

EXTRA SESSION

JOURNAL OF THE SENATE

Friday, July 2, 1965

The Senate was called to order by the President at 10:30 A.M. The following Senators were recorded present:

Table listing Senators present: Mr. President Daniel, Askew, Barber, Barron, Bronson, Carlton, Carraway, Clarke, Cleveland, Covington, Cross, Johns, Johnson (19th), Johnson (6th), Edwards, Friday, Gautier, Gibson, Griffin, Haverfield, Henderson, Hollahan, Price, Roberts, Ryan, Spottswood, Stratton, Tapper, Thomas, Usher, Whitaker, Williams, Young.

44. A quorum present.

Prayer by Senator Robert Williams of the Fourth Senatorial District:

Our Father, God, for life itself we give thee thanks. For the associations of this session, for friends who have labored together during these days for the good of thy people in Florida we give thee thanks. As we go our separate ways on this day, we pray that we shall go with cleansed minds and hearts and all the things that would keep us from thee or from each other be cleansed now from our spirits and our minds that we go forth in renewed dedication to service to thy people again. Dismiss us now from this session with love in our hearts for thee and for each other. In Jesus' name we pray. Amen.

The reading of the Journal was dispensed with.

The Journal of July 1 was corrected and approved as follows:

Page 26, column 2, between lines 17 and 18 insert the following:

By permission the following reports were received:

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 26-XX(65) with 2 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.

ENROLLING REPORT

Your Enrolling Clerk, to whom was referred—

SB 4-XX(65) SB 8-XX(65) SB 10-XX(65)

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on July 1, 1965.

EDWIN G. FRASER Secretary of the Senate

Page 27, column 2, strike lines 1 through 17

Senator Tapper presiding.

INTRODUCTION

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

By Senators Williams, Askew, Barber, Barron, Bronson, Carlton, Carraway, Clarke, Cleveland, Connor, Covington, Cross, Daniel, Davis, Dressler, Edwards, Friday, Gautier,

Gibson, Griffin, Haverfield, Henderson, Hollahan, Johns, Johnson (19th), Johnson (6th), McCarty, McDonald, McLaughlin, Mapoles, Mathews, Melton, Pearce, Pope, Price, Roberts, Ryan, Spottswood, Stratton, Tapper, Thomas, Usher, Whitaker and Young—

SR 28-XX(65)—A resolution expressing thanks and appreciation for the cooperation and work beyond the call of duty rendered by certain members of the Budget Commission staff

WHEREAS, certain personnel of the Budget Commission rendered invaluable service to the members of the Senate Committee on Legislative and Congressional Apportionment during the period of the Extraordinary Sessions of 1965 in the preparation of bills and other legislation, and

WHEREAS, although this work entailed effort over and beyond the prescribed office hours in order to prepare legislation in emergencies, and

WHEREAS, this service was ever rendered with courteous efficient and extraordinary dispatch, NOW, THEREFORE

Be It Resolved by the Senate of the State of Florida:

Section 1. That we do by this Resolution express to Gerald O. Jones, Fred Baldwin, Bonnie Awbrey, Gilbert Gentry, Leroy Qualls, Carl Blackwell, Jim Story, Hubert Helton and Joe Cresse, who have been so patient and willing in expediting the preparation of all types of legislation, the Senate's appreciation for the exemplary services so graciously and efficiently rendered by them.

Section 2. That a copy of this resolution be presented to each of the above named personnel as a token of thanks for their fine cooperation.

Was read the first time in full and unanimously adopted.

By Senators Mathews, Tapper, Williams and Johnson (6th)—

SCR 29-XX(65)—A concurrent resolution recessing the Florida legislature until midnight July 14, 1965, subject to recall into session by the president of the senate and the speaker of the house of representatives; suspending payment of per diem and other expense allowances during such recess

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the senate and the house of representatives shall stand in informal recess until midnight, July 14, 1965, subject to recall into session by the president of the senate and the speaker of the house of representatives.

BE IT FURTHER RESOLVED that during such informal recess all payments of per diem and mileage allowances shall be suspended.

Was read the first time in full. On motion of Senator Mathews, the rules were waived by two-thirds vote, SCR 29-XX(65) was read the second time in full, unanimously adopted, and certified to the House immediately.

