SENATE JOURNAL

NINETEENTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

1931

PUBLISHED BY AUTHORITY

GARDINER CO. PRESS, SALT LAKE

SENATE JOURNAL

NINETEENTH SESSION

FIRST DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 12, 1931.

In accordance with the Constitution of the State of Utah, the holdover Senators and the Senators-elect of the Nineteenth regular session of the Senate of the State of Utah convened in the Senate Chamber at 12:00 o'clock noon.

The Senate was called to order by Milton H. Welling, Secretary of State.

Prayer was offered by Honorable A. W. Ivins.

The Secretary of State read the following certificate of election and membership.

CERTIFICATE OF MEMBERSHIP OF THE NINETEENTH LEGISLATURE OF THE STATE OF UTAH
1931

State of Utah,
Office of Secretary of State

I, M. H. Welling, Secretary of State of the State of Utah, do hereby certify:

That, at a general election held within and for said State on Tuesday, November 4, 1930, the following named persons were chosen by the electors as members of the Nineteenth Legislature of the State of Utah, to serve in the Senate from the several Districts and for the respective terms as follows:

Second District—Wm. H. Griffin, Jr. County of Cache. For the term of four years.

Third District—Paul H. Hunt, Counties of Rich, Morgan, Wasatch, Summit and Daggett. For the term of four years.

Fourth District—Ira A. Huggins, County of Weber. For the term of four years.

Sixth District—Dan B. Shields, Malcolm A. Keyser and John M. Knight, County of Salt Lake. For the term of four years.

Seventh District—Clifford E. Young and John E. Booth, County of Utah. For the term of four years.

Ninth District—W. D. Candland, County of Sanpete. For the term of four years.

Eleventh District—George Jefferson, Counties of Beaver, Iron, and Washington. For the term of four years.

Twelfth District—Knox Patterson, Counties of Emery, Carbon, Grand and San Juan. For the term of four years.

And I further certify,

That by virtue of an election held on Tuesday, the 6th day of November, 1928, at which persons were chosen as members of said body, for the term of four years then next ensuing, the following are entitled to serve for the unexpired period, from the several Districts, to-wit:

First District—Tracy R. Welling, County of Box Elder. For the term of four years.

Fourth District—J. Frances Fowles, County of Weber. For the term of four years.

Fifth District—Ray E. Dillman, Counties of Duchesne and Uintah. For the term of four years.

Sixth District—Burton W. Musser, Wilson McCarthy and Herbert B. Maw, County of Salt Lake. For the term of four years.

Eighth District—George H. Ryan, Counties of Juab and Millard. For the term of four years.

Tenth District—Wm. T. Owens, Jr., Counties of Sevier, Wayne, Piute, Garfield and Kane. For the term of four years.

Thirteenth District—David F. Smith, Counties of Davis and Tooele. For the term of four years.

As appears from the returns of said elections now of record in the office of Secretary of State.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah, this 12th day of January, A. D. 1931.

M. H. WELLING,

Secretary of State.

The roll call showed all Senators present.

Chief Justice J. W. Cherry of the Supreme Court administered the oath of office to the newly elected senators.

Nominations for President of the Senate were then declared in order.

Senator Keyser nominated Senator Ray E. Dillman,

Senator McCarthy nominated Senator Dan B. Shields.

Senator Dillman was elected on the following roll call:

Ayes, 11; Nays, 9.

Those voting for Senator Dillman were: Booth, Cand-

land, Dillman, Griffin, Hunt, Jefferson, Keyser, Knight, Owens, Ryan, Young.

Those voting for Senator Shields were: Fowles, Huggins, Maw, McCarthy, Musser, Patterson, Shields, Smith, Welling.

On motion of Senator McCarthy the election of Senator Dillman was made unanimous.

A Committee consisting of Senators McCarthy and Griffin was appointed to escort the President elect to the Chair, and the oath of office was administered by Chief Justice Cherry.

President Dillman expressed his high appreciation of the honor conferred upon him, and pledged himself to conduct the duties of his office to the best of his ability.

On motion of Senator Welling the following order of business for the first day was adopted.

ORDER OF BUSINESS

1. Nomination and election of officers and employees of the Senate.

2. Administering oath to officers and employees.

3. Appointment of committee of three to notify House of Representatives that the Senate is organized and ready for the transaction of business.

4. Appointment of a committee on Senate Rules consisting of three members.

5. Appointment of Senate members on the Committee of Joint Rules.

6. Selection of seats.

7. Recess.

8. Report of Committee on Senate Rules and action thereon.

9. Report of Committee on Joint Rules.

10. Appointment of committee of three Senators to act with a like committee from House of Representatives to inform the Governor that the legislature is duly organized and ready to receive his communications.

11. Reports of committees.

12. Miscellaneous Business.

13. Adjournment.

On motion of Senator Keyser, Secretary of State, Welling, Chief Justice Cherry, and Hon. A. W. Ivins, were given a vote of thanks by the senate.

On Motion of Senator Booth the following were elected as officers and employees of the Senate for the Session.

Secretary, H. L. Cummings.....Salt Lake County
Minute Clerk, Noel G. Knight.....Utah County
Docket Clerk, Lawrence Walker.....Utah County
Sergeant-at-arms, Colonel Fred Jorgenson.....Salt Lake County
Chaplain, Ernest C. Dayton.....Wasatch County
Mailing Clerk, Mrs. L. C. Potter.....Salt Lake County
Committee Clerks, Florence Beckwith.....Millard County
Melba Bachman.....Utah County
Margaret Peterson.....Salt Lake County
Messenger, Ruel Seely.....Sanpete County
Watchmen, Earnest Eaton.....Uintah County
Doorkeepers, J. W. Vance.....Utah County
W. T. Owens, Sr.....Garfield County
Walter Griffiths.....Beaver County
Samuel Weston.....Cache County

Chief justice Cherry then administered the oath of office to the officers and employees of the Senate.

On motion of Senator Keyser the minority were authorized to select an additional committee clerk.

The President appointed a committee consisting of Senators Jefferson, Ryan, and McCarthy to notify the House that the Senate is organized and ready for business.

The President appointed a special committee on rules consisting of Senators Keyser, Young and Maw.

President Dillman then appointed a special committee on Joint Rules consisting of Senators Candland, Booth and Musser.

On motion of Senator Fowles the seats on the East Side of the Chamber were allotted to the Republican Senators and those on the West Side to the Democratic members.

On motion of Senator Musser the Senate recessed until 2:00 P. M.

The Senate resumed session at 2 P. M., President Dillman in the Chair.

On motion of Senator Musser the Senate recessed for 15 minutes.

The Senate resumed session at 2:45 P. M., President Dillman in the Chair.

On motion of Senator Booth the Senate adjourned.

SECOND DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 13, 1931.

The Senate was called to order at 2:00 P. M., President Dillman in the Chair.

Roll Call—All Senators present, except Senators Owens and Knight, Senator Knight being excused.

Prayer by the Chaplain.

The Senate Journal for the First Day was read and as corrected approved.

On motion of Senator Keyser the rules of the eighteenth session were continued in force pending the report of the committee on rules.

Senator Fowles on behalf of the Ogden Live Stock Show extended an invitation to the Senators to attend the show January 14, 1931, and on motion of Senator Ryan the invitation was accepted.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that Representatives, Mr. Johnson, Mrs. Cahoon, and Mr. Hammond, have been appointed to act with a like committee from the Senate to notify his Excellency the Governor, that the Legislature is ready to receive any communication he may have to make.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that Representatives, Mr. Callister, Mrs. Lowe, and Mr. Nes-

len have been appointed to notify the Senate, that the House is in order and ready for business.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day completed a permanent organization with the following officers:

Speaker, James C. Hacking.

Chief Clerk, E. L. Cropper.

Minute Clerk, Lamont Allan.

Sergeant-at-arms, D. J. Black.

Assistant Sergeant-at-arms, T. L. Pass.

Chaplain, R. S. Collett.

Clerks, C. R. Bradford,
Floyd C. Stuart,
Le Maire Tanner,
Jennie Jones,
Alta E. Walker,
Roberta Hammond,
Celesta P. Billister,
Mrs. H. K. Sugden,
Marjorie Meyers,
Priscella Wilson,
Mrs. Henry J. Moore,
T. E. Reese.

Doorkeepers, W. R. Baldwin,
A. J. Holt,
Edward Carrell,
Seth Johnson.

Messengers, Franklin Guest,
Alton Storrs,
Arthur Skewes,
David Wood,
Kenneth Hirschi,
Alonzo Lowry.

Watchman, J. T. Moreland.

In making these selections we have aimed at efficiency and hold the Representatives making the recommendations responsible for the proper performance of duty by the appointees.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

Representatives Mr. Callister, Mrs. Lowe and Mr. Neslen appeared and formally notified the Senate that the House was organized and ready for business.

On motion of Senator Griffin the President appointed Senators Griffin, Patterson and Maw to act with a like Committee from the House to wait upon the Governor and inform him that both houses of the Legislature were organized and ready to receive any Communications he might have to offer.

On motion of Senator Maw the Senate recessed subject to call of the Chair.

The Senate resumed session at 2:30 P. M.

The Committee appointed to wait on the Governor reported that the Governor was prepared to read his message to the Legislature in Joint Session at 2.30 P. M.

On motion of Senator Booth the Senate recessed and proceeded to the House Chamber, where both Houses met in Joint assembly. President Dillman in the Chair.

Roll Call showed all Senators and House members present with the exception of Senators Owens and Knight. Senator Knight being excused.

Prayer by the Senate Chaplain.

The Joint Committee consisting of Senators Griffin, Patterson, and Welling and Representatives Johnson, Hammond and Mrs. Cahoon appointed to call on the Govvernor, proceeded to the Executive Office and at 2:45 returned, escorting Governor Geo. H. Dern, who was greeted with standing applause.

He was introduced to the Joint Assembly by President Dillman and proceeded to read his message:

EXECUTIVE OFFICE,
STATE OF UTAH.

To the Nineteenth Legislature of the State of Utah:

For the fourth time it becomes my constitutional duty to communicate by message the condition of the State to the Legislature and to recommend such measures as I deem expedient.

