

JOURNAL OF THE SENATE

Friday, June 3, 1949

1003

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Thursday, June 2, 1949.

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

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, May 19, 1949, was further corrected as follows:

Page 4, column 1, line 13, counting from the bottom of the column, strike out the figures "22,689" and insert in lieu thereof the figures "22,589".

And as further corrected was approved.

The Senate daily Journal of Thursday, May 26, 1949, was further corrected as follows:

Page 17, column 1, between lines 9 and 10, counting from the bottom of the column, insert the following:

"And Senate Bill No. 263, contained in the above Message, was read by title, together with the House Amendments thereto."

And as further corrected was approved.

The Senate daily Journal of Friday, May 27, 1949, was further corrected as follows:

Page 27, column 1, line 17, between the word "and" and the word "House" insert the following:

"Committee Substitute for"

And as further corrected was approved.

The Senate daily Journal of Monday, May 30, 1949, was further corrected as follows:

Page 9, column 2, between lines 38 and 39, insert the following:

"Which was agreed to by a two-thirds vote."

Also—

Page 55, column 2, line 42, between the words "time" and "and" insert the following:

"in full".

And as further corrected was approved.

The Senate daily Journal of Tuesday, May 31, 1949, was further corrected as follows:

Page 42, column 1, strike out lines 7 and 8, and insert in lieu thereof the following:

"Was taken up".

Also—

Page 44, at the end of column 2, add the following:

"Which was agreed to by a two-thirds vote."

Also—

Page 55, column 2, line 34, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 55, column 2, line 47, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 12, column 2, between lines 3 and 4, counting from the bottom of the column, insert the following:

"Proof of Publication attached."

Also—

Page 12, column 2, strike out line 13, counting from the bottom of the column.

And as further corrected was approved.

The Senate daily Journal of Wednesday, June 1, 1949, was further corrected as follows:

Page 19, column 1, line 8, after the figures "1261" and before the word "the" insert the following:

". as amended,".

Also—

Page 28, column 1, between lines 5 and 6, counting from the bottom of the column, insert the following:

"until the payment of the bonds secured by such pledge; to exempt from taxes and assessments any recreational facilities".

Also—

Page 37, column 1, line 4, strike out the figures "977" and insert in lieu thereof the figures "997".

Also—

Page 41, column 1, at the end of line 42, insert the following:

"by waiver of the rule".

Also—

Page 41, column 2, between lines 41 and 42, insert the following:

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

And as further corrected was approved.

The Senate daily Journal of Thursday, June 2, 1949, was corrected as follows:

Page 2, column 2, line 15, counting from the bottom of the column, after the word "and" and before the word "Senate" insert the following:

"Committee Substitute for".

Also—

Page 2, column 2, at the beginning of line 31, counting from the bottom of the column, insert the following:

"Committee Substitute for".

Also—

Page 50, column 1, line 25, strike out the figures "651.20" and insert in lieu thereof the figures "561.20".

Also—

Page 50, column 2, at the end of line 22, insert the following:

"immediately, by waiver of the rule."

Also—

Page 51, column 2, between lines 6 and 7, counting from the bottom of the column, insert the following:

"Was taken up."

Also—

Page 78, column 2, line 17, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 80, column 2, between lines 39 and 40, insert the following:

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

Also—

Page 81, column 2, between lines 15 and 16, insert the following:

"And House Bill No. 1439 was read the third time in full".

Also—

Page 82, column 2, line 9, counting from the bottom of the column, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 83, column 2, line 39, strike out the figures "1154" and insert in lieu thereof the figures "1554".

Also—

Page 86, column 2, line 1, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 86, column 2, line 35, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 95, column 2, line 43, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 96, column 1, line 5, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 107, column 1, between lines 31 and 32, insert the following:

"Which was agreed to by a two-thirds vote."

Also—

Page 111, column 1, line 13, counting from the bottom of the column, strike out the word "Senate" and insert in lieu thereof the word "House".

Also—

Page 124, column 2, line 5, strike out the name "E. Drew Harris" and insert in lieu thereof the name "E. Harris Drew".

Also—

Page 124, column 2, line 14, strike out the name "Hefferman" and insert in lieu thereof the name "Heffernan".

And as corrected was approved.

Senator Sheldon moved that Senate Bill No. 436 be indefinitely postponed.

Which was agreed to and Senate Bill No. 436 was indefinitely postponed.

Senator Sheldon moved that House Bill No. 1607 be indefinitely postponed.

Which was agreed to and House Bill No. 1607 was indefinitely postponed.

Senator Sheldon moved that House Bill No. 1608 be indefinitely postponed.

Which was agreed to and House Bill No. 1608 was indefinitely postponed.

Senator Boyle asked unanimous consent of the Senate to take up and consider House Bill No. 1436, out of its order, at this time.

Which was agreed to.

H. B. No. 1436—A bill to be entitled An Act repealing Chapter 19715, Laws of Florida, 1939, creating and establishing the City of Canaveral in Brevard County, Florida, and providing for a referendum.

Was taken up.

