

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.

Friday, November 9, 1962

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

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

A PROCLAMATION BY THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

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

WHEREAS, in the General Election on November 6, 1962, the people of the State of Florida rejected House Joint Resolution No. 30-X, 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, in view of my responsibilities under the Constitution of the State of Florida, I find that the best interests of the State of Florida will be served by calling an extraordinary session of the State Legislature;

NOW, THEREFORE, I, Farris Bryant, by virtue of the power and authority vested in me by Article IV, Section 8, of the Constitution of the State of Florida, do hereby convene the Legislature of the State of Florida in extraordinary session at the Capital at 11:00 a.m. on November 9, 1962, for the sole and exclusive purpose of considering reapportionment of the Florida Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 7th day of November, A.D., 1962.

FARRIS BRYANT
Governor

ATTEST:

TOM ADAMS
Secretary of State

By direction of the President, the Secretary of the Sen-

ate called the roll of the holdover members of the Senate in numerical order of Senatorial Districts, and the following answered to their names:

Senator Clayton W. Mapoles—1st District

Senator Clyde Galloway—3rd District

Senator Luther Tucker—5th District

Senator Scott Kelly—7th District

Senator James E. Connor—9th District

Senator C. W. Young—11th District

Senator W. C. Herrell—13th District

Senator Charley E. Johns—15th District

Senator Houston W. Roberts—17th District

Senator W. Randolph Hodges—21st District

Senator J. A. Boyd—23rd District

Senator Dempsey J. Barron—25th District

Senator G. W. Williams—27th District

Senator Edwin G. Fraser—29th District

Senator Irlo Bronson—33rd District

Senator Ralph J. Blank, Jr.—35th District

Senator Verle A. Pope of the 31st District and Senator Bernard Parrish of the 37th District were excused from attendance upon the Session this day.

The Secretary of the Senate announced that the Honorable Tom Adams, Secretary of State, had certified to the election of certain Senators at the General Election on the 6th day of November A.D., 1962, and that the certificate of the Secretary of State had been received.

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

STATE OF FLORIDA

OFFICE OF SECRETARY OF STATE

I, TOM ADAMS, Secretary of State of the State of Florida, do hereby certify that the following State Senators were elected at the General Election held on the 6th day of November, A.D., 1962 as shown by the records of this office:

District No. 2—Reubin O'D. Askew, Pensacola

District No. 4—Robert Williams, Graceville

District No. 6—Dewey M. Johnson, Quincy
 District No. 8—Wilson Carraway, Tallahassee
 District No. 10—L. P. (Pete) Gibson, Perry
 District No. 12—John M. McCarty, Fort Pierce
 District No. 14—G. T. Melton, Lake City
 District No. 16—Harry O. Stratton, Callahan
 District No. 18—John E. Mathews, Jr., Jacksonville 2
 District No. 20—L. K. Edwards, Jr., Irvine
 District No. 22—S. D. Clarke, Monticello
 District No. 24—Elmer O. Friday, Jr., Fort Myers
 District No. 26—B. C. Pearce, East Palatka
 District No. 28—E. William Gautier, New Smyrna Beach
 District No. 30—A. J. Ryan, Jr., Dania
 District No. 32—J. Emory "Red" Cross, Gainesville
 District No. 34—Tom Whitaker, Jr., Tampa
 District No. 36—Ed H. Price, Jr., Bradenton
 District No. 38—D. D. Covington, Jr., Dade City

I further certify that at a special election held November 6, 1962 Mrs. Beth Johnson was duly elected State Senator of the Nineteenth Senatorial District as shown by the records of this office.

(Seal)

GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this 9th day of November, A.D., 1962.

TOM ADAMS
 Secretary of State

The oath of office was then administered by the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, to the newly elected Senators named in the foregoing certificate of the Secretary of State, with the exception of Senator Harry O. Stratton of the 16th Senatorial District and Senator Tom Whitaker, Jr., of the 34th Senatorial District, who were excused from attendance upon the Session this day.

The roll of the Senate, as then constituted, was called by the Secretary in alphabetical order and the following members of the Senate answered to their names:

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

—34.

A quorum of the Senate was announced.

The following Prayer was offered by the Senate Chaplain, Reverend James H. Paddock, retired Baptist Minister, Cedar Key, Florida:

Our Father in Heaven, may we people who have accepted a government under God be freely given those things which belong to a free people. Will you give to these Legislators the enablements they may need for this special Session.

May we all have a mind to work faithfully in these stations where we have been so honorably placed.