The following Report was received and read:

CONFERENCE COMMITTEE REPORT ON SB 26-XX(65)

Honorable James E. Connor President of the Senate Tallahassee, Florida

Tallahassee, Florida July 2, 1965

Honorable E. C. Rowell Speaker, House of Representatives Tallahassee, Florida

Sirs:

Your Conference Committee on the disagreeing votes of the

two Houses on the House Amendment Number 1 to Senate Bill No. 26-XX(65), same being—

A bill to be entitled An act relating to establishment of congressional districts; amending section 8.01, Florida Statutes, providing for the division of the state into congressional districts; amending section 8.04, Florida Statutes, providing effective dates.

having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the House recede from its Amendment Number 1 to Senate Bill No. 26-XX(65);
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report;
3. That the Senate and the House of Representatives pass Senate Bill No. 26-XX(65), as amended by said Conference Committee.

GEORGE L. HOLLAHAN, JR. JESS YARBOROUGH  
 A. J. RYAN, JR. EMERSON ALLSWORTH  
 ROBERT M. HAVERFIELD JAMES H. SWEENEY, JR.  
 JOHN M. SPOTTWOOD EDMOND J. GONG  
 Managers on the part of Managers on the part of  
 the Senate the House of Representatives

The Conference Committee on SB 26-XX(65) offers the following amendment:

In Section 1, line 40, pages 3 and 4 strike the entire paragraph and insert the following:

Commencing at the point of intersection of the West County line of Dade county with the center line of the Tamiami Canal; thence Easterly along the center line of the Tamiami Canal to its intersection with the center line of NW 20th Street; thence Easterly along the center line of NW 20th Street to the center line of NW 12th Avenue; thence Southerly along the center line of NW 12th Avenue to the North bank of the Miami River; thence Easterly along the North bank of the Miami River to the center line of NW and NE 2nd Street; thence Easterly along the center line of NW and NE 2nd Street and an extension thereof to the East city limits of the City of Miami; thence North along the East city limits of the City of Miami to the center line of an extension of 14th Street, Miami Beach; thence Easterly along the center line of said extension of 14th Street to the center line of Dade Boulevard; thence Northeasterly along the center line of Dade Boulevard to the center line of Alton Road; thence Northerly along the center line of Alton Road to the South line of the 36th Street Causeway; thence Easterly along the South line of the 36th Street Causeway and an extension of said line to Biscayne Waterway; thence along the center of Biscayne Waterway to the center line of 34th Street, Miami Beach; thence easterly along the center line of 34th Street to the Atlantic Ocean;

On motion of Senator Hollahan, the Conference Committee Report was adopted.

On motion of Senator Hollahan, the Conference Committee amendment, contained in the Conference Committee Report, was adopted.

On motion of Senator Hollahan, SB 26-XX(65) was read in full as amended and passed. The vote was:

Yeas—32.

Askew	Davis	Hollahan	Pope
Barber	Dressler	Johnson (19th)	Price
Barron	Edwards	McCarty	Ryan
Bronson	Friday	McDonald	Spottswood
Carlton	Gautier	Mapoles	Stratton
Cleveland	Griffin	Mathews	Thomas
Covington	Haverfield	Melton	Usher
Cross	Henderson	Pearce	Young

Nays—12.

Mr. President	Daniel	Johnson (6th)	Tapper
Carraway	Gibson	McLaughlin	Whitaker
Clarke	Johns	Roberts	Williams

The bill was ordered engrossed and immediately certified to the House.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message was read:

*The Honorable James E. Connor*  
*President of the Senate*

July 1, 1965

Sir:

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

By Representative Shevin of Dade and others—

HB 35-XX—A bill to be entitled An act relating to legislative districts when required by law; providing for the composition of districts in Dade County; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
 LAMAR BLEDSOE  
 Chief Clerk, House of Representatives

HB 35-XX, contained in the above message, was read the first time by title. On motions of Senator Hollahan, the rules were waived by two-thirds vote and HB 35-XX was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—39.

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

Nays—1.

Daniel

The bill was certified to the House immediately.

EXPLANATION OF VOTE

I voted "no" on the final passage of HB 35-XX because the bill does not reflect fair districting.

To properly reflect the "one man-one vote" theory of the United States Supreme Court every district or county having more than one Representative or Senator should be divided into districts so that no voter of Florida would be permitted to vote for more than one Senator and one Representative.