In my message two years ago I referred to the somewhat unsatisfactory condition of agriculture and coal mining, but was able to speak with some enthusiasm about live stock, metal mining, iron production and manufacturing. I keenly regret that on account of the general business depression that has prevailed in the United States and throughout the world for more than a year past, the situation is less favorable now than it was in January, 1929.

AGRICULTURE

As in all other states of the Union, and like practically all financial, commercial and industrial enterprises, Utah agriculture has passed through a period of depression during the past two years. However, inasmuch as standards and conclusions are generally based upon comparison, our agricultural conditions as compared with many other states are relatively favorable. It is true that, in common with the country as a whole, we have

suffered from price depression of live stock and other agricultural products, but our crop production has been well up to normal, and above the average in some respects; and our diversified crops have given us the advantages of the fairly good prices of such crops as have been up to or above the average.

I shall not attempt to go into detail as to the various products of our state, but I do wish to call attention again to the excellent and dependable public ranges for the grazing of live stock during all seasons of the year, and to our immense production of alfalfa hay. The latter is a real insurance to our live stock business and will make it survive in the face of failure in many other regions.

Our mountain streams and reservoirs, now being enlarged and increased, insure us an irrigation water supply that will prevent such severe droughts as have brought disaster to many of our sister states. With our fertile soils and excellent climatic conditions, our close proximity and favorable freight rates to the ever increasing marketing possibilities of the Pacific Coast, I feel that, with thorough and high class cultivation of all acreage planted, with careful grading and packing of our agricultural products, and with scientific breeding and feeding, the farmers and live stock men of the State of Utah can well afford to stick to their jobs. Even in the face of periodic depressions, they may rest assured that ultimately they will stand in the front ranks.

METAL MINING

Utah ranks among the three or four most important metal mining states in the Union, and its mining industry is a vital element in its economic life. This fact has been brought home to us during the period of depression that has prevailed during the past year. Accompanying the general slump came a crash in metal prices. Silver is below 30 cents per ounce, by far the lowest price in the

history of the world. Copper has fallen below 10 cents per pound, which is below the cost of production in many districts. Lead has declined severely, and zinc is at a ruinous level.

These low metal prices have resulted in closing down some mines and curtailment of production in nearly all the rest. Mine profits have about reached the vanishing point. These conditions have had several far-reaching effects. First, it may be said that the slump in mining is the chief cause of hard times and unemployment in Utah. Second, the falling off in taxes on net proceeds of mines has created embarrassing situations in state, county and school revenues.

Sometimes we forget how essential the prosperity of the mining industry is to the general welfare of the whole state, and not merely of those who are engaged in some occupation directly connected with mining, but when we remember that mining employs about one-third of the total number of employes reported to the State Industrial Commission, produces about one-third of the new wealth created annually in the state, supplies the largest share of the railroad tonnage, furnishes the largest customers for electric power, as well as providing a market for agricultural products, for the manufacturer, for the wholesaler and for the jobber we cannot help being impressed. Furthermore, we often overlook the fact that a revenue system which depends too largely upon one source is too precarious and unstable to be desirable.

Of course all mine operators have confidence that metal prices will come back, and that in due time their operations will resume their normal proportions. There is, however, a great deal of misgiving about the future of silver. It is hoped that through international agreement the price of the white metal may again be raised to a more normal level. As the leading silver producing state, Utah is especially interested in the future of this metal.

MANUFACTURING

What I have said with reference to mining applies to all other industries. Industries create pay rolls; pay rolls create customers for the merchant, the professional man, the railroads and other public utilities, and the dealer in farm products. They keep money at home and in circulation. Moreover they put taxable property on the assessment rolls and thereby help distribute the tax burden. In short, any manufacturing industry which builds a pay roll thereby automatically builds up the state. It is therefore obviously sound public policy to lend every encouragement to our home industries.

Manufacturing in Utah has shown a gratifying growth in volume and diversity. This growth must necessarily be the result of the high quality of Utah products, because without quality they would not be in demand.

GENERAL BUSINESS CONDITIONS

The financial condition of the State as a whole is sound and reassuring. While the general depression has inevitably made some classes of assets less liquid than in normal times, yet basic values remain unimpaired. The banks of the state, with only three recent exceptions, have shown no sign of distress and there is no reason why depositors should feel apprehensive. Every one who has an intelligent knowledge of the industrial structure of our state must have unbounded faith in its destiny and a firm conviction that the present depression is only a passing phase. No one can doubt that in a short time Utah will be swinging forward again with renewed vigor.

CONDITION OF STATE TREASURY

Since it is my specific duty to report to you the condition of the State, it is obviously appropriate to give you an authentic picture of the financial condition of the State government.

I have seen and heard occasional references to an

alleged deficit in the state treasury; and some uninformed persons appear to have acquired the impression that new sources of revenue are being sought to discharge the deficit. It may surprise these persons to learn that there is no deficit in the state treasury and has not been for a number of years.

There is, of course, a vast difference between a deficit and an overdraft. A business may have an overdraft at the bank and still have a surplus because it has ample liquid assets to offset the overdraft. A deficit means an excess of liabilities over assets, and hence a condition of insolvency. Under scientific accounting, a true statement of the state's financial condition at any given date must take into consideration the earned but uncollected taxes as of that date.

Until 1927 the fiscal year of the state began on April 1, but since then it has begun on July 1. A financial statement as of April 1 must therefore include in the assets one-fourth of the current year's taxes, and a statement as of July 1 must take in one-half of the year's taxes, although the taxes are not collected until November and are not remitted to the State Treasurer until December or January.

A careful analysis of the records in the State Auditor's office, made on the foregoing basis, gives the following results:

	Deficit	Surplus
April 1, 1921	$804,355.11	$
April 1, 1923	305,558.43	
April 1, 1925		43,489.20
April 1, 1927		123,886.53
July 1, 1927		63,925.64
July 1, 1928		156,669.45
July 1, 1929		105,805.51
July 1, 1931 (Estimated)		365,372.40

Ten years ago there was actually a large deficit in the

state general fund. In justice to the administration of Governor Bamberger it should be stated that an analysis of the cost of the state government during that period shows that while there were large increases they can be traced in practically every instance to the conditions brought about by the World War. During that period wages were generally increased in all lines and costs of materials rose in like proportion. Furthermore, a number of expenditures for state purposes which were a direct or an indirect result of the war helped to swell the total. The financial condition of the state was therefore simply a reflection of the economic and industrial situation developed by the World War, and hence my mention of the deficit does not imply that I criticize it.

The abrupt reduction in the deficit between 1921 and 1923 was due to a bond issue from which the state derived $520,839.96.

It will be noted that from April 1, 1925 to July 1, 1929 there was a surplus in the state general fund. The records for those years are complete, hence the figures are actual, and not estimated.

The condition of the state general fund on July 1, 1931, can only be estimated. The State Auditor estimates that it will show an overdraft of $220,913.05. Deducting from this overdraft one-half of the estimated revenues for 1931, gives an estimated surplus on July 1, 1931, of $365,372.40.

The practice has grown up of referring to an overdraft in the state general fund as a deficit. While, as I have shown, this is a misnomer, yet it may be illuminating to see what the overdraft history has been during the past decade. The following statement shows that there has been no progressive increase in the state general fund overdraft:

April 1, 1921	$1,062,601.41	Actual overdraft
April 1, 1923	581,452.38	" "
April 1, 1925	260,857.29	" "
April 1, 1927	180,153.25	" "
July 1, 1927	491,411.42	" "
July 1, 1928	395,171.63	" "
July 1, 1929	437,622.35	" "
July 1, 1931 (Auditor's Estimate)	220,913.05	Estimated "

Financial statements and statistics properly belong in the budget message, which will be presented to you at a later date. I refer to the foregoing matter at this time because it may have some bearing upon the subject of taxation which will doubtless occupy much of your attention at this session.

If you feel that the state should carry a large enough surplus to avoid tax anticipation borrowings, and thereby save interest, the figures above submitted will probably be useful to you. This, of course, would be highly desirable but it is not feasible to get on such a cash basis without at least temporarily raising taxes. If, on the other hand, you are content to keep the state general fund solvent, and to borrow money for current expenses until taxes come in, then in your tax discussions you need not concern yourselves with the condition of the state general fund except in so far as it may be affected by failure of old sources of revenue and by increased expenditures made necessary by legislative enactment.

To illustrate, I point to the falling off in taxes on net proceeds of mines, and to the decreased bank taxes and corporation license taxes since the old laws on these subjects were declared unconstitutional. There is danger that certain features of the inheritance tax law will also be held void by the courts,with consequent loss of revenue. On the other hand the new State Training School for the Feeble Minded now entails increased expenditures, and if junior colleges are established still more money will

be needed. In other words, if the activities of the state are to be enlarged while revenues are reduced, obviously the Legislature must provide more revenue. Up to this time, however, the demand for tax revision most certainly did not arise out of the necessities of the state general fund.

With respect to the rising cost of public expenditures in the State I have not prepared any statistics in tabular form, and will simply say that they have been due almost entirely to schools and roads. In 1920 the provision of $25 annually per school child was voted into the constitution, and is responsible for nearly $5,000,000 increase. The funds available for roads were nearly $3,000,000 higher in 1930 than in 1921, as is shown by the following table:

	1921	1930
Property Tax	$2,068,687.00	$2,284,085.00
Motor Vehicle Registration Fees	468,035.93	920,490.30
Gasoline Tax	.....	2,226,488.14
Total	$2,536,722.93	$5,431,063.44

In the expenditures of the state general fund, which are covered by the Executive Budget and by Legislative appropriations, there has been only a nominal increase. In fact, the increase of $168,766 in ten years for these administrative purposes is less than would be normal on account of the growth of the state, increased attendance at the University and the Agricultural College and increased populations at the State Hospital and other state institutions. Inasmuch as the levy of 2.4 mills for the state general fund has been constant, there has been no increased tax burden for this purpose.

If public expenditures have increased it is solely in response to an insistent public demand. The people demand broader services from their government and this

means constantly increasing expenditures. Money spent for roads and education is not money dissipated, but money invested. In other words, the people have something to show for the money they have put into roads and schools.

When school taxes grow burdensome a reactionary spirit with reference to education sometimes manifests itself. Such a spirit does not comport with American traditions nor with modern economic policies. Our whole American system of government rests upon an educated citizenry. None of us feels that our own children can get too much education, and it ill becomes any of us to deny our neighbors the same privileges.

An officer of the American Bankers Association, who had heard the complaint that large sums of money were being squandered by the schools, made an investigation, and then wrote the following paragraph:

> "I obtained a list of what some authority had termed 'Specialized Subjects Offered in Secondary Schools'. There were seventy-three of those subjects, ranging from agriculture to vocal music, aviation to weaving. All of the subjects had something to do with making a living in this modern world, unless it was etiquette, and that probably is not a hindrance. The point is that many things are being taught now that were taught to no one, or only to those in expensive private schools, just a few years ago. I had light on the matter from my own children who came thirteen years apart. There is more diffence between the education those children received than between the elder child's education and mine. And the difference is all improvement."

My own view is that, quite aside from cultural and social benefits, high standards of education are justified from the economic standpoint of the cold-blooded business man, and that business men who want school standards lowered are working against their own best interests.

Business and industry prosper when there is a heavy demand for products. A high standard of living means a desire and demand for more and better things. Schools inculcate a higher standard of living. Reverse the sequence of these steps, and we find that schools raise the standard of living, which means a greater demand for goods, which means better business. An ignorant community is always a poor consuming community.

During my own service in the Legislature I found that there are two things in which the people of Utah are intensely interested and in regard to which they will brook no backward steps. Those two things are schools and roads.

There is also a rapidly growing demand for public activities designed to protect human life. It is sometimes puzzling that states or cities should be so reluctant to give adequate financial support to their public health departments. Surely no public expenditure returns larger dividends on the investment. These dividends come in the form of lives and expenses saved. To save a life means a saving of several thousand dollars of earning power for a family and for a community. It also means that a family has been spared the grief of losing a loved one. Furthermore, it may mean that the breadwinner has been saved and that his dependents are kept from a life of poverty and crime. To save doctor and hospital bills likewise may mean that a family's standard of living remains unimpaired, which might otherwise have been forced to a lower level, with bad social consequences.

ROADS

The improvement of the highways which have been designated by the Legislature as state roads has been proceeding steadily, although hardly fast enough to keep up with the demand. Utah, therefore, joined in a request for additional Federal Aid, which was secured last

year. Increased Federal appropriations were also secured for forest roads and for roads wholly upon lands owned by the United States. The construction of our Federal Aid and Forest Highway systems will thereby be speeded up, which will doubtless be appreciated by our own people and by visiting motorists. The outstanding road event of the year was the completion and dedication of the Zion-Mt. Carmel Highway, which is rated as the most remarkable piece of road construction in America.

The suggestion is occasionally made that a portion of the gasoline tax revenues be used for general state purposes. Inasmuch as we have strongly pressed for increased Federal Aid for the construction of our main highways, I feel that the State of Utah would stultify itself if it were to divert any portion of its own road moneys to other uses. The increase of Federal Aid requires additional funds to match it, and the liberality of the Federal government should be met promptly and in full by our state. This cannot be done if state highway funds are diverted to any other purpose whatever. Not only that, but since the entire cost of maintenance falls upon the state, it becomes increasingly important that the revenues remain intact in order to meet rapidly growing requirements. Moreover, while the motorist cheerfully pays a gasoline tax that is expended for the exclusive purpose of giving him better roads, I question the propriety of saddling him with an extra tax burden for general purposes when he already pays the regular property taxes on his motor vehicle and a registration tax besides.

When it becomes possible to get along without all of the gasoline tax for the present state road system that system should be enlarged to include some of the more important county roads, and thereby relieve the people of the counties of a part of their road taxes. If it should be decided that the present is the time thus to enlarge the state system, it should be done gradually and conserva-

tively or the plan will defeat itself without benefiting the counties. Moreover, careful consideration should be given to the fact that such action will mean that state highway income must be increased. The principal sources of such income are state road taxes levied by counties, motor vehicle license fees, gasoline taxes, and collections from trucks and busses on per ton mile and per passenger mile basis. These sources of revenue should therefore be carefully guarded from diversion away from the state road fund in order that, as the expansion in mileage is accomplished, there will be provision for funds to meet the greater financial demands.

The increase of public expenditures in this state has been chiefly for roads. Instead of begrudging the money spent for roads the people are proud of what has been accomplished, and there is an ever increasing demand for more and better roads.

Utah has invested some $50,000,000 in its State Highway System. Obviously the state cannot afford to let this investment deteriorate, and in order to protect it larger sums year after year must be expended for maintenance. Furthermore, the motorist, formerly accustomed to a dirt road was for a time satisfied when he got a gravel surface highway which took him out of the mud, but now he demands to be taken out of the dust and in order to satisfy him higher class surfacing must be provided. Indeed, the race between the road builder and the road user is now and will continue to be a losing one for the construction agency.

CONSTITUTIONAL AMENDMENTS

The special session of the Legislature held a year ago submitted to the people six proposed constitutional amendments, all of which were approved at the general election.

One of these repeals the old provision that when a vacancy occurs in either house of the Legislature the

Governor shall call a special election to fill the vacancy. The Legislature is now authorized to enact a law providing for the filling of such vacancies by some method of appointment thereby saving the heavy expense of special elections. I assume that you will enact appropriate legislation on this subject.

Another amendment removes the constitutional provision that the State Prison shall be in Salt Lake County. If and when the Prison is to be removed from its present site it may now be located anywhere in the state.

The remaining four amendments relate to revenue and taxation. While, as a result of compromises in the special session, they are far from ideal in form, yet they will permit of a revision of the state's tax system along lines that were not possible before.

It became apparent during the campaign that there was good deal of misunderstanding about the effect of these amendments.

Many persons working for salaries or wages got the impression that the amendments would make possible an income tax on their earnings. The fact of the matter is that the constitution has for many years permitted an income tax on salaries and wages, and the situation in this respect has not been changed.

Some corporation officers apparently thought that the amendments would enable the Legislature to levy a corporation excise tax based on income. Such a tax could have been levied without amending the constitution, and could have reached all income derived by corporations except that derived from tax-exempt intangibles; hence this was a false alarm.

A large number of people understood that the amendments would permit the taxation of bank deposits. Apparently they did not know that the constitution has always provided that bank deposits shall be taxed at the same rate as other property is taxed. Assessors have

invariably winked at this impracticable provision, although it is possible that they could have been forced to assess bank deposits by mandamus proceedings.

I supported the amendments because they would effect the following changes:

1. Abolish the uniform rule of taxation in Utah. The uniform rule requires all property, whether tangible or intangible, to be assessed and taxed at uniform rates. As an abstract principle this sounds fair and just. In practice it means that practically no intangible property is assessed at all, and that the entire property tax burden falls upon real estate, improvements, machinery, merchandise, mines, live stock and other tangible property. This has been the experience in every state in the Union, and is by no means peculiar to Utah.

The constitution as now amended provides that all tangible property shall still be uniformly taxed, but intangible property may be taxed either upon its income or else as property at a low rate. The obvious intent is to lighten the taxes on tangible property by securing some revenue from intangible property which hitherto has been exempt, either by constitutional mandate or by common consent.

2. The enactment of a more equitable income tax than was formerly permissible. The constitution before amendment exempted mortgages and shares of stock in corporations whose property was already assessed and also allowed a deduction of debits from credits. Under that situation the Legislature could have laid an income tax upon every wage earner and salaried person but could not have touched the investor who was enjoying a large income from stocks, bonds and mortgages. It could have taxed the business profits of the merchant, the manufacturer, the miner and the public utility, but it could not reach corporations which derived their incomes from intangible property.

There is a rising tide of sentiment all over the United States for tax reform which shall ease the burden of the owners of homes, farms, business blocks, factories and the like, who are now being impoverished by high taxes. With the adoption of the constitutional amendments relating to classification of property the present Legislature has it in its power, if it is so disposed, to inaugurate a program of tax reform along the lines of justice and equity. The task is yours, not mine. I can only make recommendations.

TAXATION

The constitutional amendments have cleared the way for a revised tax program. What shall the next step be?

Although the powers of the Legislature have been considerably enlarged, in my judgment you would do well to exercise your new powers with prudence and moderation. The first consideration should be to do nothing that will actually hurt business, for unless our industries are in a healthy, thriving condition there can be no prosperity for anyone. Right now, when there is scarcely an industry in the state that is making a reasonable profit, when many of them are operating at an actual loss, when business leaders are hard beset by difficulties, it would seem to be particularly unfortunate to add to their perplexities and worries. The state's attitude toward business should be one of encourgement, since the prosperity of business results in stability of employment and the general welfare.

These considerations, however, do not necessarily indicate that a do-nothing policy is the wisest one at this time.

If you pass no tax legislation at all it will mean that all intangible property will be left exempt, including even that small percentage thereof which has been assessed heretofore.

It will mean that tangible property must continue to bear the entire tax load and that incomes shall continue to go free.

It will mean, furthermore, that instead of giving the property owner relief you will condemn him to pay still higher taxes on his property. This is particularly true in Salt Lake County and Salt Lake City where a drop in taxes on net proceeds of mines and on banks comes right at a time when the closing of church schools throws a thousand additional students into the city high schools, so that it will be necessary to operate three high schools instead of two. The tax rate allowed to Salt Lake City School District is limited by law to 9 mills. The Board of Education is now confronted with a difficult situation —an assessed valuation generally moving downward, school enrollment and consequent expenses constantly moving upward, and a fixed tax rate limitation. No doubt you will be asked to raise the limitation in order that sufficient money may be raised to operate the schools. This is one of the instances where local taxes are bound to go up, and unless some provision is made to lower state taxes the city property owner's tax load is increased.

I respectfully submit the following facts relating to the tax problem which confronts us this year.

The assessed valuation of Utah in 1930 was approximately $725,000,000, while the estimated valuation for 1931 is $625,000,000, a reduction of $100,000,000. This estimated reduction is due almost entirely to the valuation of mines based upon net proceeds.

The assessed valuation of the state in 1921 was $685,000,000, while the estimated valuation for 1931 is $625,000,000, a reduction of $60,000,000, as compared with the valuation ten years ago.

During this ten year period, at the end of which the valuations of the state have been reduced by $60,000.000 or over 8 per cent, the following developments have taken place. The population of the state has increased 13 per cent; the school population of the state has increased from 130,468 in 1921 to 147,292 in 1930. This is an increase of 16,814 and is comparable to the increase in the total population of the state, or about 13 per cent. The

enrollment in high schools has increased from 19,669 in 1921 to 33,452 in 1930. This is an increase in actual enrollment of 13,583 pupils, or an increase of 70 per cent. During the same period the number of students enrolled in the institutions of higher learning has increased from approximately 3,786 in 1921 to 4,960 in 1930, or an increase of 1,174, which amounts to 31 per cent increase.

We therefore face this situation in regard to our revenue for the year 1931: The taxable wealth of the state will be 8 per cent less than the taxable wealth of 10 years ago but we have 16,814 more school children in the state than we had in 1921. Our high schools now have 13,583 more students than were enrolled 10 years ago, while our institutions of higher learning have increased their attendance by nearly twelve hundred students. The situation in Utah relative to the increase in the number of students that attend high schools is due in part to the fact that several church schools have been closed during in high schools than formerly, and furthermore to the fact that more graduates of the eighth grade now enroll the past ten years. Recent reports indicate that still more church schools will be closed during the next year or two, which will further increase the load to be carried by our public school system.

During the past ten years the property tax of the state has increased as follows:

	1921	1930	Per Cent Increase
State General Fund	$1,089,832	$ 1,258,608	15.48
University of Utah, etc.	423,809	489,459	15.49
District and High Schools	9,103,200	11,213,115	23.17
Cities and Towns	3,604,898	3,990,640	10.70
County	1,840,500	2,153,884	17.02
Roads	2,058,687	2,284,085	10.94
Bounty	22,663	80,945	257.16
Total	$18,153,589	$21,470,736	18.27

Under the circumstances, shall we continue to require property to carry the entire tax load or shall we call upon income to assist?

So far as my own recommendations are concerned, I begin with definitely advising against a tax on intangibles as property. While this sort of a tax is better than no tax on intangibles at all, and while it is in operation in many of the states, yet experience has shown that property which can be concealed from the assessor under a high rate can still be concealed under a low rate. Too many persons are devoid of conscience in matters of taxation, and do not scruple to hide their property even when the tax rate is so low as not to be burdensome. By exempting intangibles from taxation as property you will at once eliminate the vexatious problems of taxing mortgages and bank deposits. I am not unmindful of the fact that exemption of intangibles raises some questions with respect to the taxation of banks, but the Tax Commission is hopeful of evolving a workable plan with respect to them.

The alternative to a property tax on intangibles must necessarily be a small personal and corporation income tax. A tax based upon income is undoubtedly the best if not the ideal method of taxing intangibles. It imposes no burden upon any person or corporation that is not earning a net income, hence it can never encroach upon a capital investment. In a time of depression like the present it cannot hurt a business, because if the business is not making money it will have no tax to pay. On the other hand it seems obvious that a person or a corporation earning a net income in times like these can afford to pay an income tax and will not be hurt by it.

You should be forewarned that on account of the present unprofitable operations of most industries the revenue to be derived from an income tax will probably be only one-half or one-fourth of the estimate of two years ago. An income tax therefore must not be expected immediately to be a source of large revenues.

The rate of income tax should, in my opinion, be low to start with. Furthermore, the act, if one is passed, should be so framed that no corporation can better itself by removing from Utah and incorporating under the laws of another state. A personal income tax law should also provide for suitable exemptions so as not to infringe upon a living wage. From gross income there should also be the usual allowable deductions, such as taxes and interest paid, charitable and religious contributions, losses not covered by insurance, and certain deductible expenses.

Should you decide against a business excise tax on corporations, then the present corporation license tax law should by all means be revised so as to put some semblance of justice and equity into it, and also to secure additional revenue.

My third recommendation is that you scan the field for additional excise taxes. I made two specific recommendations for new excises to the last Legislature but they were not received with favor. I am, nevertheless, of the opinion that more excise taxes and less property taxes should be part of the state's tax program. Indeed, it ought to be quite possible to collect enough taxes from special sources to eliminate the state general fund levy entirely. That would give direct relief to the property owner.

There has been some agitation in favor of a sales tax. The excise taxes above suggested would be in the form of sales taxes on certain specified items. A general sales tax on all business turnover is generally decried by tax authorities. It completely ignores the principle of ability to pay, and places the greatest burden upon the food and clothing of the poor. Under it a working man with a large family would pay several times as much tax as a miserly millionaire bachelor.

One of the amendments provides for an educational equalization fund. I understand the educators are reconciled to the idea that this cannot be made effective at

once. That is my view and I urge that no equalization fund be created at this time.

The amendment setting up a State Tax Commission to take the place of the State Board of Equalization and Assessment became effective on January 1, 1931. As the old Board automatically passed out of existence it was necessary to appoint a Tax Commission at once, to carry on the regular work of the Board of Equalization, whose most important annual duties will shortly begin. I was therefore unable to wait until you had passed a law defining the duties, terms of office, salaries and other attributes of the new Tax Commission, but appointed the three members of the Board of Equalization as members of the Tax Commission, and hence there has been no interruption in their work or functions. Inasmuch as their work has not yet been increased I felt justified, in the interest of economy, in appointing only three members instead of four, as the amended constitution now provides. It will be necessary to make an appropriation for their salaries until a statutory commission is created.

When you enact a law defining the powers and duties of the State Tax Commission I merely recommend that it be given power to equalize within counties as well as between counties. My own feeling is that we should approach the encroachment on local affairs more in a spirit of helpfulness than in the attitude of dominance.

COLORADO RIVER

The eighteenth Legislature ratified the Colorado River Compact on a six-state basis, similar action having already been taken by Wyoming, Colorado, New Mexico, Nevada and California. This action secures to Utah "in perpetuity" a fair share of the waters of the Colorado River. The Boulder Canyon Project Act, approved December 21, 1928, ratified the compact on behalf of the United States, thereby impressing the compact upon the river and making it binding upon all the parties except

Arizona, which has steadfastly refused to ratify. Under the provisions of the Boulder Canyon Project Act the United States has already done some preliminary work for the dam, which is to be officially known as the Hoover Dam, and has called for bids for the construction of the main structure and incidental works.

The State of Arizona has filed in the Supreme Court of the United States a bill of complaint against the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming and Ray Lyman Wilbur, Secretary of the Interior, praying that the Colorado River Compact and the Boulder Canyon Project Act, and each and every part thereof, be decreed to be unconstitutional, void and of no effect, and that the defendants and each of them be permanently enjoined and restrained from enforcing or carrying out said compact or act or any of the provisions thereof.

This action is of great moment to Utah. If the Colorado River Compact should be declared void, the states of the Lower Basin would be at liberty to construct great power or irrigation projects which might acquire priorities to all the unappropriated water in the river, thereby preventing any further development in this state.

The fact that the Boulder Canyon Project Act impresses the Colorado River Compact upon the river, and thereby gives the Upper Basin states perpetual title to a definite share of the water of the river, may be the only substantial benefit Utah will derive from the construction of the Boulder Dam. However, in spite of a difference in freight rates favorable to Los Angeles, I am hopeful that a part of the materials used in construction will be supplied by Utah business men and Utah factories and that citizens of Utah in substantial numbers will receive employment. If the Colorado River Compact is destroyed Utah's development east of the Wasatch Mountains will be in serious jeopardy.

We sympathize with Arizona's contention that title to water of the river can only be obtained through compliance with state laws. It has frequently been declared by all the Western states that the use of water for domestic, irrigation and other purposes is necessary to the existence and prosperity of the people and to the growth, general welfare and autonomy of each of the Western states, and that it is necessary that the control of such uses be and remain in each of the states, free from external interferences, save only control of navigation by Congress and determination of interstate relations by compacts or decisions of the Supreme Court in original cases between states. The National Reclamation Act, the Federal Water Power Act, other Acts of Congress and decisions of the Supreme Court recognize the inherent sovereignty of the states in this regard. The United States and its agencies, in arguments before the Supreme Court, by suits in the Federal Courts, and by various opinions, writings and publications by executive officers, have urged and continue to press for recognition of a plan of ultimate Federal control of waters in the Western states predicated upon a theory of Federal ownership of such waters. The Western states have unitedly held that the urging of such a doctrine or its promulgation under Federal authority tends to confusion, discord and the ultimate destruction of state autonomy, and therefore they have, when occasion presented itself, requested the Federal Government and its agencies to discontinue the recognition and promulgation of such theory of Federal ownership and right of control of the water of non-navigable streams in the Western states, and that such theory be no longer asserted as the basis of alleged rights.

Notwithstanding Utah's adherence to the foregoing principles we must, in self defense, resist Arizona's claim that she can use and has a right to take all the unappropriated water flowing in the river, in total disregard of the future welfare of the other states which are similarly situated. The Attorney General and the Colorado River

Commission of Utah are looking after the interests of the state in this important litigation.

The Colorado River Compact allocates 7,500,000 acre feet annually to the states of the Upper Basin, namely, Wyoming, Colorado, New Mexico and Utah. A subsidiary compact between these four states will be required in order to subdivide this allocation and define the rights of each. Negotiations to this end are in progress, three meetings having already been held.