Senator Boyle moved that the rules be waived and House Bill No. 1436 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1436 was read the second time by title only.

Senator Boyle moved that the rules be further waived and House Bill No. 1436 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. 1436 was read the third time in full.

Upon the passage of House Bill No. 1436 the roll was called and the vote was:

Yeas—38

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None

So House Bill No. 1436 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Leaird asked unanimous consent of the Senate to take up and consider House Bill No. 922, out of its order, at this time.

Which was agreed to.

H. B. No. 922—A bill to be entitled An Act relating to construction or repair of buildings of the State of Florida; to require separate specifications for heating and ventilating; plumbing and gas fitting; electrical installations; and air conditioning branches of work, when the entire cost of such work shall exceed ten-thousand dollars.

Was taken up.

Senator Leaird moved that the rules be waived and House Bill No. 922 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 922 was read the second time by title only.

Senator Leaird moved that the rules be further waived and House Bill No. 922 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. 922 was read the third time in full.

Upon the passage of House Bill No. 922 the roll was called and the vote was:

Yeas—38

| | | | |
|---------------|----------|----------|---------|
| Mr. President | Collins | Lindler | Sheldon |
| Alford | Crary | Mathews | Shivers |
| Ayers | Davis | McArthur | Smith |
| Baker | Franklin | Moore | Sturgis |
| Baynard | Gautier | Pearce | Tucker |
| Beacham | Getzen | Pope | Walker |
| Beall | Johns | Ray | Wilson |
| Boyle | Johnston | Rodgers | Wright |
| Carroll | King | Sanchez | |
| Clarke | Leaird | Shands | |

Nays—None

So House Bill No. 922 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Lindler asked unanimous consent of the Senate to take up and consider House Bill No. 437, out of its order, at this time.

Which was agreed to.

H. B. No. 437—A bill to be entitled An Act relating to education: to amend Section 236.08, Florida Statutes, 1941, as amended by Section 32 of Chapter 23726, Laws of Florida, Acts of 1947, as to the duty of the State Superintendent to determine and certify allocation of funds.

Was taken up.

Senator Lindler moved that the rules be waived and House Bill No. 437 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 437 was read the second time by title only.

Senator Lindler moved that the rules be further waived and House Bill No. 437 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. 437 was read the third time in full.

Upon the passage of House Bill No. 437 the roll was called and the vote was:

Yeas—36

| | | | |
|---------------|---------|---------|---------|
| Mr. President | Carroll | Lindler | Shivers |
| Alford | Clarke | Mathews | Smith |
| Ayers | Collins | Pearce | Sturgis |
| Baker | Crary | Ray | Tucker |
| Baynard | Davis | Rodgers | Walker |
| Beacham | Gautier | Sanchez | Wright |
| Beall | Johns | Shands | |
| Boyle | King | Sheldon | |

Nays—None

So House Bill No. 437 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Mathews moved that a committee be appointed to escort Mrs. Walter S. Jones of Jacksonville, Florida, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Mathews, Clarke and Pope as the committee.

Senator Mathews moved that the Senate adopt a policy of permitting objections raised by any Senator upon the passage of a general bill which requires unanimous consent to con-

sider, to remain in effect, even though the objecting Senator be absent.

Which was agreed to and it was so ordered.

INTRODUCTION OF RESOLUTIONS

By Senator Baynard—

Senate Resolution No. 1123:

A SENATE RESOLUTION PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO MAKE A STUDY OF THE PROCEDURAL RULES OF THE SENATE AND REPORT THE SAME TO THE NEXT SESSION.

WHEREAS the rules of the Senate have not been revised to an appreciable extent for a long period of time, and,

WHEREAS, in the interest of orderly procedure it appears advisable that a study should be made of the Senate rules and report given for the purpose of considering such revisions as may appear to be necessary, therefore:

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

That the President Designate is hereby authorized to appoint a committee of not less than three members of the Senate for the purpose of making a study of the rules of the Senate and reporting its recommendations to the 1951 session.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 1123 was adopted.

By Senator Beacham—

Senate Resolution No. 1124:

A RESOLUTION PROTESTING CERTAIN PROVISIONS OF THE CHARTER OF THE UNITED NATIONS BECOMING RATIFIED BY ANY TREATY AGREED TO BY THE SENATE OF THE UNITED STATES.

WHEREAS, the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations has been submitted to a committee of the United States Senate for implementation by a covenant between the United States and the United Nations which covenant the said Senate will be asked to adopt as a treaty; and

WHEREAS in this declaration there are provisions as follows:

(a) Article 22 of the Declaration says:

"Everyone, as a member of society, has the right to social security and is entitled to the realization, through National effort and International co-operation and in accordance with organization and resources of every State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality."

(b) Article 25 says:

"Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

(c) Article 14 says:

"Everyone has the right to seek and to enjoy in other countries asylum from persecution."

(d) Article 13 says:

"Everyone has the right to freedom of movement and residence within the borders of each State."

"Everyone has the right to leave any country, including his own, and to return to his country."

(e) Article 7 says: