

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Saturday, August 11, 1962

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Friday, August 10, 1962.

The President in the Chair.

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.

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

Today we make our prayer after this scripture: "God shall supply all your needs according to His riches in glory by Christ Jesus."

Give us the grace of faith to labor in full assurance of this promise and love for our fellow men that there be no hatred, or malice, or envy, or covetousness among us.

May the legislation which shall be passed in this special session speak well for our government.

Now unto God and our Father be glory for ever and ever. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, August 10, 1962, was corrected as follows:

Page 29, column 1, strike out lines 5 through 9, both inclusive, and insert in lieu thereof the following:

Section 1. **Composition of the legislature.**—The legislature of the state of Florida shall consist of a senate and a house of representatives. Members of the senate shall be elected for a term of four (4) years and members of the house shall be elected for a term of two (2) years. The term

Also—

Page 35, column 1, strike out lines 16 and 17, counting from the bottom of the column, and insert in lieu thereof the following:

On page 3, lines 4 and 5, change the word "recommendations" to "regulations".

Also—

Page 36, column 2, line 24, following the word "House" insert the word "Joint".

Also—

Page 38, column 2, line 14, following the word "of" and before the number (4) insert the word "four".

Also—

Page 40, column 2, strike out lines 21 through 25, both inclusive, and insert in lieu thereof the following:

S. B. No. 19-X(62)— A Bill to be entitled An Act to repeal chapter 61-6, Laws of Florida, as enacted by the legislature in regular session in 1962 relating to amending sections 10.01, 10.02, and 10.03, Florida Statutes, reapportioning the senate and house of representatives; providing an effective date.

And as corrected was approved.

ENGROSSING REPORT

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

Senate Memorial No. 15-X(62)—

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING THE CONGRESS TO SUBMIT A CONSTITUTIONAL AMENDMENT GRANTING TO THE STATE COURTS EXCLUSIVE JURISDICTION OF SUITS AND ACTIONS RELATING TO THE APPORTIONMENT AND REAPPORTIONMENT OF THE MEMBERSHIP OF STATE LEGISLATURES, AND FURTHER URGING THE CONGRESS TO ENACT IMMEDIATE INTERIM LEGISLATION UNDER ARTICLE III, SECTION 2 OF THE UNITED STATES CONSTITUTION LIMITING APPELLATE JURISDICTION OF THE SUPREME COURT.

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

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

And Senate Memorial No. 15-X(62), contained in the above report, was ordered certified to the House of Representatives immediately.

Senator Carraway moved that the Senate recess until 12:30 o'clock P.M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 11:03 o'clock A.M.

The Senate was called to order by the President at 12:30 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 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.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Galloway, Tucker, Mapoles, Roberts, Fraser, Beall and Melton—

Senate Resolution No. 20-X(62)—

A RESOLUTION TO THE FEDERAL COURTS, AND PARTICULARLY THE JUDGES WHO PRESIDED AS A SPECIALLY IMPANELLED COURT OF THE DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, DEMANDING THEM TO CONFINE THEIR ACTIVITIES TO PROPER COURT PROCEEDINGS AND TO HALT DICTATORIAL THREATENING OF THE DULY ELECTED LEGISLATORS OF FLORIDA.

WHEREAS, it has come to the attention of this body that the Federal Courts have ceased to act as a Judicial body and are setting themselves as the lawmakers of this and several other sovereign states of the Union, and

WHEREAS, by admission these courts do not know whether they have the power to abolish state sovereignty, and, as in the past where there seems to be some question about their power or authority, they have assumed or usurped all power, forcing unprecedented laws on the American people. We, the Florida Senate, are not spineless; have no lacking of intestinal fortitude, and do not intend to abdicate the sovereignty of the people to dictatorial orders of any Court, and

WHEREAS, this body has helped to place before the people of Florida a reapportionment amendment which is a replica of the federal legislative branch, to-wit: In the United States Senate the five largest states have a representation ratio of 46 to 1, as compared with a ratio of the five smallest states of 1 to 1, and under said reapportionment amendment the five largest districts would have a representation ratio of 32 to 1 as compared with a ratio of the five smallest districts of 1 to 1, and

WHEREAS, the Federal District Court, Southern District of Florida, with less than one hour consideration of argument has usurped the entire sovereignty of Florida with one small stroke of a pen, scorching and obliterating a whole section of the Florida Constitution which we are sworn to uphold, and

WHEREAS, the federal court is blinding itself by saying this body did not, “. . . afford any rational basis for a reapportionment that will meet the requirement of equal protection of the law,” to-wit: The representation ratio of the Florida Senate in the reapportionment amendment is more favorable to populous areas of Florida than is the United States Senate to the populous states of the Union. Likewise said court ignored the provision in the reapportionment amendment which provides that each county reaching 50,000 in population shall have one senator, and

WHEREAS, we deplore the high-handed arbitrary and unreasonable attempted seizure of our sovereign state Legislature, by any court made up of men who have never been elected and are not responsible directly to the people, and

WHEREAS, the entire federal judiciary is pursuing a course deliberately designed to abolish the “rule of law” concept of freedom and to substitute therefor the “rule of whim of individual men who happen to be judges by the political accident of appointment for life,” and