The Colorado River Commission, with my approval, has been pressing for the construction by the Federal Government of a power project at Flaming Gorge, on the Green River,in Daggett County. We felt that if the United States was going to provide California, Nevada and Arizona with cheap hydroelectric power which would attract new industries, it should,in all fairness, be similarly interested in the industrial development of Utah, Wyoming, and Colorado. We have received three separate reports from respectable sources, including the U. S. Reclamation Service, to the effect that a large modern steam plant situated on Utah Lake and burning Utah coal could compete successfully with a hydroelectric plant at Flaming Gorge. If the figures submitted to us are dependable it becomes questionable whether it would conform to sound state policy to urge the construction of a plant at Flaming Gorge at this time. A steam plant, consuming large quantities of Utah coal would furnish employment to large numbers of men in mining and transportation, as well as requiring more labor for actual plant operation. Coal mining is one of Utah's most important industries, and to stimulate and foster an existing industry is surely no less desirable than to establish new industries. This project is still under careful study.

I mention these phases of the state's Colorado River problem to report developments and to indicate that the problem has wide ramifications and must therefore be considered in a statesmanlike attitude.

UNEMPLOYMENT

During this period of nationwide depression I have had frequent requests for information about the nature and extent of unemployment in Utah, but since the state collects no unemployment statistics I have not been able to give definite replies. Neither has the state in operation any agency charged with the duty of taking steps to relieve unemployment.

The law, however, gives the Industrial Commission full power, jurisdiction and authority "to establish and conduct free employment agencies, and license and supervise the work of private employment offices, and to do all in its power to bring together employers seeking employes and working people seeking enployment, and to make known the opportunities for employment in this state"; also "to collect, collate, and publish all statistical and other information relating to employes, employers, employments and places of employment and such other statistics as it may deem proper".

The Industrial Commission has never exercised the foregoing functions because it has not been given an appropriation large enough to set up the necessary organization.

It has several times been suggested to me that the Industrial Commission is not the proper body to handle this work, because it is so busy administering the workmen's compensation and safety laws that, even if adequate funds were provided, the employment and statistical activities would be relegated to a subordinate and insignificant position. Those who hold this view argue that the importance and dignity of this neglected task demand that a separate office be created and placed in charge of an official of such personality, qualifications and training as would insure a maximum of efficiency and service. I am glad to lay this suggestion before you, that you may give it due consideration.

Whichever course is pursued, it seems desirable that the powers now vested in the Industrial Commission be exercised by some agency. All competent students of the problem agree that full and reliable statistics are a necessary antecedent to intelligent action. It is also recognized that some measure of benefit will come from an agency whose task it is to bring the worker and the job together.

Another means of relieving unemployment during periods of acute depression is advance planning of public works. The State of Utah has acquitted itself well in this respect during the past two years. The last Legislature provided for a building program with an aggregate expenditure of $1,150,000, and this construction work has proved timely from the standpoint of furnishing work when most needed. Some eight months ago it became apparent that unemployment conditions would be unusually bad this winter, and the State Road Commission planned its work so as to throw the greatest possible amount into the winter months.

During the past few months a large number of small road improvement projects were put under way in nearly every county in the state, including work which could be economically done during this period of the year, and which adapted itself to hand and team labor with practically no power equipment. Men on this work were employed directly by the state and the forces were rotated at short intervals so as to spread the benefit of employment as widely as possible. During October, November and December $130,000 was expended and 3,000 Utah men were given part time employment. The above is additional to the regular road construction program being let to contract, and which is being speeded up to relieve unemployment during the winter months. Such projects represent a total expenditure of $1,000,000, much of which will be actually expended during the winter.

I appreciate the fact that all these measures, helpful though they be, are mere palliatives, and that they do not

reach the fundamentals of unemployment. Indeed, it seems probable that the mechanization of industry has created a permanent unemployment problem in the United States. If this proves to be true, palliatives will not serve the ends of social justice nor will they be conducive to a contented, loyal citizenry. Thoughtful persons are therefore thinking of the problem in its broader aspects.

If there is not work enough to keep all the workers busy then it seems desirable to distribute the work among all the workers so that each may have a share. With this thought in mind some industrialists have already adopted the five-day week, and there is a growing sentiment for a five-day week or a six-hour day. It seems rather obvious that, when many men are out of work, if the jobs were distributed among more people by shortening the working hours some relief would be afforded. Moreover, there would be an element of justice in this method of giving the worker a portion of the benefits derived from the introduction of labor-saving machinery. And yet, can the employer afford to pay his men as much for five days work as he has been paying for six days and still survive? If not, then each worker must receive less money than he has been getting, hence he will have to reduce his standard of living, and will be a poorer customer for the product of the factories. If a five-day week law should result in closing plants the worker would not be benefited. The problem is a most perplexing one, involving interstate and international competitive conditions.

A gratifying sign in this period of depression is the increased sense of social obligation on the part of employers. A decade or two ago, when business got slack, employers simply laid off their men and that was the end

of it so far as they were concerned. Now the employers, in Utah at least, are making strenuous efforts to keep their men at work. Some are keeping their forces intact at the sacrifice of all profits if not actually at a loss. Others are keeping as many as possible of their workers on the pay rolls on part time. In my judgment this changed viewpoint is highly commendable.

Probably, as this sense of social responsibility grows, and as employers see more clearly that inability to work because industries fail to provide regular employment creates a social as well as an industrial problem, they will become ready to co-operate in some plan of unemployment insurance which contemplates that industry shall help compensate its reserve of labor during periods when the reserve is not employed.

I am informed that there are in this country some fifteen concerns which now maintain and have on hand reserve funds for paying employes during temporary layoffs.

BUILDING PROGRAM

After a long period of neglect, the Legislature two years ago made provision for a number of much needed new buildings at the various state institutions, authorizing a bond issue of $1,150,000 to cover the cost. The 1930 special session appropriated an additional $75,000 for the new men's dormitory at the Utah State Hospital. It also amended the Act of 1929 in some details. The construction was intrusted to the newly created State Building Commission. Structures costing about $625,000 were completed during 1930, and the remainder of the program is to be finished by the end of the current fiscal year. The total list of projects, with approximate amounts expended, is as follows:

University of Utah:		
Kingsbury Hall	$175,000	
Engineering Building	100,000	
Pyro-Metallurgical Laboratory	10,000	$285,000
Utah State Agricultural College:		
Library	$175,000	
Veterinary Clinic	10,000	
Remodelling	15,000	200,000
Branch Agricultural College:		
Refrigeration Plant		3,500
School for the Deaf and the Blind:		
Girls' Dormitory (Driggs Hall)		100,000
State Industrial School:		
Boy's Gymnasium	$ 16,000	
Additions to Girls' Dormitory	34,000	50,000
Utah State Hospital:		
Men's Dormitory		250,000
State Training School for the Feeble Minded:		
Site and Buildings		300,000
Total		$1,188,500

The appropriation to the School for the Deaf and the Blind was for "Girls' dormitory and heating plant, $125,000". Of this sum, $100,000 was used for the girls' dormitory. The revision of the old heating plant, at an estimated cost of $25,000 has been deferred, because after a thorough study by the best heating engineers obtainable the Building Commission concluded that it would be wasteful to spend any more money on the old plant, and that efficiency and good business demand the construction of a new, modern central heating plant for this institution.

For each project so far constructed or contracted the State Building Commission has not only kept within

the amount appropriated, but in every case except the Training School for the Feeble Minded, provided the necessary equipment instead of turning over a vacant building. The Training School law specifically provides that the buildings shall be equipped by the Board of Trustees. The construction has been of a uniformly high standard, combining utility with good taste without expensive ornamentation.

The members of the State Building Commission are all outstanding citizens who have performed this valuable service without compensation. They deserve the praise and gratitude of their fellow citizens, not alone for their public spirited contribution to their state, but also for seeing to it that the state's construction work shall be done in the same efficient and businesslike manner as prevails in private enterprise.

In my judgment the State Building Commission has amply justified itself. When I recommended this plan of handling a state building program two years ago I had it in mind to profit by the state's experience with roads. The Legislature merely designates a system of state roads, but does not attempt to say when, nor in what manner nor in which order, they shall be constructed. It has created a State Road Commission, to which it turns over all available road funds, with power to study the needs of every locality and to decide the order in which the several roads shall be built and the type of construction. This system has proved so eminently satisfactory with respect to roads that it seemed to me it might profitably be applied to buildings as well. It would still recognize the Legislature's proper function to designate the projects that should be built, but it would leave to the executive department some elasticity in carrying out the program. Before commencing any building the Commission would be expected to make a careful study of the needs of the institution, and if an authorized building did not appear the most desirable it could defer construction thereof and submit its findings to the Legislature.

A continuing commission could also act as a disinterested expert adviser to the Legislature with respect to new buildings requested by the institutions. In these particulars a non-salaried citizen commission might conceivably effect substantial savings to the state. Moreover, with a free hand as to when authorized projects should be built, the Commission could time its work so as to help avoid or relieve unemployment. The present period of depression is an object lesson in the advantage of having public work available when most needed.

The foregoing plan, however, was not looked upon with favor by the last Legislature which merely created the proposed building commission and prescribed a list of buildings to be constructed during the next two years. If any further building program is to be authorized by you at this session I renew my former recommendations as to scope of the powers and duties of the Commission.

It is believed that the present is a favorable time to erect any new buildings which the state will need during the next few years, because construction costs are at a low level, and because the work will contribute to the relief of unemployment.

TRAINING SCHOOL FOR FEEBLE MINDED

The Legislature at its 1929 session concluded that the time had arrived for the creation of a State Training School for the Feeble Minded, and passed appropriate legislation to that end.

The commission appointed for that purpose selected a site near American Fork, embracing 485.45 acres, together with irrigation water rights and an ample supply of culinary water for all future needs. The cost of the land, water, pipe line and incidental expense was $84,186.86, which was paid out of the $300,000 appropriated for the new institution.

Contracts have been let for buildings which will con-

sume the balance of the appropriation. These buildings will not constitute an adequate plant, and they will not be equipped. Furthermore there will be no machinery, tools, or live stock with which to begin operations.

When I laid this subject before the Legislature two years ago I estimated that the proposed institution would cost $600,000. A modest start can be made, about July 1st, with the plant now being constructed, provided the necessary funds are made available for equipment and for operations during the ensuing biennium. Some additional buildings, however, are urgently needed if the new institution is to be given an opportunity to justify itself.