Respectfully submitted,  
 WELBORN DANIEL  
 Senator, 23rd District

The President presiding.

By direction of the President, the following communication from Senator Dewey M. Johnson of the 6th Senatorial District was read:

*Honorable James E. Connor*  
*President*  
*The Florida Senate*  
*Tallahassee, Florida*

July 2, 1965

Sir:

Honorable Haydon Burns, Governor, has appointed me to the office of Judge of the District Court of Appeal for the First District, and in order for me to accept such appointment, it is necessary for me to resign from my office as Senator, and therefore I do herewith resign as Senator of the Sixth Senatorial District of Florida, effective upon the adjournment of the Daily Session of the Senate on this day.

I have enjoyed my service in the Senate and in the Legislature, and have acquired many, and I hope, lasting friends. I will always look back over the twenty-seven years of my life in the Legislature with a great deal of pleasure and pride,

and I wish for each of you as pleasant and long tenure in the service in the Senate as I have enjoyed.

Respectfully submitted,  
DEWEY M. JOHNSON

By permission the following report was received:

#### ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 26-XX(65) with 4 House amendments and 1 conference committee amendment

—reports that the 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.

The President declared the Senate in informal recess at 11:04 A.M. The Senate was called to order by the President at 11:25 A.M.

#### The President in the Chair.

The following Senators were recorded present:

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

44. A quorum present.

The Committee appointed to notify the House 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 Senate resumed the consideration of House messages.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

*The Honorable James E. Connor* July 1, 1965  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for consideration by the required Constitutional two-thirds vote and passed—

SB 15-XX(65) SB 22-XX(65) SB 23-XX(65)

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

*The Honorable James E. Connor* July 1, 1965  
*President of the Senate*

Sir:

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

SCR 29-XX(65)

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

The concurrent resolution, contained in the above message, was ordered enrolled.

*The Honorable James E. Connor* July 2, 1965  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Repre-

sentatives has admitted for consideration by the required Constitutional two-thirds vote and passed—

SB 25-XX(65)

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

*The Honorable James E. Connor*  
*President of the Senate*

July 2, 1965

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for consideration by the required Constitutional two-thirds vote and adopted—

SCR 27-XX(65)

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

The concurrent resolution, contained in the above message, was ordered enrolled.

*The Honorable James E. Connor*  
*President of the Senate*

July 2, 1965

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for consideration by the required Constitutional two-thirds vote and passed, with amendment—

By Senator Spottswood—

SB 19-XX(65)—A bill to be entitled An act prohibiting zoning classification changes under certain circumstances, in any city having a population in excess of twenty-five thousand (25,000), according to the latest official decennial census, located in any county of the state having a population of not less than forty-five thousand (45,000) and not more than fifty-one thousand (51,000), according to the latest official decennial census; providing an effective date.

Which amendment reads as follows: Strike Section 4 and insert the following:

Section 4. This act shall become effective September 1, 1965.

—and requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

On motion of Senator Spottswood, the Senate concurred in the House amendment to SB 19-XX(65).

The action of the Senate was ordered certified to the House and SB 19-XX(65) was ordered engrossed.

The following message was read, and by two-thirds vote of the Senate the concurrent resolution contained therein was admitted for introduction and consideration:

*The Honorable James E. Connor*  
*President of the Senate*

July 2, 1965

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction and consideration by the required Constitutional two-thirds vote and adopted—

By Representative Knopke of Hillsborough and others—

HCR 36-XX—A concurrent resolution endorsing the efforts of the Governor and the Florida Development Commission and various commissions of the state of Florida to persuade the Atomic Energy Commission to construct a national accelerated laboratory within the state of Florida.

WHEREAS, the Atomic Energy Commission plans to construct a national laboratory consisting of protons accelerated into 200 billion electron volt range with associated supported facilities at a cost of \$280 million, and

WHEREAS, the Atomic Energy Commission and the National Academy of Scientists are evaluating a proposal from a great many states, including Florida, seeking the establishment of the laboratory within their borders, and

WHEREAS, the Governor, the Florida Development Commission and various commissions of the State of Florida are now executing their best efforts to persuade the Atomic Energy Commission to locate the laboratory within the State of Florida, and

WHEREAS, the Legislature of the State of Florida believes that Florida would be an ideal site for the laboratory because of its abundant land, utilities, water resources, commercial and industrial facilities, housing, research centers, cultural and educational facilities and outstanding surface and air transportation, NOW, THEREFORE,

*Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:*

That the Legislature of the State of Florida does endorse the efforts of the Governor, the Florida Development Commission and various commissions of the state and pledges its support to those seeking to convince the Atomic Energy Commission and the National Academy of Scientists to locate the national accelerated laboratory in the State of Florida.