WHEREAS, in pursuit of this concept the Federal District Court, following the lead (but not the mandate) of its own parent court, the United States Supreme Court overturned 186 years of freedom-preserving precedent of protection of individual liberty by and through state sov-

ereignty and checks and balances between three branches of government, and

WHEREAS, the new frontier concept of the federal government is not subservient to the people of this country but in many particulars is the biggest enemy the people of this United States have, and

WHEREAS, the electorate is conveniently not given opportunity to express itself on issues of great public interest and concern, and

WHEREAS, the present unrest and anxiety over national affairs would somewhat be alleviated and confidence in federal government might possibly be restored if the voters of this nation have right to more expression in the policies and actions of our federal government and its judiciary, NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

This body does not recognize the usurped power of the federal court to act as the Senate of Florida and that any act of a federal court attempting to order the makeup of this body by judicial fiat will be ignored and unrecognized, and no person will be seated in this body except by the will of this body as provided by the Constitution of Florida enacted by its sovereign people.

The federal courts are further advised that no reactionary new frontier concept of judicial dictatorship will be acceded to by the Senate of Florida and troops, force, and police state tactics will not force us to bend the straight tree of Freedom as guaranteed by the Constitution of Florida and the United States for which many of us offered our blood on foreign soil to preserve.

We demand that the federal courts confine their activity in Florida to matters of judicial decision and demand the rights of this body to sit freely and to deliberate without threats and interference from such courts.

We stand ready against any dictatorial force—federal court or otherwise, to protect freedom and to protect our constitutions that insure it. Governments should be of laws not of men—even assumed supermen like those self-styled political arbiters known as federal judges. We will do our duty to this principle. We have done our duty by offering a reapportionment amendment to our people for their approval or rejection. Further at this time relating thereto, we will not do, so help us God.

We sincerely request our national congress to enact appropriate legislation requiring all federal judges, including the justices of the supreme court of the United States, and all federal judges now in office be subject to popular election in the treasured democratic tradition.

Which was read the first time in full.

Senator Galloway moved that the rules be waived and Senate Resolution No. 20-X(62) be placed on the Calendar, without reference.

A roll call was demanded.

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

Yeas—22.

Mr. President	Cross	Johnson	Roberts
Beall	Davis	Mapoles	Stratton
Bronson	Edwards	Melton	Tucker
Carraway	Galloway	Parrish	Young
Clarke	Getzen	Pearce	
Connor	Herrell	Ripley	

Nays—9.

Barron	Gibbons	Kicliter
David	Gresham	Pope
Gautier	Kelly	Price

Which was agreed to by a two-thirds vote and Senate Resolution No. 20-X(62) was ordered placed on the Calendar, without reference.

Senator Young offered the following amendment to Senate Resolution No. 20-X(62):

In lines 4, 5 and 6, page 4, strike out the words:

We have done our duty by offering a reapportionment amendment to our people for their approval or rejection.

Senator Young moved the adoption of the amendment.

Pending consideration of the motion made by Senator Young, Senator Pope moved that the Senate adjourn.

Which was agreed to, and the Senate recessed at 12:51 o'clock P.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.

The President in the Chair.

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

Mr. President	David	Herrell	Pope
Zarron	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.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida
August 11, 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 passed by the required three-fifths vote of all members elected to the House of Representatives of the Florida Legislature—

By Messrs. Mathews of Duval, Bedenbaugh of Columbia, Maddox and Chiles of Polk, O'Neill of Marion, Westberry of Duval and Smith of St. Lucie—

H. J. R. No. 30-X—A Joint Resolution proposing an amendment to Article VII of the Constitution of the State of Florida, providing for apportionment of the Florida Legislature; providing for a State Census and Special Elections.

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

That the following amendment of 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 the general election to be held in November, 1962:

ARTICLE VII

APPORTIONMENT AND CENSUS

Section 1. Composition of the legislature.—The legislature of the State of Florida shall consist of a senate and a house of representatives. Members of the senate shall be elected for a term of four (4) years and members of the house shall be elected for a term of two (2) years. The term of members of the legislature shall expire on the first Tuesday after the first Monday in November in each regular election year. Members of the senate and house of representatives shall be elected as provided by law. Any new county that may be created shall be entitled to one (1) member in the house of representatives in excess of any limit prescribed in the following sections of this article until the next reapportionment and the county shall be assigned when created to a senatorial district as determined by the legislature.

Section 2. Representation in the house of representatives.—Representation in the house of representatives of the Florida legislature shall be apportioned among the several counties of the state as follows: Each county shall be entitled to one representative. Each county shall have one additional representative for each representative ratio or major fraction thereof. Any county having more than four (4) representative ratios shall have one representative in addition to all others herein provided. The representative ratio shall be the quotient obtained by dividing the population of the state according to the latest federal census by the number of counties; provided that until the general election in 1964 no county shall have fewer representatives than it would have been entitled to under the Constitution of 1885, as amended in 1924.

