

## EXTRA SESSION

# JOURNAL OF THE SENATE

At an Extra session of the Florida Legislature convened by proclamation of His Excellency, Haydon Burns, 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, June 25, 1965**

In pursuance of the Proclamation of Honorable Haydon Burns, Governor of the State of Florida, the Senate met in Extra Session at 11:00 A. M., and was called to order by Senator James E. Connor, President of the Senate; the Secretary of the Senate, Edwin G. Fraser, the Sergeant At Arms of the Senate, LeRoy Adkison, being at their posts.

The Proclamation of the Governor convening the Legislature in Extra Session was read as follows:

### PROCLAMATION

State of Florida  
Executive Department

Tallahassee

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

WHEREAS, it appears that the Florida Legislature will be unable to make a proper apportionment of the Florida Legislature as required by Section 3, Article VII, of the Florida Constitution and the Fourteenth Amendment of the United States Constitution prior to adjournment of the extra session convened on June 5, 1965, and

WHEREAS, it is readily understood that much of the time of the original 20 day extra session has been consumed in matters of organization, receiving various and sundry plans, and the searching of court opinions. All of these efforts tended towards finding a reapportionment plan acceptable to the Federal Courts. These preliminaries having now been accomplished and with new evidence of a willingness to compromise, the Governor and the people of Florida are highly hopeful and fully expect that the Florida Legislature, during this ensuing extra session, will arrive at a fair and equitable solution in a manner which will comply with the mandates of the United States Supreme Court.

As Governor, and in this instance, speaking in behalf of the people of Florida, I am grateful that the members of the Legislature have complied with my request that no other business was undertaken which was outside the subject of reapportionment, which was the limit of the official call of the extra session which convened June 5, 1965.

NOW, THEREFORE, I, Haydon Burns, as Governor of Florida, by virtue of the power and authority vested in me by Article IV, Section 8, and Article III, Section 2, 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 June 25, 1965.

This call shall be limited to state legislative reapportionment. However, if reapportionment is accomplished within this time, it shall be my purpose to extend this call to include Congressional redistricting.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 24th day of June, A. D. 1965.

HAYDON BURNS  
Governor

ATTEST:  
TOM ADAMS  
Secretary of State

By direction of the President the roll was called and the following Senators were recorded present:

Senator Clayton W. Mapoles, Sr.—1st District  
Senator Reubin O'D. Askew—2nd District  
Senator John Angus McDonald—3rd District  
Senator Robert Williams—4th District  
Senator George G. Tapper—5th District  
Senator Dewey M. Johnson—6th District  
Senator Ben Hill Griffin, Jr.—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 Robert M. Haverfield—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 Etter Usher—21st District  
Senator Warren S. Henderson—22nd District  
Senator Welborn Daniel—23rd District  
Senator Elmer O. Friday, Jr.—24th District  
Senator Dempsey J. Barron—25th District  
Senator B. C. Pearce—26th District  
Senator Doyle E. Carlton, Jr.—27th District  
Senator E. William Gautier—28th District  
Senator Merrill P. Barber—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 Jerry Thomas—35th District  
Senator Ed H. Price, Jr.—36th District  
Senator James R. Dressler—37th District

Senator D. D. Covington, Jr.—38th District  
 Senator Maurice McLaughlin—39th District  
 Senator Hayward H. Davis—40th District  
 Senator John M. Spottswood—41st District  
 Senator Mack N. Cleveland, Jr.—42nd District  
 Senator George L. Hollahan, Jr.—43rd District  
 43. A quorum present.

Excused: Senator Clarke.

Prayer by Senator Doyle E. Carlton, Jr., of the 27th Senatorial District:

Almighty God, we pause at the beginning of this session to seek thy holy presence and thy guiding hand. We realize that we are incomplete, we are inadequate, we are weak and that our efforts are futile. We are void of thy holy direction and so we come to thee this morning asking thee to direct our deliberations to the end that the people of our state will be served with honor. We ask you to govern our speech and our conduct; that the words of our mouths and meditations of our hearts will be acceptable in thy sight and that which we do here this day will be in keeping with thy will. For Christ's sake. Amen.

On motion of Senator Johnson (6th) that a Committee be appointed to wait upon the Governor and inform His Excellency that the Senate was ready to proceed with the business of the Extra Session, the President appointed Senators Johnson (6th), Johns and Griffin. The Committee withdrew.

On motion of Senator Thomas that a Committee be appointed to notify the House of Representatives that the Senate was ready to proceed with the business of the Extra Session, the President appointed Senators Thomas, Davis and McLaughlin. The Committee withdrew.

A Committee from the House of Representatives, composed of Representatives Matthews of Dade, Roberts of Palm Beach, and Randell of Lee appeared at the Bar of the Senate and notified the Body that the House of Representatives was duly organized in Extra Session and ready to proceed with the business of the Extra Session. The President expressed the appreciation of the Senate for the report and the Committee withdrew.