In the Name of Jesus. Amen.

The Senate then proceeded to the organization of the Body for the 1962 Extraordinary Session of the Legislature.

The following communication from Senator W. Randolph Hodges, President of the Senate, which had been filed with the Secretary of the Senate was read:

November 9, 1962.

Honorable Robert W. Davis
Secretary of the Senate
The Capitol
Tallahassee, Florida

Dear Mr. Davis:

In order that there might be continuity of leadership between the 1963 Regular and the Extraordinary Session of the Florida Legislature convening Friday, November 9, 1962, I hereby resign and terminate my office as President of the Senate of Florida, to become effective upon the selection of a qualified successor. However, this does not resign my office as a member of the Senate, in which capacity I shall continue to serve.

Respectfully,
 W. RANDOLPH HODGES

Senator Edwards presented the name of Senator Wilson Carraway of the 8th Senatorial District to be President of the Senate to serve until a successor is elected at the 1965 Regular Session of the Legislature.

Senator Clarke seconded the nomination of Senator Carraway to be President of the Senate.

Senator Price further seconded the nomination of Senator Carraway to be President of the Senate.

Senator Friday moved that the nominations be closed.

The question was put on the motion by Senator Friday.

Which was agreed to and the nominations were declared closed.

The question was then put on the election of Senator Carraway and upon call of the roll the vote was:

Yeas—33.

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

Nays—None.

Senator Carraway not voting.

So Senator Carraway was unanimously elected President of the Senate to serve until a successor is elected at the 1965 Regular Session of the Legislature.

Senator Pearce moved that a committee of three be appointed to escort the newly elected President to the rostrum of the Senate.

Which was agreed to.

Senator Hodges, the retiring President, appointed Senators Pearce, Cross and McCarty as the Committee.

The newly elected President was escorted by the Committee to the Bar of the Senate where Chief Justice Roberts administered to him the oath of the office of President of the Senate, following which the President was escorted to the rostrum.

Senator Boyd moved that a committee of three be appointed to escort Mrs. Wilson Carraway, wife of the newly elected President of the Senate, to the rostrum.

Which was agreed to.

And the retiring President appointed Senators Boyd, Gibson and Johnson (19th) as the committee to escort Mrs. Carraway to the rostrum where she was seated beside the newly elected President.

Senator Hodges, the retiring President, then presented the newly elected and sworn President of the Senate to the Body, surrendered to him the Senate Gavel, and resumed his seat as the Senator of the 21st Senatorial District.

President Wilson Carraway addressed the Senate as follows:

"I appreciate all the kind remarks made about me by my colleagues in placing my name in nomination. I only hope that I can live up to the estimates they made of me. I appreciate the friendship and confidence which all the members of this Body have shown me by electing me to this high office and I assure you that I will do everything within my power to discharge my duties with fairness to every member of the Senate. I am asking each and every one of you to give me your wholehearted cooperation.

"I regret very much that it has been necessary for us to embark upon this session so soon after the General Election but I do feel that the Governor was absolutely right in believing that he should make every effort to settle the problems which face us within the Legislature of the State of Florida today.

"I hope that we can all face this problem with an open mind and that many of the inflammatory views recently expressed in certain parts of the press of this state can subside at least for the time being and give us an opportunity to work out these problems calmly and deliberately among ourselves without undue pressure being exerted upon us.

"The committees which will be announced later at this Session will serve only for the duration of this special reapportionment Session. I did not know until I returned to the city on Wednesday night that we would be faced with the problem of convening on such short notice. I urge each of you who have not done so to answer the inquiry which I addressed to you about ten days ago regarding your preference for committee assignments during the regular Session of 1963.

"I am confident I will have the complete support of every member of this Body in our efforts to solve the problem immediately before us which is, of course, the matter of reapportionment. I feel confident that if we approach it with an open mind, with everyone willing to give or take a little, we can find an acceptable solution. I look forward to working closely with you to that end."

Following the President's address Senator Johns placed in nomination the name of Senator Harry O. Stratton of the 16th Senatorial District, in absentia, to be President Pro Tempore of the Senate.

The question was put on the election of Senator Stratton and upon call of the roll the vote was:

Yeas—34.

Mr. President	Connor	Gautier	Kelly
Askew	Covington	Gibson	McCarty
Barron	Cross	Herrell	Mapoles
Blank	Edwards	Hodges	Mathews
Boyd	Fraser	Johns	Melton
Bronson	Friday	Johnson (19th)	Pearce
Clarke	Galloway	Johnson (6th)	Price

Roberts	Tucker	Williams (4th)
Ryan	Williams (27th)	Young

Nays—None.

