the State of Florida into forty-two (42) districts; amending Section 10.01, adding Section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

Was taken up.

Senator Johnson (6th) moved that the rules be waived and Senate Bill No. 1-X(63) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1-X(63) was read the second time by title only.

Senator Pope offered the following amendment to Senate Bill No. 1-X(63):

Strike out all after the enacting clause and substitute in lieu thereof:

Section 1. Section 10.01, Florida Statutes, is amended to read:

10.01 Division of state into senatorial districts; apportionment of senate.—

(1) There shall be thirty-eight (38) senatorial districts in the state which shall be each represented in the senate of the state by one senator, and be designated by numbers, and the said thirty-eight (38) districts shall be composed each of the counties mentioned and named after the respectively numbered districts as follows to wit:

DISTRICT	COUNTIES
First	Santa Rosa
Second	Escambia
Third	Walton, Holmes, Washington
Fourth	Jackson, Calhoun, Gulf
Fifth	Okaloosa
Sixth	Gadsden, Liberty, Franklin
Seventh	Polk
Eighth	Leon
Ninth	Citrus, Hernando, Sumter
Tenth	Jefferson, Wakulla, Madison, Taylor
Eleventh	Pinellas
Twelfth	St. Lucie, Indian River, Martin
Thirteenth	Dade
Fourteenth	Hamilton, Columbia, Suwannee
Fifteenth	Bradford, Clay, Union
Sixteenth	Nassau, Baker
Seventeenth	Sarasota
Eighteenth	Duval
Nineteenth	Orange
Twentieth	Marion
Twenty-first	Dixie, Lafayette, Levy, Gilchrist
Twenty-second	Seminole
Twenty-third	Lake
Twenty-fourth	Lee, Hendry, Collier, Glades
Twenty-fifth	Bay
Twenty-sixth	Putnam

DISTRICT	COUNTIES
Twenty-seventh	Hardee, DeSoto, Highlands, Charlotte
Twenty-eighth	Volusia
Twenty-ninth	Monroe
Thirtieth	Broward
Thirty-first	St. Johns, Flagler
Thirty-second	Alachua
Thirty-third	Osceola, Okeechobee
Thirty-fourth	Hillsborough
Thirty-fifth	Palm Beach
Thirty-sixth	Manatee
Thirty-seventh	Brevard
Thirty-eighth	Pasco

Under this reapportionment all senators elected in the general election of 1960 and 1962 shall continue to serve as senators for the remainder of their respective terms. The senators from the fifth (5th), seventeenth (17th), twenty-ninth (29th) and tenth (10th) senatorial districts, as they existed at the time of the passage of this act, shall be known as the senators for the 5thX, 17thX, 29thX and 10thX districts, respectively. Each of the other thirty-four (34) senators shall represent the new senatorial district in which he resides.

Section 2. Section 10.04, Florida Statutes, is added to read:

10.04 Senate; apportionment.—

(1) The 1963 senate shall consist of forty-two (42) members as follows:

(a) The senator from the tenth (10th) senatorial district as it existed at the time of the passage of this act, who shall be known as the senator from the 10thX senatorial district.

(b) The senators from the fifth (5th), seventeenth (17th) and twenty-ninth (29th) senatorial districts, as they existed at the time of the passage of this act, who shall be known respectively as the senators from the 5thX, 17thX and 29thX senatorial districts.

(c) The other thirty-four (34) senators elected in the general election of 1960 and 1962 each of whom shall represent the district in which he resides.

(d) Four new senators to be elected from the new fifth (5th), twenty-second (22nd), twenty-ninth (29th) and thirty-eighth (38th) senatorial districts at a special election to be held in the affected counties or districts as provided by law. Such election shall be held within sixty (60) days from the effective date hereof. The senators elected from the new even numbered districts shall be elected for a term ending with the general election of 1966; and the senators elected from the new odd numbered districts shall be elected for a term ending with the general election of 1964; thereafter all senators shall be elected for four (4) year terms.