The Committee appointed to wait upon the Governor appeared at the Bar of the Senate and reported to the President that its duty had been performed. The Committee was thanked for its service and 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 thanked for its service and discharged.

The President introduced to the Senate Mr. Edward B. Moylan of Miami, President of Kiwanis International, the first Floridian to serve in that post, and Mr. Frank Moody of Plant City, District Governor of Kiwanis International. The President appointed Senators Haverfield and Hollahan as a committee to escort the distinguished guests to the rostrum where they were greeted with applause and addressed the Senate briefly.

Senator Johnson (6th) filed the following motion:

#### MOTION

#### TO ADOPT THE RULES GOVERNING THE SENATE IN EXTRA SESSION CONVENING JUNE 25, 1965.

The undersigned senators move that the Rules adopted to govern the previous extra session be adopted as the Rules governing this extra session with the following exceptions:

On page 3, Rule 14: At the end of Rule 14, insert: The Senate may determine by majority vote to have an afternoon session.

On page 4, Rule 17: At the end of Rule 17, insert: A bill under consideration which has pending amendments at the time of adjournment shall carry over on the calendar of bills on second reading as unfinished business.

On page 12, Rule 44: Strike all of Rule 44 and insert: No amendment shall be offered to any bill or resolution except on

second reading or by unanimous consent. Committee amendments shall take preference in consideration and all other amendments shall be considered in the order in which the introducer thereof is recognized by the chair.

On page 16, Rule 56: In line three, strike: "two-thirds" and insert "majority".

DEWEY M. JOHNSON

GEORGE G. TAPPER

Senator Johnson (6th) moved the adoption of the foregoing motion.

On substitute motion of Senator Whitaker, Rules 1, 2 and 3 of the 1965 Regular Session were adopted and the remaining rules were considered individually as follows:

On motion of Senator Whitaker, Rule 4 was adopted:

#### APPOINTMENT OF COMMITTEES

Rule 4. He shall appoint all standing committees and all select committees which shall be ordered by the Senate from time to time.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rule 5 was adopted:

#### QUESTIONS OF ORDER

Rule 5. He shall sign all Acts, Resolutions, writs, warrants and subpoenas of or issued by order of the Senate; and decide the questions of order, subject to an appeal by any Senator, on which appeal no Senator shall speak more than once, unless by permission of the Senate, and such appeal shall be decided by a majority vote of the Senators present. He may speak to points of order in preference of other Senators.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rules 6 through 13, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 14 was adopted:

#### SESSIONS

Rule 14. The Senate shall meet daily except Sundays. The time for convening and adjourning shall be determined by a majority vote of the Senators present.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rule 15 was adopted:

#### DAILY ORDER

Rule 15. The daily order of business shall be as follows:

1. Roll call.
2. Prayer by Chaplain.
3. Introduction of distinguished guests under Rule 63.
4. Reading of Journal.
5. Correction and approval of the Journal.
6. Reports of Committees.
7. Introduction of Resolutions, Memorials, Bills and Joint Resolutions.
8. Consideration of Senate Resolutions.
9. Consideration of other Resolutions.
10. Messages from the Governor.
11. Messages from the House of Representatives.
12. Order of the Day.

13. Special Order.

14. Consideration of Bills and Joint Resolutions pending Third Reading.

15. Consideration of Bills and Joint Resolutions pending Second Reading.

16. Miscellaneous Business.

17. Petitions and Memorials.

A vote of two-thirds of the members present shall be required to set a Special Order except as otherwise provided in Rule 59.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rule 16 of the 1965 Regular Session was adopted.

On motion of Senator Whitaker, Rule 17 was adopted:

**UNFINISHED BUSINESS**

Rule 17. The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day after disposing of all motions to reconsider.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rule 18 of the 1965 Regular Session was adopted.

On motion of Senator Whitaker, Rule 19 was adopted:

**SPEAKING OUT OF ORDER**

Rule 19. If any Senator, in speaking or otherwise shall transgress the rule of the Senate, the President shall, or any Senator may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Senator, to explain, and the Senate shall, if appealed to, decide on the case without debate; if the decision is in favor of the Senator called to order, he shall be at liberty to proceed, but not otherwise; and if the case require it, he shall be liable to censure or such punishment as the Senate may deem proper; provided, if the order is called by the President a motion to proceed shall require a majority vote of the Senators present.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rules 20 through 30, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 31 was adopted:

**BILLS AND RESOLUTIONS**

**Introductions**

Rule 31. An original and five exact and legible copies (6 altogether) of a Bill—general or local—are required for introduction.

A bill must contain a title prefaced by the words "A bill to be entitled An act"—and must contain an enacting clause reading "Be It Enacted by the Legislature of the State of Florida:"

A Bill shall be typewritten in pica type, or larger, using a black typewriter ribbon, or mimeographed or printed in black, according to prescribed form without erasures or interlineations on plain white paper of legal size (8½ x 14 inches).

Six (6) title sheets are required to be attached by paper clip to the top of the original copy of each bill. Title sheets are furnished by the Sergeant At Arms of the Senate with carbons already inserted. Do not remove the carbons from the title sheets.

A full, true, and exact copy of the title of the bill word for word, every comma, semicolon and period, must be typed on the title sheet. The title on the title sheet must be typed in lower case, double spaced and proofread for accuracy. Capital-

ize only the first letter of a sentence, name of person, city, state or county. Lower case all other words in the title. The title sheets with carbons unseparated must be attached by paper clips to the top of the original copy of the bill before bill can be introduced or filed.

A Senate Resolution, Concurrent Resolution, Memorial or Joint Resolution shall be prepared in the same manner as a Bill except that in lieu of attaching a title sheet in quadruplicate, as hereinabove mentioned, two exact and complete copies (not in jackets) must be attached by paper clip to the inside of the original of the Senate Resolution, Concurrent Resolution, Memorial or Joint Resolution.

A Senate Resolution shall contain a resolving clause "Be It Resolved by the Senate:"

A Joint Resolution shall contain a resolving clause "Be It Resolved by the Legislature of the State of Florida:"

A Concurrent Resolution shall contain a resolving clause "Be It Resolved by the Senate, the House of Representatives Concurring."

A Memorial shall contain a resolving clause "Be It Resolved by the Legislature of the State of Florida:"

The original and five copies (6 altogether) of a Bill, Resolution, Concurrent Resolution, Memorial or Joint Resolution must be 'Backed,' that is, securely stapled in a Senate jacket form which shall contain in the spaces provided therefor a copy of the title of the Bill or, if the title is too lengthy to be typed in full in the space provided, an abbreviation of the title sufficient to identify the Bill, with the name and the district of the Senator introducing same.

The original and five copies (6 altogether) must have clearly stamped on the jacket of each, above the space provided for the number, "Original, Duplicate, Third Copy, Fourth Copy, Fifth Copy, House Copy."

The President of the Senate, except as otherwise provided in Rule 59, shall refer the Bill, Resolution or Memorial to the appropriate committee or committees for consideration. Should a Senator desire the Bill, Resolution or Memorial referred to a particular or special committee or committees, he shall make such motion and such motion must be adopted by a two-thirds affirmative vote to be effective in determining the reference. In all cases the title and reference thereof shall be entered in the Journal. The Secretary shall keep a file of the original copy of all Bills, Resolutions and Memorials and separate file for duplicate copies thereof. The third (3rd) copy shall be delivered to the press for its use, the fourth (4th) copy to the Sergeant At Arms who shall keep the same in a file in his office for the use and benefit of the public, the fifth (5th) copy shall be delivered to the Legislative Reference Bureau for use in preparing the daily summary, and the House copy shall be delivered to the House of Representatives for use of the members thereof.

A Bill, Joint Resolution, Concurrent Resolution, Memorial or Resolution may be introduced only by a Senator or group of Senators whose signature or signatures must be affixed to the original thereof provided, however, the Senate sitting as a committee of the whole may introduce and/or report a Bill, Joint Resolution, Concurrent Resolution, Memorial or Resolution which shall be referred as provided in Rule 59.

No standing committee may introduce Bills, Joint Resolutions, Concurrent Resolutions, Memorials or Resolutions, with the exception of the introduction of the general appropriations bill by the Committee on Appropriations, but this shall not be construed to mean that standing committees may not offer a Committee Substitute for any Bill, Joint Resolution, Concurrent Resolution, Memorial or Resolution, referred to the Committee, provided such substitute is germane to the original Bill or Resolution.

No original Bill, while in the custody of the Senate, shall be taken from the Secretary's file except when in the custody of the chairman of the committee to which the bill was referred. No duplicate shall be removed from the Secretary's file by anyone other than a Senator or a proper committee to which such Bill has been referred. Upon release of any original as aforesaid, the Secretary shall obtain the receipt of the

Senator, the chairman of the committee to which the Bill was referred, or the authorized secretary of the committee.

The President shall require the Secretary to so identify and mark the original copy of each Bill, Joint Resolution, Memorial, Resolution, or Concurrent Resolution introduced as Senate Legislation, as will insure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions therefor. The means of identification shall be determined by the President and the Secretary and may be by the use of machines as used in banks for validating or canceling checks or other documents, or by the use of any other device to accomplish the purpose of this rule. Any such device so used shall be used by and at all times shall be in the custody of the Secretary or some person authorized therefor by the President and the Secretary and its use by any person not authorized by this rule shall be prohibited.

All Bills to be introduced shall be presented to the Secretary no later than one hour prior to the hour of convening on the day of introduction, except for bills, Joint Resolutions, Concurrent Resolutions, Resolutions and Memorials reported and/or introduced by the committee of the whole.

The vote was:

Yeas—25.