Section 3. Senate.—The representation in the senate of the Florida legislature shall consist of forty-six (46) members, each representing a district. Twenty-four (24) districts shall consist of the twenty-four (24) most populous counties according to the latest federal decennial census. Twenty-two (22) districts shall be created from the remaining counties of the state with the view of effecting as equitable representation as practical.

No county shall be divided in creating a district. No county shall be separated from the remainder of the district of which it is part by more than a county which was formerly a part of the same district in 1961.

Section 4. Legislative apportionment.—The 1963 Legislature shall be composed of the legislators elected pursuant to the Constitution of 1885 as amended, and of the additional legislators as provided for herein. If this article is ratified at the general election in November, 1962, the legislature shall be apportioned according to apportionment bills passed at the 1962 Extraordinary Session of the Legislature, provided nothing in this amendment shall prohibit any representative or senator elected in the 1962 general election pursuant to the Constitution of 1885, as amended, from serving in said office for the term for which he was elected, nor shall this amendment prohibit a senator now serving from completing his term to which he was elected, and the additional legislative offices herein created shall be filled by and at a special election to be held in the affected counties or districts, as provided by law, such election to be held within one hundred and twenty (120) days after the effective date hereof. The senators elected from the new even numbered districts shall be elected for a term of four (4) years and the new senators elected from the odd numbered districts shall be elected for a term of two (2) years; thereafter all senators shall be elected for four (4) year terms.

The legislature shall reapportion its representation in

accordance with this article at the 1971 regular session of the legislature and every ten (10) years thereafter based upon the preceding latest federal decennial census.

In the event the legislature shall fail to reapportion the representation as required by this article, the governor shall call the legislature together in extraordinary session to consider the question of reapportionment, and such extraordinary session shall mandatorily be required to reapportion its membership before adjournment, and such extraordinary session so called shall not expire until reapportionment is effected and shall consider no business other than reapportionment.

Section 5. State census.—The legislature shall no longer be required to provide for an enumeration of the inhabitants of the state. The last preceding decennial federal census beginning with the federal census of 1960 shall also be the state census and shall control in all population acts and constitutional apportionments unless otherwise ordered by the legislature.

Section 6. If any part of this joint resolution is declared unconstitutional or null and void then the entire resolution shall be null, void and inoperative.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Joint Resolution No. 30-X, contained in the above message, was read the first time in full.

Senator Carraway moved that the rules be waived and House Joint Resolution No. 30-X be placed on the Calendar of Bills on Second Reading, without reference.

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

Senator Carraway requested unanimous consent of the Senate to take up and consider House Joint Resolution No. 30-X, out of its order.

Unanimous consent was granted, and—

H. J. R. No. 30-X—A Joint Resolution proposing an amendment to Article VII of the Constitution of the State of Florida, providing for apportionment of the Florida Legislature; providing for a State Census and Special Elections.

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

That the following amendment of 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 the general election to be held in November, 1962:

ARTICLE VII

APPORTIONMENT AND CENSUS

Section 1. Composition of the legislature.—The legislature of the State of Florida shall consist of a senate and a house of representatives. Members of the senate shall be elected for a term of four (4) years and members of the house shall be elected for a term of two (2) years. The term of members of the legislature shall expire on the first Tuesday after the first Monday in November in each regular election year. Members of the senate and house of representatives shall be elected as provided by law. Any new county that may be created shall be entitled to one (1) member in the house of representatives in excess of any limit prescribed in the following sections of this article until the next reapportionment and the county shall be assigned when created to a senatorial district as determined by the legislature.

Section 2. Representation in the house of representatives.—Representation in the house of representatives of the Florida legislature shall be apportioned among the several counties of the state as follows: Each county shall be entitled to one representative. Each county shall have one additional representative for each representative ratio or major fraction thereof. Any county having more than four (4) representative ratios shall have one representative in addition to all others herein provided. The representative ratio shall be the quotient obtained by dividing the population of the state according to the latest federal census by the number of counties; provided that until the general election in 1964 no county shall have fewer representatives than it would have been entitled to under the Constitution of 1885, as amended in 1924.

Section 3. Senate.—The representation in the senate of the Florida legislature shall consist of forty-six (46) members, each representing a district. Twenty-four (24) districts shall consist of the twenty-four (24) most populous counties according to the latest federal decennial census. Twenty-two (22) districts shall be created from the remaining counties of the state with the view of effecting as equitable representation as practical.

No county shall be divided in creating a district. No county shall be separated from the remainder of the district of which it is part by more than a county which was formerly a part of the same district in 1961.

Section 4. Legislative apportionment.—The 1963 Legislature shall be composed of the legislators elected pursuant to the Constitution of 1885 as amended, and of the additional legislators as provided for herein. If this article is ratified at the general election in November, 1962, the legislature shall be apportioned according to apportionment bills passed at the 1962 Extraordinary Session of the Legislature, provided nothing in this amendment shall prohibit any representative or senator elected in the 1962 general election pursuant to the Constitution of 1885, as amended, from serving in said office for the term for which he was elected, nor shall this amendment prohibit a senator now serving from completing his term to which he was elected, and the additional legislative offices herein created shall be filled by and at a special election to be held in the affected counties or districts, as provided by law, such election to be held within one hundred and twenty (120) days after the effective date hereof. The senators elected from the new even numbered districts shall be elected for a term of four (4) years and the new senators elected from the odd numbered districts shall be elected for a term of two (2) years; thereafter all senators shall be elected for four (4) year terms.