In this connection I feel that I should acquaint you with a situation that may lead to confusion unless it is clarified. The State Board of Insanity had expected that when the new Training School was completed, the 150 feeble minded inmates of the State Hospital would be transferred to the new institution. This would mean that the space now occupied by them would become available for insane patients, which would be equivalent to constructing another good sized building. The Board of Trustees of the Training School is not favorable to this plan, for the following reasons:

1. A large percentage of the feeble minded inmates of the State Hospital consists of low grade idiots and imbeciles, who have not sufficient mental capacity to receive any mental training.

2. The State Training School for the Feeble Minded, as its name implies, was not meant to be primarily a custodial institution but a school, and it would be a perversion of the purposes of the institution if all or a large part of the room in the new institution were used merely to house inmates who are not susceptible to mental training.

3. If the State Training School is to have a fair

chance to justify its creation and existence, it must be given the opportunity to work on boys and girls with sufficient intellect to enable the school to make a showing.

I am sure the two Boards are ready and willing to co-operate in any plan that may be adjudged for the best interests of the patients and the state.

BUILDING CODE

It is among the prescribed powers of the State Industrial Commission "to ascertain, fix and order such reasonable standards for the construction, repair and maintenance of places of employment as shall render them safe; . . "

The Commission has failed to adopt a building safety code notwithstanding the fact that it has been charged with the duty of so doing ever since 1917. The Commission has deemed it useless to issue a code without first making provision for proper inspection, so that the code could be enforced. Building is rated as a hazardous occupation, and those engaged in the building trades in this state are practically without protection. They are now asking that provision be made to safeguard the lives and limbs of men employed in the building industry.

FLOOD CONTROL

In 1923 there were devastating floods in Davis and Box Elder Counties, particularly at Farmington and Willard. In 1930 there were again heavy floods in various parts of the state, Davis County being the heaviest sufferer, on account of four successive floods. These floods are caused by torrential rains in the mountains, which run off rapidly and bring down with them vast quantities of debris which covers valuable farming and orchard lands, destroys homes, interrupts highway traffic, and endangers lives.

The floods of 1930 necessitated relief measures, including the raising of funds, which were supplemented by a contribution from the American Red Cross, and efficiently disbursed by that organization, which generously took over the rehabilitation work.

On account of the recurring nature of the floods and their destructive character it appeared advisable to make a special study of the situation. I therefore appointed a commission of citizens whom I deemed especially qualified, including practical engineers, geologists, foresters and stockmen, and asked them "to study the origin and cause of floods in Davis County and other parts of the state, and to ascertain whether any flood prevention measures are feasible."

The commission has made a thorough, scientific and practical study, and has submitted a report which I do not hesitate to praise for its thorough, unbiased, informative and constructive character. Indeed, I consider the report so valuable that I am having it printed, and in due time a copy will be furnished each member of the Legislature.

It is highly encouraging to find that in the opinion of the committee the floods can be prevented if the necessary steps are taken. A brief summary of its findings follows:

1. The floods were due to (a) uncommonly heavy rainfall; (b) topography and geological conditions favorable to sudden run-off and a large quantity of flood debris; (c) scant vegetation on portions of the watersheds, due to extensive rock outcrops, natural sparseness of plant cover in the more arid sections of the state, and depletion of the vegetative cover by overgrazing, fire and over-cutting of timber. The Commission concludes that there is ample evidence on the watersheds of Davis County to show that had the

plant cover been approximately equal to its original natural condition, the flooding in that section from the rains of 1930 would have been far less serious, if not prevented.

2. The commission recommends the construction of barriers and settling basins to catch the debris and keep it from depositing on the farm lands.

3. Rehabilitation and maintenance of the plant cover on the depleted parts of watersheds is necessary for the abatement or prevention of floods. To this end it is recommended (a) that grazing be eliminated for a period of years on approximately 5,000 acres, and that by seeding and planting the cover thereon be restored; (b) that the cover be restored and maintained on an additional 10,000 acres without stopping grazing but by carefully regulating it; and (c) that provision be made for fire prevention and suppression on the watersheds of Davis County. In order to accomplish these ends it will be necessary that the local, state or federal government at once acquire 5,000 acres of land which is in the worst condition, and eventually to extend the acquisition program to the entire west slope of the mountain in Davis County north of Centerville.

4. The commission urges the institution of a more definite flood control and watershed protection policy throughout the state. This involves the appointment of a permanent Flood Commission and a Conservation Survey, the extension of public ownership to the little protected parts of the 3,000,000 acres of important watershed lands outside the National forests, and other measures.

5. No estimate has been made of the cost of the proposed program, but it will not approach the damage done to property in 1930.

I am sure that a careful perusal of the report will convince you of the magnitude and seriousness of the problem, as well as of the necessity of taking some immediate constructive action toward statewide watershed protection and flood control. Protection of property, life and commerce, and the acquisition of land to that end, may well be considered a public responsibility.

CODE COMMISSION

The seventeenth Legislature created a Code Commission, consisting of three persons, to be appointed by the Supreme Court, and charged it with the duty carefully to revise, codity, edit and compile all the laws of this state. Accordingly on May 23, 1927, the Supreme Court appointed Messrs, T. D. Lewis, R. A. McBroom and Harold M. Stephens. In the early summer of 1928 Judge Stephens resigned, and on July 23, 1928, the Supreme Court appointed Mr. Henry D. Moyle to fill the vacancy.

The Legislature in 1929 continued the Code Commission with a personnel of two members to be appointed by the Supreme Court, and Messrs. T. D. Lewis and E. A. Walton were appointed accordingly. Their report was due by the terms of the Act on January 1, 1931.

The 1927 Legislature appropriated $15,000 to the Code Commission, and, as fully explained in my last message, the Board of Examiners on January 3, 1928, allowed a deficit of $25,000, of which an unexpended balance of $3,971.65 reverted to the treasury September 30, 1929. Hence the expenditures for the last biennium were $36,-028.35.

The 1929 Legislature appropriated $25,000, and on November 3, 1930, the Board of Examiners allowed a deficit of $16,000 to continue the work and to print the report. On December 31, 1930, the Code Commission had a balance of $12,546.04, and its expenditures for the current biennium up to that date had been $28,453.96.

The total expenditures of the Code Commission to December 31, 1930, have therefore been $64,482.31.

The Commission will submit to you its report embodied in a suitable bill to be enacted by you to put the revised laws into effect. Although the Governor is not responsible for the work and procedure of the Commission, yet I allow myself the liberty of offering a suggestion.

The new Code will presumably be known as the Revised Statutes of Utah, 1932, and it should therefore include the Acts of your present session. It would be unfortunate if the Code were already out of date when it is published.

The Legislature in 1929 created a Tax Revision Commission. As a result of that action the Code Commission quite properly has done nothing with the existing statutes relating to taxation and revenue. No one could say what might be the result of the vote on the constitutional amendments, nor what the succeeding Legislature might do. The matter of revenue and taxation enters into practically every one of the main sub-divisions or titles of our laws. Whether or not a new general revenue law is enacted at this session, it would be deplorable to put a revision of our laws into formal book form without embodying therein the laws that may be passed pursuant to the constitutional amendments or making such corrections as may be necessary on account of the amendments. The special session of 1930 extended the life of the Code Commission to April 1, 1931, and I think it would be desirable further to extend the same for a sufficient period to enable it to incorporate the session laws of 1931 in the new volume and to annotate and publish the same. This will require a special act, and an adequate appropriation.

The mechanics of putting the new Code into effect should be given careful thought. Inasmuch as the Code is a revision and not a mere compilation it will consti-

tute a new set of laws to supersede the old. Obviously these new laws cannot well be put into effect before they are printed, because if they are not printed the courts will not know what the law is.

DEFICIENCY APPROPRIATIONS

There seems to be some popular misapprehension in regard to so-called "deficits" allowed by the State Board of Examiners.

A "deficit" allowed by the State Board of Examiners is the method authorized by law to increase a legislative appropriation which proves inadequate, or to provide funds to protect the state's interest when no appropriation has been made therefor. Our use of the word "deficit" is a sort of colloquialism and is confusing to one not familiar with the practice. The term "deficiency appropriation" would be more apropos.

For example, the constitution requires that proposed constitutional amendments shall be published. If the Legislature makes no appropriation or an insufficient appropriation for this purpose it is the duty of the Board of Examiners to make a "deficit" appropriation in order that the constitution may be obeyed, and in order that the adoption of an amendment may be valid.

Again, the law provides for the extradition of fugitives from justice, and the Legislature makes an appropriation for the estimated expenses of such extraditions. If such appropriation is exhausted before the end of the biennium, it is the manifest duty of the Board of Examiners to make additional funds available through a "deficit" or else perpetrators of crimes in Utah would be perfectly safe by merely crossing the line into another state.

Further, a situation may arise wherein it becomes imperative to defend the state's interests by litigation which could not have been foreseen by the Legislature,

and for which, consequently, no financial provision could have been made. The Board of Examiners would be derelict in its duty if it did not meet the emergency by means of a "deficit."

All "deficits" allowed by the Board of Examiners for such emergencies are allowed in accordance with a practice which the Legislature has wisely authorized. If the Legislature were in continuous session such a procedure would not be necessary, but with short biennial legislative sessions experience has shown that it is essential to have means to take care of unanticipated exigencies. Some states appropriate a contingent fund to the Governor large enough to take care of such emergencies, and he is given discretionary power to use such fund.

Under the present practice it is not possible that the State Board of Examiners, over a period of years, can create a large deficiency in the state treasury. All "deficits" allowed during a certain biennium are included in the budget and appropriation bill for the succeeding biennium and are paid out of the revenues of that biennium. In this way, "deficits" allowed by the Board of Examiners are always approved by the Legislature, since they are included in the appropriation bill passed by the Legislature.

It necessarily follows that if the total appropriations made by the Legislature (including all "deficits" granted) do not exceed the estimated revenues, and if the actual revenues do not fall short of the estimated revenues, there can be no overappropriation of state funds, and hence no cumulative increase in the overdraft in the state treasury.