Askew	Friday	Johnson (19th)	Stratton
Barron	Gautier	McCarty	Thomas
Carlton	Gibson	Mathews	Whitaker
Cleveland	Griffin	Pope	Young
Daniel	Haverfield	Price	
Davis	Henderson	Ryan	
Dressler	Hollahan	Spottswood	

Nays—17.

Mr. President	Edwards	Mapoles	Usher
Barber	Johns	Melton	Williams
Bronson	Johnson (6th)	Pearce	
Carraway	McDonald	Roberts	
Covington	McLaughlin	Tapper	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rules 32 through 38, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 39 was adopted:

#### REFERENCE FOR ENGROSSING

Rule 39. All Senate bills and Joint Resolutions after being read the second time, if amended and with no amendment or question relating thereto pending, shall be committed for engrossing and when the same are correctly engrossed, they shall be so endorsed by the secretary as ex officio engrossing secretary and placed on the calendar of bills pending third reading, provided, that any bill or Joint Resolution which has been read a second time and has not been amended nor has an amendment or question relating thereto pending, shall be placed on the calendar of bills pending third reading without reference for engrossing, unless the Senate shall, by majority vote of the Senators present, order otherwise, and shall be considered as engrossed. Any bill or Joint Resolution with a pending amendment or pending question relating thereto at the time of the last adjournment of the Senate shall be placed on the calendar on unfinished business and be disposed of in that order.

The vote was:

Yeas—28.

Askew	Covington	Gibson	McCarty
Barber	Daniel	Griffin	Mathews
Barron	Davis	Haverfield	Pope
Carlton	Dressler	Henderson	Price
Carraway	Friday	Hollahan	Ryan
Cleveland	Gautier	Johnson (19th)	Spottswood

Stratton	Thomas	Whitaker	Young
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Nays—14.

Mr. President	Johnson (6th)	Melton	Usher
Bronson	McDonald	Pearce	Williams
Edwards	McLaughlin	Roberts	
Johns	Mapoles	Tapper	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rule 40 was adopted:

#### AMENDING AFTER ENGROSSED

Rule 40. No engrossed bills or Joint Resolutions which have been read a third time in full shall be amended except upon the vote of two-thirds of the Senators present and when so amended shall be re-engrossed unless it is otherwise ordered by the Senate and shall not lose its place on the calendar.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, McLaughlin, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "nay".

On motion of Senator Whitaker, Rules 41, 42 and 43 of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 44 was adopted:

#### AMENDMENT

Rule 44. Any bill or resolution (requiring more than one reading) may be amended by a majority vote of the Senators present after it has been read a second time but before it has been read a third time in full. Any bill or resolution may be amended by a two-thirds vote of the Senators present after it has been read a third time in full. A proposal to strike out all after the enacting clause or the resolving clause of a bill or Joint Resolution and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

The vote was:

Yeas—24.

Askew	Friday	Hollahan	Ryan
Barron	Gautier	Johnson (19th)	Spottswood
Carlton	Gibson	McCarty	Stratton
Cleveland	Griffin	Mathews	Thomas
Daniel	Haverfield	Pope	Whitaker
Dressler	Henderson	Price	Young

Nays—18.

Mr. President	Davis	McLaughlin	Tapper
Barber	Edwards	Mapoles	Usher
Bronson	Johns	Melton	Williams
Carraway	Johnson (6th)	Pearce	
Covington	McDonald	Roberts	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rule 45 of the 1965 Regular Session was adopted.

On motion of Senator Whitaker, Rule 46 was adopted:

#### MOTION TO STRIKE

Rule 46. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment or motion to strike out or insert, and no motion or proposal on a subject different from that under consideration shall be admitted under color of amendment. Nothing herein

shall prevent an amendment which strikes everything after the enacting clause or resolving clause and inserts, so long as it is germane to the subject under consideration.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, McLaughlin, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "Nay."

On motion of Senator Whitaker, Rule 47 was adopted:

**RECONSIDERATION**

Rule 47. When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same 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 when made; and if the Senate shall refuse to reconsider, or upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent. Reconsideration shall be determined by a majority vote of the Senators present.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, McLaughlin, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "Nay".

On motion of Senator Whitaker, Rules 48 through 51, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 52 was adopted:

**CONFERENCE COMMITTEES**

Rule 52. Conference committees may be ordered by the Senate from time to time and the membership thereof shall be selected by a majority vote of the Senators present. Presentation of reports of conference committees shall always be in order, except when the journal is being read, while the roll in being called, or the Senate is dividing on any point; and there shall accompany every such report a detailed statement sufficiently explicit to inform the Senate of the effect any amendments or modifications will have upon the measure to which such report relates. Reports of conference committees may not be amended except by concurrent resolution.

The vote was:

Yeas—26.