(2) The 1965 senate shall consist of thirty-nine (39) senators who shall be the senators representing the thirty-eight (38) senatorial districts as set forth above, plus the senator from the 10thX senatorial district who was elected in the 1962 general election.

(3) The 1967 senate and each succeeding senate shall consist of thirty-eight (38) senators representing the thirty-eight (38) senatorial districts as set forth above.

Section 3. It is declared to be the legislative intent

that, if any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 4. This act shall take effect immediately upon becoming a law.

Senator Pope moved the adoption of the amendment.

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

Yeas—19.

Askew	Edwards	McCarty	Ryan
Barron	Friday	Mathews	Stratton
Blank	Gautier	Parrish	Whitaker
Boyd	Johnson (19th)	Pope	Young
Cross	Kelly	Price	

Nays—19.

Mr. President	Fraser	Johns	Roberts
Bronson	Galloway	Johnson (6th)	Tucker
Clarke	Gibson	Mapoles	Williams (27th)
Connor	Herrell	Melton	Williams (4th)
Covington	Hodges	Pearce	

So the amendment failed of adoption.

Senator Carraway moved that the rules be further waived and Senate Bill No. 1-X(63) 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. 1-X(63) was read the third time in full.

Upon the passage of Senate Bill No. 1-X(63) the roll was called and the vote was:

Yeas—23.

Mr. President	Cross	Hodges	Roberts
Barron	Edwards	Johns	Stratton
Bronson	Fraser	Johnson (6th)	Tucker
Clarke	Friday	Mapoles	Williams (27th)
Connor	Galloway	Melton	Williams (4th)
Covington	Gibson	Pearce	

Nays—15.

Askew	Herrell	Mathews	Ryan
Blank	Johnson (19th)	Parrish	Whitaker
Boyd	Kelly	Pope	Young
Gautier	McCarty	Price	

So Senate Bill No. 1-X(63) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Johnson (6th) requested unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 2-X(63).

Unanimous consent was granted, and—

Senate Joint Resolution No. 2-X(63)—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF FLORIDA BY ADDING A SECTION TO BE NUMBERED BY THE SECRETARY OF STATE; PROVIDING FOR THE APPORTIONMENT OF THE MEMBERSHIP OF THE SENATE OF THE STATE OF FLORIDA.

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

That an amendment to article VII of the constitution of Florida, by adding thereto a section to be assigned a number by the secretary of state, is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in November, 1964:

Section . . . **Senate apportionment.**—The legislature shall divide the state into forty-two (42) senatorial districts, each of which shall be represented in the senate by one (1) member. The districts shall be apportioned among the several counties of the state so as to provide equitable representation based upon similar economic interests, geographic area and population.

The legislature that shall meet in regular session in 1971 and those that shall meet every ten (10) years thereafter shall reapportion the representation in the senate in accordance with the provisions of this section.

Was taken up.

Senator Johnson (6th) moved that the rules be waived and Senate Joint Resolution No. 2-X(63) be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 2-X(63) was read the second time in full.

Senator Johnson (6th) moved that the rules be further waived and Senate Joint Resolution No. 2-X(63) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 2-X(63) was read the third time in full.

Upon the passage of Senate Joint Resolution No. 2-X(63) the roll was called and the vote was:

Yeas—22.

Mr. President	Edwards	Johns	Stratton
Bronson	Fraser	Johnson (6th)	Tucker
Clarke	Friday	Mapoles	Williams (27th)
Connor	Galloway	Melton	Williams (4th)
Covington	Gibson	Pearce	
Cross	Hodges	Roberts	

Nays—16.

Askew	Gautier	McCarty	Price
Barron	Herrell	Mathews	Ryan
Blank	Johnson (19th)	Parrish	Whitaker
Boyd	Kelly	Pope	Young

So Senate Joint Resolution No. 2-X(63) failed to receive the required Constitutional three-fifths vote of all members elected to the Senate for the 1963 Extraordinary Session of the Florida Legislature, and therefore, failed to pass.

Senator Carraway moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 3:17 o'clock P. M., until 11:00 o'clock A. M., Wednesday, January 30, 1963.