Notwithstanding the safeguards thrown about the present system, it seems to the Board of Examiners that there could and should be a substantial decrease in the number of "deficit" requests presented to the Board. With the approval of the Board of Examiners, therefore, I

recently addressed the following letter to all state departments, boards, commissions and institutions:

"The Legislature has delegated to the State Board of Examiners authority to increase legislative appropriations in emergencies between sessions of the Legislature so as to insure the continuous functioning of all branches of the State Government. All such 'deficits' are included in the biennial budget and appropriation bill, hence it is impossible for 'deficits' allowed by the Board of Examiners to cause a cumulative increase in the state general fund overdraft. Moreover, all such "deficits" must be and invariably are approved by the Legislature.

"Notwithstanding these ample safeguards thrown around the allowing of 'deficits', the Board of Examiners does not wish to take any more responsibility than is absolutely necessary in increasing the appropriations made by the Legislature, and I am writing this letter for the purpose of reducing to a minimum the 'deficit' requests for the current biennium.

"Examination of the records shows that the bulk of the 'deficits' allowed during the biennium ended June 30, 1929, were allowed after the adjournment of the 1929 Legislature. I am authorized by the Board of Examiners to say that its policy will be to allow no more 'deficits' for the current biennium after the adjournment of the Legislature next March. By this decision we do not wish to embarrass any officer, department, commission, board or institution, but we merely want, so far as possible, to keep the appropriating power in the Legislature, where it belongs.

"In view of the impending shortage of revenue it is hoped that you will make the most strenuous efforts to finish the fiscal year on your regular appropriations. If there are any items on which you are

inevitably going to run short, may I ask that you send me, before the end of December, a request for such additional appropriation as will become necessary and unavoidable before June 30, 1931, together with a full statement of the circumstances which impel you to ask for more money.

"It is my purpose to include all such requests in an urgent deficiency appropriation bill to be introduced in the Legislature when it convenes in January. This bill will carry the emergency clause so that, if passed, the appropriations will be avaiable when needed instead of during the next biennium. The amounts so appropriated will, however, be charged against the revenues of the next biennium and will correspondingly reduce the amount available for the regular appropriations.

"I am confident that the Legislature will approve the plan herein outlined, since it reduces 'deficits' to a minimum and yet retains the feature in the present system which takes care of emergencies when the Legislature is not in session."

Pursuant to the foregoing letter I shall transmit in a few days a deficiency appropriation bill covering all requests received in response to the foregoing letter. I shall also include therein all "deficits" allowed by the Board of Examiners during the current biennium, so that "deficit" expenditures may be included in the appropriations for the biennium in which the money was spent, instead of being carried forward to the next biennium. This will change the present system, but will be better accounting.

I have reached the conclusion that the Board of Examiners should not allow any deficits between the convening of the Legislature and the end of the biennium, and I do not think it would do any harm to enact a law to that effect, although it may be possible that the precedent which we are now establishing will have all the effect of legislation on the subject.

COAL RESEARCH

Utah has only 1,323,703 acres of land irrigated, and on account of her limited water resources she can never hope to be a great agricultural state. What Utah needs is pay rolls. There are no better pay roll builders than our coal mines. In November 1930, there were 4,301 employes at the coal mines, 171 employes of coal producers in Salt Lake, and 358 employes of retail dealers in Salt Lake, or a total of 4,829 employes at the mines and in Salt Lake City. The employes and their families obviously constitute a large factor in the business life of our state.

Coal mining is one of the most useful industries in the state because it furnishes employment, supports towns and railroads, makes business for wholesalers and jobbers, keeps our own money at home and brings outside money in. If the state can do anything to promote an industry which spreads prosperity so widely it ought to embrace the opportunity.

Utah bituminous coal is very high grade in heat value, but its high volatile content makes it difficult to burn without black smoke, hence there is complaint of a smoke nuisance in the valleys of Utah where there is little wind to clear the atmosphere.

For the triple purpose of reducing the smoke nuisance, furnishing the public the cheapest possible fuel, and aiding the coal industry to meet the competition of smokeless fuels such as oil, gas and coke, it has been suggested that a fuel research department be established at the University of Utah. Some effort has been made to interest the United States Bureau of Mines in such a project, but so far without success. Probably the industry would contribute to the cost, and the University has evinced its willingness to undertake the project if the necessary finances are made available.

SOLDIERS' MEMORIAL

For a dozen years there has been discussion of a pro-

posed memorial building in honor of the men from Utah who served in the World War. The project most advocated is a building which would contain a large auditorium besides quarters for the various ex-service men's organizations, and would at the same time be a state armory for the National Guard. Salt Lake City would contribute to the cost of such a structure.

While consideration of this ambitious and worthy project has dragged along without action, a soldiers' memorial of an entirely different kind has been developing, with the aid of the state. I refer to Memory Park, which adjoins the Capitol grounds on the east. I venture to say that there is not a more beautiful soldiers' memorial in the United States, and since the State of Utah has been contributing financially to its improvement it cannot justly be said that Utah has done nothing toward perpetuating the memory of her war heroes.

VETERANS' WELFARE

More than a decade has passed since our soldiers returned from war. In that time a grateful government has enacted many laws calculated to lift the burden of those whose service entailed the sacrifice of health of mind or body. The administration of these laws providing Federal aid to disabled veterans has been carried on unselfishly and gratuitously during the last ten years by veterans' organizations. The task of contacting the needy ex-service man and his dependents, and meeting his need, is becoming each day more exacting, more important and more voluminous. It is a task that is fast developing beyond what a conscientious state ought to permit to be done for it gratuitously. It is an obligation of the state to see to it that each of its citizens who served the government in time of war is brought into contact with the benefits of such legislation as the government enacts for his relief.

The means by which this could be accomplished would be through a Veterans' Welfare Commission. Every

state has a similar problem. I am informed that 24 of our sister states have successfully solved it by the creation of such a commission. I invite your attention to the solution of Utah's problem during this session.

JUNIOR COLLEGES

In the last Legislature there was considerable discussion of a proposal to establish a series of junior colleges to be wholly or partly supported by the state, but no action was taken. Subsequent to the adjournment of the Legislature I wrote to the State Board of Education calling its attention to the agitation in favor of such a program, and expressing the opinion that much of the confusion attending the proposed legislation was due to lack of necessary and reliable information. I therefore requested the State Board of Education to make a study of the junior college situation, with particular reference to the needs of Utah, and later to report its findings and recommendations for the benefit of the next Legislature.

Pursuant to that request the Board appointed a fact-finding committee, which in due time submitted its report to the Board. After considering the report, the Board expressed the opinion that the junior college should eventually become a unit in the educational system of this state, but that in view of the present financial depression, the prospective decrease in revenues, and the consequent probability of a higher tax levy, it would be inadvisable to enact any legislation looking to the establishment of junior colleges at the 1931 session of the Legislature, and recommended that the State Board of Education be permitted during the next biennium to make a further study of the question, I submit the conclusions of the Board for your information.

JUVENILE COURTS

In the field of child welfare, there has been an awakening of the public conscience recently, in a manner calculated to focus the attention of both governmental and

private agencies on the improvement of that service which deals with child health and protection. The Federal Government assumed the leadership at the recent White House conference and it behooves Utah to do her share in recognizing the importance of the problems of child welfare.

In this connection I wish to invite your attention to the juvenile courts of the state. There is no public agency which comes more intimately in contact with the health and moral welfare of our youth. Yet because of one fault and another those courts have been sadly wanting in popular support for many years past, and their administration has suffered accordingly.

During the past biennium there has been concluded a very important work which has had for its purpose the elevation of the juvenile courts to the rank of governmental functions which the importance of this field warrants. I refer to the studies made of the juvenile courts by outstanding authorities of the nation, and particularly the preparation of a complete redraft of our juvenile court laws.

This new draft has been studiously prepared to codify our own law in harmony with a model law which incorporates the best experience of other states in dealing with this subject. The proposed Utah code has been carefully prepared by officers of the Juvenile Court Commission, working in conjunction with the National Probation Association of New York, and groups of local leaders active in the several fields of social service.

It does not contemplate any radical departure from the state's accepted policies nor does it commit the state to any program of public welfare into which it has not already embarked.

Some opinions handed down by our Supreme Court recently have so tied the hands of the juvenile courts as to deprive them of jurisdiction to deal with a large percentage of juveniles, and unless the Legislature corrects this condition we are faced with the danger of being

forced to confine juveniles in our penal institutions along with common criminals. Such a practice would literally convert some of our penal institutions into universities of crime. It is unthinkable that such a practice would be tolerated for any length of time, but the only alternative has been for the juvenile courts to invent means of circumventing the very law they are employed to administer. In brief, this situation has become intolerable and demands correction. I commend to your favorable consideration the new code which has been prepared.

NON-PARTISAN JUDICIARY

Justice knows no party, and there is not a single decent reason why the judiciary should be in politics. Judges should be selected solely for their qualifications and not for their political availability. I therefore make no apology for renewing my recommendation that the necessary legislation be enacted so that both the nomination and the election of judges may be made without reference to political party affiliations. The same argument holds good in regard to State Superintendent of Public Instruction.

A simple way partly to achieve the desired result in both cases would be to put the names of all candidates for judicial offices and for Superintendent of Public Instruction on a separate headless ballot without any party designation.

EX-OFFICIO BOARDS

In my message to the last Legislature I set forth at length the defects of the system whereby constitutional officers are made ex-officio members of state boards and commissions. I feel that I should not be doing my duty if I did not renew my recommendation for the elimination of elective state officers from all boards or commissions of the state, except the Board of Examiners, the Board of Loan Commissioners and the State Depository Board.

An ex-officio board is better than none, but not much. Instead of getting something for nothing, I am convinced

that the state suffers from the archaic practice of dragging constitutional officers away from their own proper functions and engrossing their attention with a mass of institutional detail.

I can testify that the Governor cannot render satisfactory service on the numerous boards of which he is a member if he devotes adequate time to his own office and attempts a general supervision of the state government as is his constitutional duty. Although I am not authorized to speak for him, I dare say the Attorney General would rather devote himself to the important legal business of the state than to spend so much of his time attending board meetings. The State Land Board, for example, is so large and important an institution that its members should devote their entire time to it. In most instances the state does not save any money by ex-officio boards, and it does not get as good service as it would receive from appointive boards, many of which are composed of citizens serving without pay.