Askew	Dressler	Hollahan	Spottswood
Barron	Friday	Johnson (19th)	Stratton
Carlton	Gautier	McCarty	Thomas
Cleveland	Gibson	Mathews	Whitaker
Covington	Griffin	Pope	Young
Daniel	Haverfield	Price	
Davis	Henderson	Ryan	

Nays—15.

Mr. President	Edwards	McLaughlin	Tapper
Barber	Johns	Melton	Usher
Bronson	Johnson (6th)	Pearce	Williams
Carraway	McDonald	Roberts	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965 J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rules 53 through 58, inclusive, of the 1965 Regular Session were adopted.

Senator Whitaker moved the adoption of Rule 59 as follows:

**COMMITTEE OF THE WHOLE**

Rule 59. The Senate may resolve itself into a committee of the whole by a majority vote of the Senate and shall forthwith elect a permanent Chairman by a majority vote of the members of the committee present. The President, or in his absence the President Pro Tempore, shall preside as tempo-

rary Chairman of the committee of the whole until the selection of a permanent Chairman. The Senate, when sitting as a committee of the whole, may take up and consider any matter and upon approval by a majority vote of the members of the committee present report such matter to the Senate for its consideration. Any report of the committee of the whole shall be a special and continuing order of business of the Senate until disposed of by a majority vote of the Senators present. When the Senate, sitting as a committee of the whole, introduces or reports a Bill, Joint Resolution, Concurrent Resolution, Resolution or Memorial, such Bill, Joint Resolution, Concurrent Resolution, Resolution or Memorial shall be placed on the Calendar without further reference to committee. All Bills or Joint Resolutions dealing with legislative apportionment or congressional districting shall be referred only to the committee of the whole. When the Senate is sitting as a committee of the whole, the Chairman of the committee shall determine the amount and allocate equal time for debate to the proponents and opponents of each question or proposition before the committee.

Senator Covington offered the following amendment:

Rule 59. After the word "Senate" in line two strike the balance of the paragraph.

The vote was:

Yeas—19.

Mr. President	Davis	McLaughlin	Spottswood
Barber	Edwards	Mapoles	Tapper
Bronson	Johns	Melton	Usher
Carraway	Johnson (6th)	Pearce	Williams
Covington	McDonald	Roberts	

Nays—23.

Askew	Friday	Hollahan	Ryan
Barron	Gautier	Johnson (19th)	Stratton
Carlton	Gibson	McCarty	Thomas
Cleveland	Griffin	Mathews	Whitaker
Daniel	Haverfield	Pope	Young
Dressler	Henderson	Price	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the foregoing motion. If he were present he would vote "Yea" and I would vote "Nay".

Dated June 25, 1965 J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rule 59 was adopted. The vote was:

Yeas—23.

Askew	Friday	Hollahan	Ryan
Barron	Gautier	Johnson (19th)	Stratton
Carlton	Gibson	McCarty	Thomas
Cleveland	Griffin	Mathews	Whitaker
Daniel	Haverfield	Pope	Young
Dressler	Henderson	Price	

Nays—19.

Mr. President	Davis	McLaughlin	Spottswood
Barber	Edwards	Mapoles	Tapper
Bronson	Johns	Melton	Usher
Carraway	Johnson (6th)	Pearce	Williams
Covington	McDonald	Roberts	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965 J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rules 60 through 63, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 64 was adopted:

## CALENDAR

## Divisions

Rule 64. There shall be several divisions of the Calendar as to business to come before the Senate:

- (a) Consideration of Senate Resolutions and Senate Concurrent Resolutions;
- (b) Consideration of House Concurrent Resolutions;  
(Order of the Day)
- (c) Motions to reconsider carried over pursuant to Senate Rule 47;
- (d) Unfinished business in which the Senate was engaged at the time of the last adjournment;
- (e) Special orders of business;
- (f) Senate Bills of a general nature and Senate Joint Resolutions pending third reading;
- (g) House Bills of a general nature and House Joint Resolutions pending third reading;
- (h) Senate Bills of a general nature and Senate Joint Resolutions pending second reading;
- (i) House Bills of a general nature and House Joint Resolutions pending second reading;
- (j) Miscellaneous Business;
- (k) Petitions and Memorials.

A vote of two-thirds of the membership of the Senate shall be required to set a Special Order except as otherwise provided in Rule 59.

The vote was:

Yeas—26.

Askew	Dressler	Hollahan	Spottswood
Barber	Friday	Johnson (19th)	Stratton
Barron	Gautier	McCarty	Thomas
Carlton	Gibson	Mathews	Whitaker
Cleveland	Griffin	Pope	Young
Daniel	Haverfield	Price	
Davis	Henderson	Ryan	

Nays—15.

Mr. President	Johns	Mapoles	Tapper
Bronson	Johnson (6th)	Melton	Usher
Covington	McDonald	Pearce	Williams
Edwards	McLaughlin	Roberts	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rule 65 of the 1965 Regular Session was adopted.