The legislature shall reapportion its representation in accordance with this article at the 1971 regular session of the legislature and every ten (10) years thereafter based upon the preceding latest federal decennial census.

In the event the legislature shall fail to reapportion the representation as required by this article, the governor shall call the legislature together in extraordinary session to consider the question of reapportionment, and such extraordinary session shall mandatorily be required to reapportion its membership before adjournment, and such extraordinary session so called shall not expire until reapportionment is effected and shall consider no business other than reapportionment.

Section 5. State census.—The legislature shall no longer be required to provide for an enumeration of the inhabitants of the state. The last preceding decennial federal census beginning with the federal census of 1960 shall also be the state census and shall control in all population acts and constitutional apportionments unless otherwise ordered by the legislature.

Section 6. If any part of this joint resolution is declared

unconstitutional or null and void then the entire resolution shall be null, void and inoperative.

Was taken up and read the second time in full.

Senator Carraway moved that the rules be waived and House Joint Resolution No. 30-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 30-X was read the third time in full.

Upon the passage of House Joint Resolution No. 30-X the roll was called and the vote was:

Yeas—28.

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

Nays—4.

David	Gautier	Gibbons	Young
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So House Joint Resolution No. 30-X passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1962 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately.

PAIR

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Tucker on the passage of H. J. R. No. 30-X.

If he were present he would vote "Aye" and I would vote "No."

SCOTT KELLY
Senator, 7th District

Dated August 11, 1962

Senator Carraway moved that the rules be waived and the Senate revert to the Introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Carraway—

S. B. No. 21-X(62)— 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-six (46) 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.

Senator Carraway moved that the rules be waived and Senate Bill No. 21-X(62) be placed on the Calendar of Bills on Second Reading, without reference.

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

Senator Carraway requested unanimous consent of the Senate to take up and consider Senate Bill No. 21-X(62), out of its order.

Unanimous consent was granted, and—

S. B. No. 21-X(62)— 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-six (46) 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 Carraway moved that the rules be waived and Senate Bill No. 21-X(62) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 21-X(62) was read the second time by title only.

Senator Carraway offered the following amendment to Senate Bill No. 21-X(62):

In Section 2, page 4, strike out: subsection (3).

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway moved that the rules be further waived and Senate Bill No. 21-X(62), as amended, 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. 21-X(62), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 21-X(62), as amended, the roll was called and the vote was:

Yeas—28.

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

Nays—4.

David	Gautier	Gibbons	Young
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So Senate Bill No. 21-X(62) passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

PAIR

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Tucker on the passage of S. B. No. 21-X(62).

If he were present he would vote "Aye" and I would vote "No."

SCOTT KELLY
Senator, 7th District

Dated August 11, 1962

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON THIRD READING

Senate Joint Resolution No. 18-X(62)—

A JOINT RESOLUTION WITHDRAWING SENATE JOINT RESOLUTION NO. 216, ENTITLED "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE STATE CONSTITUTION RELATING TO APPORTIONMENT AND CENSUS."

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

That senate joint resolution No. 216 proposing to amend article VII of the state constitution shall not be submitted to the electors of Florida for ratification or rejection at the next general election to be held in November 1962.

That the legislature does rescind the resolution No. 216 and directs the secretary of state to withdraw resolution No. 216 from the 1962 November general election ballot.

Was taken up, pending roll call, and read for the information of the Senate, having been read the third time in full on August 10, 1962, and the further consideration thereof informally passed on motion of Senator Pope.

Upon the passage of Senate Joint Resolution No. 18-X (62) the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Joint Resolution No. 18-X(62) passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1962 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately.

S. B. No. 19-X(62)— A Bill to be entitled An Act to repeal chapter 61-6, Laws of Florida, as enacted by the legislature in regular session in 1962 relating to amending sections 10.01, 10.02, and 10.03, Florida Statutes, reapportioning the senate and house of representatives; providing an effective date.

Was taken up, pending roll call, and read for the information of the Senate, having been read the third time in full on August 10, 1962, and the further consideration thereof informally passed on motion of Senator Pope.

Upon the passage of Senate Bill No. 19-X(62) the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Bill No. 19-X(62) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Davis moved that the rules be waived and the Senate revert to the order of Messages from the Governor.

Which was agreed to by a two-thirds vote.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

August 11, 1962

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

Pursuant to the authority vested in me by Article 4, Section 8, of the Constitution of the State of Florida, I call to your attention, while you are convened in extraordinary session, the following legislative business, not included in my executive proclamation of July 24, 1962, which, however, I regard as being of an urgent nature:

It has been brought to my attention that the citrus industry is presently facing grave problems in the marketing of large citrus crops. More specifically, it appears that unless funds can be made available for an emergency advertising-merchandising program, citrus prices in the coming crop year will be reduced to a point that would have an adverse effect upon not only the citrus industry but the entire economy of the State. Enactment by this Legislature of an emergency tax measure would largely alleviate this problem by allowing the citrus industry to enter into an increased advertising-merchandising program. This emergency tax would be an increase of the tax borne solely by the citrus industry and presently levied by Florida Statute 601.15(3)(a).