So Senator Stratton was unanimously elected President Pro Tempore of the Senate.

Senator Herrell placed in nomination the name of Robt. W. Davis to be Secretary of the Senate.

The question was put on the nomination of Robt. W. Davis and upon call of the roll the vote was:

Yeas—34.

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

Nays—None.

So Robt. W. Davis was elected Secretary of the Senate.

Chief Justice Roberts administered the oath of office to Robt. W. Davis as Secretary of the Senate.

Senator Connor placed in nomination the name of LeRoy Adkison to be Sergeant At Arms of the Senate.

The question was put on the nomination of LeRoy Adkison and upon call of the roll the vote was:

Yeas—34.

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

Nays—None.

So LeRoy Adkison was elected Sergeant At Arms of the Senate.

Chief Justice Roberts administered the oath of office to LeRoy Adkison as Sergeant At Arms of the Senate.

Senator Kelly moved that George H. Inman be named Reading Secretary of the Senate.

Which was agreed to and George H. Inman was named Reading Secretary of the Senate.

Senator Johnson (6th) moved that a committee be appointed to wait upon the Governor and inform His Excellency that the Senate is now organized and ready to proceed to the business of the Extraordinary Session, awaiting any message he may wish to convey to the Body.

Which was agreed to.

The President appointed Senators Johnson (6th), Barron and Bronson as the committee.

The committee withdrew.

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

Which was agreed to.

The President appointed Senators Mathews, Williams (4th) and Ryan as the committee.

The Committee withdrew.

Senator Hodges moved that the Senate Rules of the 1961 Regular Session, with the following amendments, be adopted to govern the Senate during the present Extraordinary Session:

Amendment No. 1—

Rule 48 is amended to read as follows:

Rule 48. The President shall appoint a Committee on Rules and Calendar to consist of thirteen members, a Committee on Legislative Management and Population to consist of twelve members, and a Committee on Apportionment to consist of fifteen members to which latter Committee shall be referred all bills and resolutions with reference to reapportionment.

Amendment No. 2—

Rule 71 is hereby deleted.

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, Galoway, Kelly, Tucker, Parrish, Pope, Roberts and Clarke.

COMMITTEE ON LEGISLATIVE MANAGEMENT AND POPULATION

Senator Bronson, Chairman; Senator Williams (27th), 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, Stratton, Hodges, Mapoles, Connor, Blank and Price.

A committee from the House of Representatives, composed of Messrs. Mitchell of Leon, Hollahan of Dade and McDonald of Suwannee, 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 wait upon the Governor and notify His Excellency of the organization of the Senate appeared at the Bar of the Senate and conveyed to the Senate the following message from His Excellency:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

*The Honorable Wilson Carraway
President, The Florida Senate
The Capitol
Tallahassee, Florida*

Dear Mr. President:

I desire to address your Honorable Body in joint session with the House of Representatives on Monday, November 12, 1962, to present to you the purpose of the call which

I presented under date of November 7, 1962. If it is convenient, I suggest the time of 2:00 p.m.

Respectfully,
FARRIS BRYANT
Governor

The Committee was then discharged.

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

The Committee was then discharged.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida
November 9, 1962

*The Honorable Wilson Carraway
President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Mr. Rowell of Sumter—

H. C. R. No. 3-XX—A Concurrent Resolution providing that the House of Representatives and the Senate convene in joint session in the chamber of the House of Representatives at 2:00 P.M., November 12, 1962.

WHEREAS, His Excellency Farris Bryant, Governor of Florida, has expressed a desire to address the Legislature of Florida in Joint Session on Monday, November 12, 1962;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the House of Representatives and the Senate convene in Joint Session in the Chamber of the House of Representatives at 2:00 P.M., November 12, 1962, for the purpose of receiving the Governor's message.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Concurrent Resolution No. 3-XX, contained in the above message, was read the first time in full.

Senator Hodges moved that the rules be waived and House Concurrent Resolution No. 3-XX be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 3-XX was read the second time in full.

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

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

Senator Hodges, Chairman of the Committee on Rules and Calendar, moved that when the Senate adjourns at this Session it adjourn to reconvene at 1:30 o'clock P.M., Monday, November 12, 1962.

Which was agreed to and it was so ordered.

Senator Hodges moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:49 o'clock P.M. until 1:30 o'clock P.M., Monday, November 12, 1962.