On motion of Senator Whitaker, Rule 66 was adopted:

## SPECIAL ORDER CALENDAR

Rule 66. The Committee on Rules and Calendar may from day to day during the last twenty working days of the session, submit a Special Order Calendar fixing the priority of business to be transacted before the Senate which shall be constituted of general measures of major importance and no other matters shall be considered until such Special Order Calendar has been disposed of; provided, however, that any Bill or Resolution appearing in such Special Order Calendar may be removed therefrom or any Bill may be placed thereon by a majority vote of the members of the Senate.

The vote was:

Yeas—28.

Askew	Davis	Haverfield	Price
Barber	Dressler	Henderson	Ryan
Barron	Edwards	Hollahan	Spottswood
Carlton	Friday	Johnson (19th)	Stratton
Carraway	Gautier	McCarty	Thomas
Cleveland	Gibson	Mathews	Whitaker
Covington	Griffin	Pope	Young

Nays—13.

Mr. President	McDonald	Pearce	Williams
Bronson	McLaughlin	Roberts	
Johns	Mapoles	Tapper	
Johnson (6th)	Melton	Usher	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Whitaker, Rules 67 through 70, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 71 of the first Extra Session of 1965 was adopted.

On motion of Senator Whitaker, Rules 72 through 77, inclusive, of the 1965 Regular Session were adopted.

On motion of Senator Whitaker, Rule 78 was adopted:

## PARLIAMENTARY RULES

## Jefferson's Manual

Rule 78. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases not covered by these rules.

Whenever the presiding officer is in doubt with reference to procedure involving any rule or motion, he shall have authority to refer the question to a special parliamentary committee composed of the Chairman of the Rules Committee, the Secretary of the Senate, an Assistant Attorney General, and any former presiding officer of the Senate if he deems it expedient. Such Committee shall research the problem and make a report to the President of the Senate.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, McLaughlin, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "Nay".

On motion of Senator Whitaker, Rule 79 was adopted:

## CHANGES OF RULES

Rule 79. No rule of the Senate shall be changed, amended, altered, suspended, rescinded, waived, or repealed, except by vote of two-thirds of the Senate, provided that unanimous consent shall be necessary to change, modify, waive, suspend or repeal any rule specifically requiring unanimous consent for such change, modification, waiver or suspension, or any rule providing for its own suspension or waiver by special rule reported by the Committee of the whole and approved by a majority vote of the Senators present. No Bill can be taken up for consideration out of order without unanimous consent, unless otherwise provided by special rule reported out by the Committee of the whole and approved by a majority vote of the Senators present.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, McLaughlin, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "Nay".

On motion of Senator Whitaker, Rules 80 through 95, inclusive of the 1965 Regular Session were adopted.

On motion of Senator Mathews, the Senate resolved itself into a Committee of the Whole.

Senator Pope moved that Senator Connor be nominated to serve as Chairman of the Committee of the Whole.

Senator Cross moved that nominations cease. Which was agreed to and so ordered.

Senator Williams presiding.

Senator Connor was unanimously designated as Chairman of the Committee of the Whole.

Senator Connor, Chairman, presiding.

Senators Askew, Johnson (19th), Whitaker, Price, Mathews, Pope, Carlton, Ryan, Gautier, Gibson, Cleveland, Henderson, McCarty, Cross, Barron, Daniel, Young, Thomas, Hollahan, Griffin, Haverfield, Dressler, Barber, Spottswood, Mapoles and Stratton submitted a bill for consideration.

The Chairman declared the Committee of the Whole in informal recess at 12:47 P.M.

The Committee of the Whole reconvened at 1:22 P.M. with Senator Connor, Chairman, presiding.

The roll was called and the following Senators were recorded present:

Mr. Chairman	Davis	Johnson (19th)	Roberts
Askew	Dressler	Johnson (6th)	Ryan
Barber	Edwards	McCarty	Spottswood
Barron	Friday	McDonald	Stratton
Bronson	Gautier	McLaughlin	Tapper
Carlton	Gibson	Mapoles	Thomas
Carraway	Griffin	Mathews	Usher
Cleveland	Haverfield	Melton	Whitaker
Covington	Henderson	Pearce	Williams
Cross	Hollahan	Pope	Young
Daniel	Johns	Price	

43. A quorum present.

The Committee of the Whole resumed consideration of the bill submitted by Senator Askew and others.

The following amendment was adopted on motion of Senator Askew:

At the end of Section 2 (1), page 8, insert the following:

(2) Members of the house of representatives shall reside in and be elected at large by the voters in the respective counties or districts for which they were chosen; provided, however, that when any county has more than ten (10) representatives, it shall be divided into districts by an act of this legislature, the number of such districts to be the number of representatives in excess of ten (10) and the representatives in excess of ten (10) shall be qualified electors of and reside in and be elected by the qualified electors in their respective districts.

(3) The representation of the people of the state in the house of representatives of the state shall continue as now constituted until the general election to be held in November, 1966. Members of the house of representatives as provided herein shall be nominated in 1966 in the manner provided by law and shall be elected at the general election in November, 1966.

Senators Johnson (6th) and Tapper offered the following amendment which was adopted on motion of Senator Johnson (6th):

On page 2, In Fifth district, after the words "Franklin Counties," strike the remainder of the language pertaining to the fifth district.

On motion of Senator Mathews the bill submitted by Senator Askew and others was adopted as amended, as a committee bill.

The vote was:

Yeas—29.

Askew	Dressler	Johnson (19th)	Spottswood
Barber	Friday	McCarty	Stratton
Barron	Gautier	McLaughlin	Thomas
Carlton	Gibson	Mapoles	Whitaker
Carraway	Griffin	Mathews	Young
Cleveland	Haverfield	Pope	
Daniel	Henderson	Price	
Davis	Hollahan	Ryan	

Nays—13.

Mr. Chairman	Johns	Pearce	Williams
Bronson	Johnson (6th)	Roberts	
Covington	McDonald	Tapper	
Edwards	Melton	Usher	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

Senator Usher offered the following amendment which failed:

In Section 2, Subsection (1), line 21, on page 7, strike: "Gilchrist"

The vote was:

Yeas—19.

Mr. Chairman	Friday	Mapoles	Stratton
Bronson	Johns	Melton	Tapper
Covington	Johnson (6th)	Pearce	Usher
Davis	McDonald	Roberts	Williams
Edwards	McLaughlin	Spottswood	

Nays—23.

Askew	Daniel	Henderson	Price
Barber	Dressler	Hollahan	Ryan
Barron	Gautier	Johnson (19th)	Thomas
Carlton	Gibson	McCarty	Whitaker
Carraway	Griffin	Mathews	Young
Cleveland	Haverfield	Pope	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the foregoing motion. If he were present he would vote "Yea" and I would vote "Nay".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

Senator Mathews moved that the bill be reported favorably.

The vote was:

Yeas—29.

Askew	Dressler	Johnson (19th)	Spottswood
Barber	Friday	McCarty	Stratton
Barron	Gautier	McLaughlin	Thomas
Carlton	Gibson	Mapoles	Whitaker
Carraway	Griffin	Mathews	Young
Cleveland	Haverfield	Pope	
Daniel	Henderson	Price	
Davis	Hollahan	Ryan	

Nays—13.

Mr. Chairman	Johns	Pearce	Williams
Bronson	Johnson (6th)	Roberts	
Covington	McDonald	Tapper	
Edwards	Melton	Usher	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Mathews, the Chairman was instructed to report to the Senate that the committee bill was reported favorably for introduction in the Senate, that it be appropriately numbered, introduced and referred directly to the calendar.

Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams were recorded as voting "Nay".

Senator Mathews moved that the Committee of the Whole rise. Which was agreed to.

The Senate resumed its session at 2:05 P. M. with the President in the Chair.

The roll was called and the following Senators were recorded present:

Mr. President	Davis	Johnson (19th)	Roberts
Askew	Dressler	Johnson (6th)	Ryan
Barber	Edwards	McCarty	Spottswood
Barron	Friday	McDonald	Stratton
Bronson	Gautier	McLaughlin	Tapper
Carlton	Gibson	Mapoles	Thomas
Carraway	Griffin	Mathews	Usher
Cleveland	Haverfield	Melton	Whitaker
Covington	Henderson	Pearce	Williams
Cross	Hollahan	Pope	Young
Daniel	Johns	Price	

43. A quorum present.

The following Report was received and read:

**REPORT OF THE COMMITTEE OF THE WHOLE**

As Chairman of the Committee of the Whole duly elected by the Committee, I have been instructed to report and do hereby report the following actions of said Committee:

1. That the Committee of the Whole has reported favorably as a Committee bill Senate Bill to be designated as Senate Bill No. 2-XX(65).

2. That Senate Bill No. 2-XX(65) by the Committee of the Whole be introduced, read the first time in full and referred directly to the calendar for consideration as a special and continuing order pursuant to Senate Rule 59.

Respectfully submitted,  
JAMES E. CONNOR  
Chairman, Committee of the Whole

On motion of Senator Pope, the foregoing Report was adopted, with Senators Connor, Bronson, Covington, Edwards, Johns, Johnson (6th), McDonald, Melton, Pearce, Roberts, Tapper, Usher and Williams voting "Nay".

On motion of Senator Askew, the Senate proceeded to the order of introduction of bills.

#### INTRODUCTION

By Senator Spottswood—

SJR 1-XX(65)—A joint resolution proposing an amendment to Article VII of the Florida Constitution by adding a section providing, under certain circumstances, for apportionment of representation in the senate based upon other factors in addition to population; prescribing criteria therefor; declaring an emergency for the purpose of calling a special election.

Was read the first time in full and referred to the Committee of the Whole.