I, therefore, call upon you to consider the passage of legislation to increase the tax upon oranges now imposed under Florida Statute 601.15(3)(a), for the purpose of increasing the funds available to finance an advertising-merchandising program.

In asking your consideration of this additional matter, I am cognizant of the diligence with which you have sought an equitable solution of the problem which occasioned this extraordinary session. For this, and for the many courtesies which have been extended to me and to the members of my staff by your offices and by individual legislators, I express my deep appreciation.

Respectfully,
FARRIS BRYANT
Governor

Which was read in full.

Senator Galloway moved that the rules be waived and the Senate revert to the Introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Galloway—

S. B. No. 22-X(62)— A Bill to be entitled An Act relating to the distribution of race track funds in any county having a population of not less than fifteen thousand (15,000) nor more than fifteen thousand six hundred (15,600) according to the latest official decennial census; providing an effective date.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Galloway moved that the rules be waived and Senate Bill No. 22-X(62) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 22-X(62) was read the second time by title only.

Senator Galloway moved that the rules be further waived and Senate Bill No. 22-X(62) 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. 22-X(62) was read the third time in full.

Upon the passage of Senate Bill No. 22-X(62) the roll was called and the vote was:

Yeas—34.

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	

Nays—None.

So Senate Bill No. 22-X(62) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By permission the following Engrossing Report was received:

ENGROSSING REPORT

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

S. B. No. 21-X(62)— 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-six (46) districts; amending section 10.01, adding section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 21-X(62), contained in the above report was ordered certified to the House of Representatives immediately.

Senator Parrish 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 and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages from the House of Representatives were received and read:

Tallahassee, Florida
August 11, 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 concurred in Senate amendments to—

By Mr. Mathews of Duval—

H. M. No. 18-X—A memorial to the Congress of the United States of America urging the Congress to submit a Constitutional Amendment reserving, granting and confirming power and jurisdiction relating to the apportionment and reapportionment of the membership of State Legislatures to the states without review of the Federal Courts.

WHEREAS, the apportionment of the membership of State Legislatures, both the House and Senate, is properly a state and not a federal question; and

WHEREAS, there has been some effort recently by some of the lower federal courts, not only to determine the validity of the apportionment or reapportionment of the membership of state legislatures, but also to make apportionment or reapportionment by judicial decree; and

WHEREAS, such judicial proceedings seriously interfere with states' rights and the freedom of government by the people of the several states; and

WHEREAS, such judicial proceedings are a massive repudiation of the experience of our whole past and are a deliberate, palpable and dangerous exercise of powers not granted to the federal judiciary by the United States Constitution, NOW, THEREFORE,

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

That the Florida Legislature hereby and herein petitions the Congress of the United States of America, and each house and member thereof, to draft and submit a suitable amendment to the United States Constitution, specifically reserving, granting and clearly confirming exclusive power and jurisdiction relating to the apportionment and reapportionment of the membership of state legislatures to the several states and to spell out that state action in this field is not subject to review by the Federal Courts.

BE IT FURTHER RESOLVED, that copies of this memorial be transmitted forthwith by the Chief Clerk of the House and the Secretary of the Senate of the State of Florida to the President of the United States, and the Vice-President of the United States as presiding officer of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, to each of the congressional delegation from Florida in the United States Congress, and to each of the Governors, Secretaries of State, and Attorneys General of the several states; and

BE IT FURTHER RESOLVED, that a copy of this memorial be spread upon the journal of both the Senate and House of Representatives of the State of Florida, and sufficient copies thereof be furnished to the press.

Which amendments read as follows:

Amendment No. 1—

By adding after the comma following the word Constitution in the 4th WHEREAS paragraph the following:

WHEREAS, it appears to be the view of the federal judiciary that population numbers are a principal consideration in determining the validity of apportionment laws relating to representation in both houses of a bicameral legislative body; and

WHEREAS, it has long been the custom, usage and law of the State of Florida and the several states that other factors in addition to population ought to be considered in arriving at fair and equitable representation in state legislative bodies; and

WHEREAS, it is necessary that the Congress enact suitable laws relating to both the original jurisdiction of the federal district courts and appellate jurisdiction of the United States Supreme Court, pursuant to power vested in the Congress by Article III, Section 2 of the United States Constitution and any other applicable laws until such time as the federal judiciary's encroachment into the field of state legislative apportionment traditionally reserved unto the states is curbed,

Amendment No. 2—

By adding after the first paragraph of the resolving clause, line one, page two, the following:

BE IT FURTHER RESOLVED, that the Florida Legislature hereby and herein petitions the Congress of the United States of America, and each house and member thereof, to draft, submit and enact a suitable law having the effect of excluding from the original jurisdiction of the federal district courts cases relating to state legislative reapportionment and excluding from the appellate jurisdiction of the United States Supreme Court cases relating to state legislative apportionment pursuant to powers conferred upon the Congress by Article III, Section 2 of the Constitution of the United States, which provides in material part as follows:

“ . . . In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make. . . .”