BE IT FURTHER RESOLVED, that copies of this resolution be executed and sent to appropriate persons and the Atomic Energy Commission and the National Academy of Scientists.

—and requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

HCR 36-XX, contained in the above message, was read the first time in full. On motion of Senator Whitaker, the rules were waived by two-thirds vote, HCR 36-XX was read the second time in full, unanimously adopted, and certified to the House immediately.

*The Honorable James E. Connor*  
*President of the Senate*

July 2, 1965

Sir:

I am directed to inform the Senate that the House of Representatives has accepted and adopted the Conference Committee report on—

By the Committee of the Whole—

SB 26-XX(65)—A bill to be entitled An act relating to establishment of congressional districts; amending section 8.01, Florida Statutes, providing for the division of the state into congressional districts; amending section 8.04, Florida Statutes, providing effective dates.

and has receded from House amendment No. 1 and has adopted the Conference Committee amendment which reads as follows:

In Section 1, line 40, pages 3 and 4, strike the entire paragraph and insert the following: Commencing at the point of intersection of the West County line of Dade County with the center line of the Tamiami Canal; thence Easterly along the center line of the Tamiami Canal to its intersection with the center line of NW 20th Street; thence Easterly along the center line of NW 20th Street to the center line of NW 12th Avenue; thence southerly along the center line of NW 12th Avenue to the North bank of the Miami River; thence Easterly along the North bank of the Miami River to the center line of NW and NE 2nd Street; thence Easterly along the center line of NW and NE 2nd Street and an extension thereof to the East city limits of the city of Miami; thence North along the East city limits of the City of Miami to the center line of an extension of 14th Street, Miami Beach; thence Easterly along the center line of said extension

of 14th Street to the center line of Dade Boulevard; thence Northeasterly along the center line of Dade Boulevard to the center line of Alton Road; thence Northerly along the center line of Alton Road to the South line of the 36th Street Causeway; thence Easterly along the South line of the 36th Street Causeway and an extension of said line to Biscayne Waterway; thence along the center of Biscayne Waterway to the center line of 34th Street, Miami Beach; thence Easterly along the center line of 34th Street to the Atlantic Ocean;

and has passed, as amended by the Conference Committee amendment.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

SB 26-XX(65) was ordered enrolled.

By permission the following reports were received:

#### ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 19-XX(65) with 1 amendment

—reports that the House amendment has been incorporated and the bill is returned herewith.

EDWIN G. FRASER  
Secretary of the Senate

The bill was ordered enrolled.

#### ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

SB 16-XX(65)      SB 24-XX(65)      SB 26-XX(65)  
SB 17-XX(65)

—reports same have been enrolled, signed by the required Constitutional officers, and presented to the Governor on July 2, 1965.

EDWIN G. FRASER  
Secretary of the Senate

Your Enrolling Clerk, to whom was referred—

SB 15-XX(65)      SB 23-XX(65)      SCR 27-XX(65)  
SB 19-XX(65)      SB 25-XX(65)      SCR 29-XX(65)  
SB 22-XX(65)

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on July 2, 1965.

EDWIN G. FRASER  
Secretary of the Senate

On motion of Senator Askew that a committee be appointed to notify the House of Representatives that the Senate had completed its labors and to convey the commendation of the Senate to the Speaker for the exemplary manner in which the House has steered its course during the Regular and Extraordinary Sessions of the 1965 Legislature, the President appointed Senators Askew, McLaughlin, Thomas and Daniel. The committee withdrew.

A committee from the House of Representatives, composed of Representatives Stallings of Duval, Griffin of Osceola and Matthews of Dade, appeared at the Bar of the Senate and notified the Senate that the House of Representatives had completed its labors and was ready to adjourn. The President expressed the appreciation of the Senate for the report and the Committee withdrew.

The Committee appointed to notify the House of Representatives 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 Senate stood in informal recess at 11:35 A.M. until the hour of midnight, July 14, 1965, pursuant to the provisions of SCR 29-XX(65).