By the Committee of the Whole—

SB 2-XX(65)—A bill to be entitled An act relating to the legislature of the state of Florida; amending sections 10.01, 10.02 and 10.03, Florida Statutes; prescribing the number of members in both houses; prescribing terms of office; providing for continuance in office by members until the general election in November, 1966; providing for continuance in office of certain senators until 1968; providing for elections; providing an effective date.

Was read the first time in full and referred directly to the Calendar for consideration as a Special and Continuing Order pursuant to Senate Rule 59.

#### SPECIAL AND CONTINUING ORDER

SB 2-XX(65)—A bill to be entitled An act relating to the legislature of the state of Florida; amending sections 10.01, 10.02 and 10.03, Florida Statutes; prescribing the number of members in both houses; prescribing terms of office; providing for continuance in office by members until the general election in November, 1966; providing for continuance in office of certain senators until 1968; providing for elections; providing an effective date.

Was taken up. On motion of Senator Askew, the rules were waived by two-thirds vote and SB 2-XX(65) was read the second time by title.

Senator Johns offered the following amendment which was adopted:

In Section 1, line 11, on page 2, strike: "Ninth District" and insert the following: Fifteenth District

Senator Johns also offered the following amendment which was adopted:

In Section 1, line 29, on page 2, strike: "Fifteenth District" and insert the following: Ninth District

Senator Askew moved that the rules be further waived and SB 2-XX(65) as amended be read a third time in full and placed on its final passage. The vote was:

Yeas—37.

Mr. President	Dressler	Johnson (6th)	Ryan
Askew	Friday	McCarty	Spottswood
Barber	Gautier	McDonald	Stratton
Barron	Gibson	McLaughlin	Tapper
Carlton	Griffin	Mapoles	Thomas
Carraway	Haverfield	Mathews	Whitaker
Cleveland	Henderson	Melton	Young
Covington	Hollahan	Pope	
Daniel	Johns	Price	
Davis	Johnson (19th)	Roberts	

Nays—5.

Bronson	Pearce	Usher	Williams
Edwards			

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the adoption of the foregoing motion. If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

Upon the passage of SB 2-XX(65) as amended the vote was:

Yeas—29.

Askew	Dressler	Johnson (19th)	Spottswood
Barber	Friday	McCarty	Stratton
Barron	Gautier	McLaughlin	Thomas
Carlton	Gibson	Mapoles	Whitaker
Carraway	Griffin	Mathews	Young
Cleveland	Haverfield	Pope	
Daniel	Henderson	Price	
Davis	Hollahan	Ryan	

Nays—13.

Mr. President	Johns	Pearce	Williams
Bronson	Johnson (6th)	Roberts	
Covington	McDonald	Tapper	
Edwards	Melton	Usher	

The following Pair was announced by the Secretary:

I am paired with Senator Clarke on the passage of SB 2-XX(65). If he were present he would vote "Nay" and I would vote "Yea".

Dated June 25, 1965

J. EMORY CROSS  
Senator, 32nd District

On motion of Senator Askew, the bill was immediately certified to the House after engrossing.

On motion of Senator Mathews, it was agreed by two-thirds vote that when the Senate adjourns today it adjourn to reconvene at 2:00 P. M., June 28, 1965.

On motion of Senator Henderson, the Senate reverted to the introduction of bills.

#### INTRODUCTION

By two-thirds vote of the Senate the following bill was admitted for introduction and consideration:

By Senator Henderson—

SB 3-XX(65)—A bill to be entitled An act relating to Sarasota county, board of public instruction; amending sections 1 and 2 of house bill 1229, introduced and enacted into law at the 1965 regular session of the Florida legislature; authorizing the board to enter into agreements for group life insurance for instructional and administrative personnel and other employees of the board and their dependents; authorizing the payment of certain costs; providing an effective date.

Was read the first time by title. On motions of Senator Henderson, the rules were waived by two-thirds vote and SB 3-XX(65) was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—43. Nays—None.

Mr. President	Davis	Johnson (19th)	Roberts
Askew	Dressler	Johnson (6th)	Ryan
Barber	Edwards	McCarty	Spottswood
Barron	Friday	McDonald	Stratton
Bronson	Gautier	McLaughlin	Tapper
Carlton	Gibson	Mapoles	Thomas
Carraway	Griffin	Mathews	Usher
Cleveland	Haverfield	Melton	Whitaker
Covington	Henderson	Pearce	Williams
Cross	Hollahan	Pope	Young
Daniel	Johns	Price	

The bill was certified to the House immediately.

By permission the following report was received:

#### ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 2-XX(65) with 4 amendments

—reports that the Senate amendments have been incorporated and the bill is returned herewith.

EDWIN G. FRASER  
Secretary of the Senate

The bill was certified to the House immediately.

On motion of Senator Mathews, the Senate stood adjourned at 3:14 P. M. until 2:00 P. M., June 28, 1965.