Amendment No. 3—

By adding to the Title of said memorial the following:

Change the last period in the title to a comma, and add: and further urging the Congress to enact immediate interim legislation under Article III, Section 2 of the United States Constitution limiting appellate jurisdiction of the Supreme Court.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
August 11, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives of the State of Florida—

By Senator Pope—

Senate Joint Resolution No. 18-X(62)—

A JOINT RESOLUTION WITHDRAWING SENATE JOINT RESOLUTION NO. 216, ENTITLED “A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE STATE CONSTITUTION RELATING TO APPORTIONMENT AND CENSUS.”

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

That senate joint resolution No. 216 proposing to amend article VII of the state constitution shall not be submitted to the electors of Florida for ratification or rejection at the next general election to be held in November 1962.

That the legislature does rescind the resolution No. 216 and directs the secretary of state to withdraw reso-

lution No. 216 from the 1962 November general election ballot.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Joint Resolution No. 18-X(62), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Senator Davis moved that the rules be waived and the Senate revert to the Introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Davis—

Senate Concurrent Resolution No. 23-X(62)—

A CONCURRENT RESOLUTION PROVIDING FOR SINE DIE ADJOURNMENT OF THE 1962 EXTRAORDINARY SESSION.

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

Section 1. This Extraordinary Session of the Legislature shall adjourn sine die at 7:10 o'clock P.M., Saturday, August 11, 1962.

Which was read the first time in full.

Senator Davis moved that the rules be waived and Senate Concurrent Resolution No. 23-X(62) be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 23-X(62) was read the second time in full.

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

Which was agreed to, and Senate Concurrent Resolution No. 23-X(62) was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Carraway 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 and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages from the House of Representatives were received and read:

Tallahassee, Florida
August 11, 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 passed with amendments—

By Senator Carraway—

S. B. No. 21-X(62)— 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-six (46) districts; amending section 10.01, adding section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

Which amendments read as follows:

Amendment No. 1—

In Section 2, Sub-section 1, Line 1, after "the" strike out 1962 and insert the following in lieu thereof: 1963.

Amendment No. 2—

In Section 4, strike out entire section and insert the following in lieu thereof:

Section 4. This act shall take effect immediately upon the ratification of an amendment to Article VII of the constitution as presented by the legislature in Extraordinary Session 1962, by House Joint Resolution No. 30-X, as amended.

Amendment No. 3—

In Section 2, Sub-section (1), line 11, following the words "Such election" strike out: "to" and insert the following in lieu thereof: "Shall".

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

And Senate Bill No. 21-X(62), contained in the above message, was read by title, together with House Amendments thereto.

Senator Carraway moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 21-X(62).

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 21-X(62).

Senator Carraway moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 21-X(62).

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 21-X(62).

Senator Carraway moved that the Senate concur in House Amendment No. 3 to Senate Bill No. 21-X(62).

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 21-X(62).

And Senate Bill No. 21-X(62), as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida
August 11, 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 passed with amendment—

By Senator Pope—

S. B. No. 19-X(62)— A Bill to be entitled An Act to repeal chapter 61-6, Laws of Florida, as enacted by the legislature in regular session in 1962 relating to amending sections 10.01, 10.02, and 10.03, Florida Statutes, reapportioning the senate and house of representatives; providing an effective date.

Which amendment reads as follows:

In Title, following the words "in regular session in"

strike out: 1962 and insert the following in lieu thereof: 1961

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

And Senate Bill No. 19-X(62), contained in the above message, was read by title, together with the House Amendment thereto.

Senator Pope moved that the Senate concur in the House Amendment to Senate Bill No. 19-X(62).

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 19-X(62).

And Senate Bill No. 19-X(62), as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida
August 11, 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 with amendment—

By Senator Johnson—

Senate Concurrent Resolution No. 16-X(62)—

A CONCURRENT RESOLUTION PROVIDING FOR A JOINT LEGISLATIVE ADVISORY COMMITTEE ON APPORTIONMENT; PROVIDING THE MANNER OF SELECTION OF THE MEMBERS THEREOF; PROVIDING POWERS AND DUTIES.

WHEREAS, the Supreme Court of the United States has decreed that the federal courts may exercise jurisdiction in state apportionment matters, and

WHEREAS, the three-judge federal district court in Florida has concluded that the constitutional and statutory provisions relating to the apportionment of the Florida legislature are invidiously discriminatory, and

WHEREAS, the legislature of the state of Florida has been convened for the purpose of providing a satisfactory apportionment formula, and

WHEREAS, the legislature in special session assembled is endeavoring to solve the apportionment problem of the state of Florida, and

WHEREAS, it appears that irrespective of the apportionment formula adopted by the legislature that this question will require continued and diligent effort on the part of all branches of state government in order to properly protect the rights of our citizens, and

WHEREAS, there exists a need for legislative deliberation, guidance and assistance to coordinate and counsel with those in whom is vested the responsibility of initiating and continuing action in this regard, and

WHEREAS, there exists a need for the legislature to discharge responsibilities in furtherance of the litigation in which the state is involved as well as the possible developments of the future, and

WHEREAS, in view of the critical circumstances in which the state of Florida finds itself, NOW, THEREFORE,

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

Section 1. There is hereby created a joint legislative advisory committee on apportionment to be composed of ten (10) members of the legislature to be appointed as follows:

The President of the Senate shall appoint five (5) members of the Senate; the Speaker of the House of Representatives shall appoint five (5) members of the House of Representatives; such appointments shall be made as soon as practical after this resolution shall become effective.

When said appointments have been made the committee shall meet and elect a chairman and vice-chairman and organize in such a manner as shall be compatible to the prompt dispatch of the business of the committee. The members of the committee shall serve at the pleasure of the officer making the appointment. Vacancies shall be filled by the officer appointing the vacating member.

Section 2. The committee shall have the duty to establish liaison, counsel and advise with the other members of the legislature, the executive, as well as the judicial branches of government in all matters relating to the complete and satisfactory apportionment of the Florida legislature.

The committee shall have the authority to assemble such data as is deemed necessary, to employ counsel and other persons necessary to carry out its functions and to take such other proper and necessary action as required to carry out its purposes and objectives.

Section 3. All expenses incident to the above shall be paid out of general legislative appropriations provided in section 11.12, Florida Statutes, and millage and per diem of committee members shall be paid at the rate provided in Section 112.106, Florida Statutes, by the State Treasurer upon warrant drawn by the State Comptroller.

Which amendment reads as follows:

In Section 3, line 3, strike out: "millage" and insert the following in lieu thereof: "mileage" and in line 5, strike out: "112.106" and insert the following in lieu thereof: "112.061"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Concurrent Resolution No. 16-X(62), contained in the above message, was read in full, together with the House Amendment thereto.

Senator Johnson moved that the Senate concur in the House Amendment to Senate Concurrent Resolution No. 16-X(62).

Which was agreed to and the Senate concurred in the House Amendment to Senate Concurrent Resolution No. 16-X(62).

And Senate Concurrent Resolution No. 16-X(62), as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida
August 11, 1962

The Honorable W. Randolph Hodges
President of the Senate

Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

By Messrs. Horne of Leon and Chiles of Polk—

H. B. No. 59-X— A bill to be entitled An Act providing for the apportionment of the membership of the House of Representatives of the Legislature of the State of Florida; amending section 10.03, adding section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Bill No. 59-X, contained in the above message, was read the first time by title only.

Senator Carraway moved that the rules be waived and House Bill No. 59-X be placed on the Calendar of Bills on Second Reading, without reference.

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

Senator Carraway requested unanimous consent of the Senate to take up and consider House Bill No. 59-X, out of its order.

Unanimous consent was granted, and—

H. B. No. 59-X— A bill to be entitled An Act providing for the apportionment of the membership of the House of Representatives of the Legislature of the State of Florida; amending section 10.03, adding section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

Was taken up.

Senator Carraway moved that the rules be waived and House Bill No. 59-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 59-X was read the second time by title only.

Senator Carraway moved that the rules be further waived and House Bill No. 59-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 59-X was read the third time in full.

Upon the passage of House Bill No. 59-X the roll was called and the vote was:

Yeas—26.

Mr. President	Connor	Johns	Pope
Barron	Cross	Johnson	Price
Beall	Davis	Kicliter	Ripley
Boyd	Edwards	Mapoles	Roberts
Bronson	Fraser	Melton	Stratton
Carraway	Galloway	Parrish	
Clarke	Gresham	Pearce	

Nays—5.

David	Gibbons	Young
Gautier	Herrell	

So House Bill No. 59-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

PAIR

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Tucker on the passage of H. B. No. 59-X.

If he were present he would vote "Aye" and I would vote "No."

SCOTT KELLY
Senator, 7th District

Dated August 11, 1962

Tallahassee, Florida
August 11, 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 passed—

By Senator Ripley—

S. B. No. 13-X(62)— A Bill to be entitled An Act appropriating fifty thousand dollars (\$50,000.00) emergency reserve fund to be released as needed by the budget commission for court expenses in connection with litigation concerning reapportionment; providing an effective date.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Bill No. 13-X(62), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida
August 11, 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 passed—

By Messrs. Griffin, Mattox and Chiles of Polk, Askins of Nassau, Ayers of Hernando, Bass of Hardee, Cleveland of Seminole, Daniel and Reedy of Lake, Ducker of Orange, Griffin of Osceola, Horne of Leon, Knowles of Manatee, Liles of Hillsborough, Livingston of Highlands, Markham of Okeechobee, Miner of Hendry, O'Neill of Marion, Peoples of Glades, Roberts of Union, Smith of St. Lucie, Smith of DeSoto, Vocelle of Indian River, Wadsworth of Flagler and Mrs. Johnson of Orange—

H. B. No. 60-X— A bill to be entitled An Act amending section 601.15(3) (a), Florida Statutes, relating to excise taxes on citrus so as to provide for an increase of the excise taxes on oranges from five cents (5¢) per standard packed box to ten cents (10¢) per standard packed box, and fixing the period during which such increase shall be in effect; providing that this act shall not repeal or affect to any extent section 601.151, Florida Statutes, or any amendment thereof; providing for an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Pursuant to the Governor's Message of this day expanding his Call of the Extraordinary Session House Bill No. 60-X was received and read the first time by title only.

Senator Parrish moved that the rules be waived and

House Bill No. 60-X be placed on the Calendar of Bills on Second Reading, without reference.

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

Senator Parrish requested unanimous consent of the Senate to take up and consider House Bill No. 60-X, out of its order.

Unanimous consent was granted, and—

H. B. No. 60-X— A bill to be entitled An Act amending section 601.15(3) (a), Florida Statutes, relating to excise taxes on citrus so as to provide for an increase of the excise taxes on oranges from five cents (5¢) per standard packed box to ten cents (10¢) per standard packed box, and fixing the period during which such increase shall be in effect; providing that this act shall not repeal or affect to any extent section 601.151, Florida Statutes, or any amendment thereof; providing for an effective date.

Was taken up.

Senator Parrish moved that the rules be waived and House Bill No. 60-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 60-X was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 60-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 60-X was read the third time in full.

Upon the passage of House Bill No. 60-X the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So House Bill No. 60-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida
August 11, 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 Senator Davis—

Senate Concurrent Resolution No. 23-X(62)—

A CONCURRENT RESOLUTION PROVIDING FOR SINE DIE ADJOURNMENT OF THE 1962 EXTRAORDINARY SESSION.

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

Section 1. This Extraordinary Session of the Legisla-

ture shall adjourn sine die at 7:10 o'clock P.M., Saturday, August 11, 1962.

Respectfully,
LAMAR BLEDSOE
 Chief Clerk, House of Representatives

And Senate Concurrent Resolution No. 23-X(62), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

By permission the following Engrossing Reports and Enrolling Reports were received:

ENGROSSING REPORTS

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

Senate Concurrent Resolution No. 16-X(62)—

A CONCURRENT RESOLUTION PROVIDING FOR A JOINT LEGISLATIVE ADVISORY COMMITTEE ON APPORTIONMENT; PROVIDING THE MANNER OF SELECTION OF THE MEMBERS THEREOF; PROVIDING POWERS AND DUTIES.

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

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

And Senate Concurrent Resolution No. 16-X(62), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 19-X(62)— A Bill to be entitled An Act to repeal chapter 61-6, Laws of Florida, as enacted by the legislature in regular session in 1961 relating to amending sections 10.01, 10.02, and 10.03, Florida Statutes, reapportioning the senate and house of representatives; providing an effective date.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 19-X(62), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 21-X(62)— 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-six (46) districts; amending section 10.01, adding section 10.04, Florida Statutes; providing for an election; providing for filling vacancies; providing effective date.

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

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

And Senate Bill No. 21-X(62), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 13-X(62)

S. B. No. 19-X(62)

S. B. No. 21-X(62)

S. C. R. No. 16-X(62)

S. C. R. No. 23-X(62)

S. J. R. No. 18-X(62)

—reports same have 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 11, 1962, for his approval.

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

Your Enrolling Clerk to whom was referred—

H. B. No. 59-X

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives and by the President and Secretary of the Senate, and presented to the Governor on August 11, 1962.

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

Your Enrolling Clerk to whom was referred—

H. M. No. 18-X

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on August 11, 1962.

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

Your Enrolling Clerk to whom was referred—

H. B. No. 60-X

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on August 11, 1962.

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

Your Enrolling Clerk to whom was referred—

H. J. R. No. 30-X

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on August 11, 1962.

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

ANNOUNCEMENT

Pursuant to Senate Concurrent Resolution No. 16-X (62), creating a Joint Legislative Advisory Committee on Apportionment, the President announced the appointment of Senators Johnson, Pope, Herrell, Melton and Carraway as members of the Committee on the part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida
August 11, 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 Speaker of the House of Representatives has appointed Messrs. Horne of Leon, Mathews of Duval, O'Neill of Marion, Thomas of Palm Beach and Rowell of Sumter as members of the Legislative Advisory Committee on Apportionment, pursuant to the provisions of Senate Concurrent Resolution No. 16-X(62).

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

Pursuant to Senate Concurrent Resolution No. 23-X(62), the hour of 7:10 o'clock P.M. having arrived, the President sounded the gavel and declared the Senate in 1962 Extraordinary Session adjourned sine die.

CERTIFICATE

THIS IS TO CERTIFY that, as Secretary of the Senate of the State of Florida, at the Extraordinary Session of the Legislature of said State, August 1, 1962 to August 11, 1962, both dates inclusive, I have duly performed and completed the duties assigned me.

I FURTHER CERTIFY that, the foregoing pages numbered from 1 to 54, both inclusive, are and constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida, in Extraordinary Session, August 1, 1962 to August 11, 1962, both dates inclusive.

In completing my work for the Extraordinary Session, I desire to extend to the Members and to all Officers and Attaches of the Senate my sincere thanks for the many courtesies extended, and the splendid cooperation given me.

ROBT. W. DAVIS
Secretary of the Senate

Tallahassee, Florida
August 11, 1962