AERONAUTIC REGULATION

Up to the present time Utah has enacted no legislation for the regulation of air transport. Probably this conservatism has been a wise policy, because a new industry should be left as free as possible to work out its own development. Air transportation is very largely interstate commerce, which is properly subject to Federal regulation such as is now being administered by the Department of Commerce. It may be that the industry has now reached a stage of development where the protection and welfare of the public call for a regulatory state air law. I content myself with bringing the subject to your notice without making any specific recommendations except to suggest that it is peculiarly one in which uniform state legislation seems desirable, and that there should be conformity with the Department of Commerce Flying Rules so far as possible.

LEGISLATIVE REAPPORTIONMENT

I respectfully remind you of Section 2 of Article IX

of the Constitution which provides that the Legislature, at the session next following an enumeration made by authority of the United States, shall revise and adjust the apportionment for senators and representatives on the basis of such enumeration according to ratios to be fixed by law. The last reapportionment bill was enacted in 1921, following the United States Census of 1920.

CAPITOL GROUNDS

I call to your notice the improvement of the Capitol grounds during the past two years. This beautification, which was made possible by appropriations granted by the last Legislature in its regular and special sessions, will, I am confident, soon be an object of pride to every citizen of the state. Much still remains to be done, and I trust that each succeeding Legislature will make a modest appropriation until the ultimate plan of improvement is achieved. The Capitol grounds will then be a park of outstanding attractiveness.

CONCLUSION

I am still interested in the proposals which I submitted to the eighteenth Legislature, such as holding state elections in off years, the headless ballot, the right of two political parties to nominate the same candidate, and civil service rules for technically trained men, but refrain from repeating my arguments at this time.

There are also many other topics that I should like to mention, but it is not feasible to cover the whole field of state government in a single message. Perhaps I shall be able to mention some of them in my budget message. I trust I shall have frequent opportunity for personal conference with members of both Houses on subjects of mutual interest, whether they are up for legislative action or not. Members of the Legislature have the right of way in my office and I shall consider it an honor to be consulted at any time.

January 13, 1931. GEORGE H. DERN.

The reading of the message was completed at 4:25 P. M. The Joint Committee then escorted the Governor back to his office.

On motion of Senator Booth the Joint Assembly ordered the message of Governor Dern spread on the Journal of each house.

The Joint Session then dissolved.

The Senate reconvened at 4:35 P. M. President Dillman in the Chair.

COMMUNICATION FROM THE CHAMBER OF COMMERCE

Salt Lake City, Utah, Jan. 13, 1931.

Dear Mr. Dillman:

The Chamber of Commerce of Salt Lake City have had the privilege for several years past of entertaining the legislators of the State of Utah, and we would appreciate having this opportunity again this year.

We would suggest to you the evening of Monday, January 19th. We have selected this evening as we feel it will be before any real active work devolves upon anyone, and we can have the privilege of a full attendance. We also feel that it will be an opportune time for the legislators to meet each other and the representative business men of Salt Lake City in a social way, forgetting completely for the evening legislative matters.

We would appreciate your submitting this to the Senate and advise us at as early a date as possible.

Very truly yours,

GUS. P. BACKMAN,
Secretary.

Mr. Ray E. Dillman,
President of the Senate,
Salt Lake City, Utah.

Communication filed.

On motion of Senator Musser the invitation was accepted.

On motion of Senator Young a committee consisting of Senators Ryan and Maw was appointed to draft proper resolutions of respect and send with flowers to the funeral of Mr. Willard Done former Legislator and Senate Minute Clerk of 1925 and 1927.

Senator Musser moved that when the Senate adjourn it be until Thursday Jan. 15, 1931.

Motion carried.

On motion of Senator Griffin the Senate adjourned.

FOURTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 15, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call—All Senators present, except Senators Knight, Owens, Patterson and Young. Senators Knight Young and Owens were excused.

Prayer by the Chaplain.

The Journal of the Second Day was read and as corrected approved.

On motion of Senator Maw a Committee consisting of Senators Welling and Hunt was appointed to act during the next two days in revising the Senate Journal each day and certifying to its correctness as amended.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 15, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed under suspension of the rules H. B. No. 1, By Mr. Fuller, entitled: "An Act appropriating $50,000.00, or so much thereof as may be necessary to defray the regular and contingent expenses of the Ninteenth Session of the Legislature of the State of Utah", and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 1 was read the first time.

Senator Maw moved that the rules be suspended and House Bill No. 1 be read the second and third times and placed on its final passage.

The motion carried, and House Bill No. 1 was read second and third times and passed on the following roll call.

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, Owens, Patterson and Young.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 15, 1931.

Mr. President:

Your Committee on Senate Rules reports back as follows: That the rules of the Eighteenth Session of the Utah State Legislature be adopted with the following amendments:

We recommend that the following words be added to Rule 11, by striking a period and adding a comma after "announced", "except as provided for pair voting in Rule 59."

In Rule 65 we recommend that in the first sentence after the fifth word from the last which is "Senators", "present" be inserted.

In Rule 66, first sentence, after the sixth from last word, which is "Senators" insert "present".

In Rule 75, listing the standing committees we recommend that the fifth committee listed, which is the Fish and Game, be increased from five to seven members and that the ninth committee listed which is Revenue and Taxation be increased from seven to nine members.

In Rules 87, 88 and 89, one of the standing committees is referred to as the Committee on Revision and Printing. In every place that the name of this committee is used, it should be called the Committee on Revision and Enrolling.

In Rule 88, we recommend that the last sentence be stricken.

In Rule 93 strike the period after "reprinted" and insert "or retyped. When a bill has under this rule been ordered retyped, it shall be prepared upon 8½ x 13 inch

paper and the lines should be numbered as in the printed bill."

In Rule 106 strike the last sentence and insert "The secretary shall during each daily session cause the calendar to be written and maintained upon the black board showing bills properly listed as provided in Rule 105."

The Committee acknowledges with thanks the splendid help afforded us by Senator Tracy R. Welling.

Respectfully submitted,

MALCOLM A. KEYSER,

Chairman.

The committee report was approved.

Senator Ryan reported that the Special Committee appointed to draft proper resolutions of respect and send with flowers to the funeral of Mr. Willard Done, had carried out the request of the Senators, and recommends that the following resolution be spread upon the journal.

SENATE CHAMBER,
State Capitol,

Tuesday January 13th, 1931.

To the family of the late
Willard Done:

We, the Committee appointed by the Senate of the Nineteenth Session of the Utah Legislature, extend to you the heartfelt sympathy and condolence of the entire Senate membership in your recent bereavement.

Mr. Done's long public service has endeared him to the people of the state of Utah and his service in the Senate of the Eighteenth Legislature was sincerely appreciated by the members thereof. We feel that Utah has lost a

staunch citizen and one whose passing will be deeply mourned by all.

Respectfully,

GEO. H. RYAN,

HERBERT B. MAW,

Committee.

On motion of Senator Candland the Senate recessed until 3 P. M.

The Senate resumed session at 3 P. M.

MISCELLANEOUS BUSINESS

The following list of standing committees was presented by President Dillman.

AGRICULTURE AND IRRIGATION

Owens, Young, Griffin, Candland, Welling, Smith, Patterson.

APPROPRIATION AND CLAIMS

Keyser, Booth, Griffin, Candland, Jefferson, Fowles, Welling, Maw, Smith.

BANKING AND COMMERCE

Jefferson, Young, Keyser, McCarthy, Fowles.

EDUCATION

Young, Ryan, Knight, Huggins, Shields.

FISH AND GAME

Jefferson, Hunt, Owens, Keyser, Patterson, Shields, Musser.

HIGHWAYS

Hunt, Jefferson, Keyser, Fowles, Welling.

JUDICIARY

Ryan, Booth, Knight, Patterson, Shields, Huggins, McCarthy.

PUBLIC INSTITUTIONS, HEALTH AND LABOR

Griffin, Owens, Knight, Booth, Musser, Maw, Patterson.

REVENUE AND TAXATION

Candland, Jefferson, Ryan, Hunt, Young, McCarthy, Musser, Huggins, Welling.

REVISION AND ENROLLING

Griffin, Ryan, Musser.

RULES AND CONTINGENT EXPENSE

Hunt, Candland, Maw.

STATE AND MUNICIPAL AFFAIRS

Booth, Griffin, Huggins, Maw, Hunt, Owens, Smith.

INTRODUCTION OF BILLS

S. B. No. 1. By Mr. Fowles.

"An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled: 'An Act authorizing the governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation,'" was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 2. By Mr. Shields.

"An Act amending Section 1843, Compiled Laws of Utah 1917, relating to provision for support of dependent, neglected children," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Musser the Senate adjourned.

FIFTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 16, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senators Knight and Owens, both were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Fourth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

TRACY R. WELLING,

PAUL H. HUNT.

REPORT OF SPECIAL COMMITTEE

Chairman Keyser of the committee on Senate rules presented the following report which was adopted. That the rules of the Nineteenth Session be the same as of the Eighteenth Session with amendments to rules 11, 65, 66, 75, 87, 88, 89, 93, 106, which appear in the body of this report.

RULES OF THE SENATE

ORGANIZATION

1. *Secretary of State to Call to Order.* The senate, at the commencement of every regular session of the legislature, shall be called to order by the secretary of state, or some person designated by him, who shall preside until the members shall have been sworn in, and shall have elected a president.

2. *Election of President.* The senate shall elect a president, who shall preside during the session, and who shall have the general direction of the senate chamber.

3. *President May Call a Senator to Chair.* The president may call a senator to the chair, and such senator shall be vested with all the powers of the president while so presiding, but such substitute shall not extend beyond an adjournment.

4. *Temporary Presiding Officer in Absence of President.* In the absence of the president, one of the senators shall be elected to preside temporarily, until the return of the president. In case of a vacancy in the office of president, or in case the president or the senator appointed by him to perform the duties of the chair, is absent at the hour to which the senate stands adjourned, the oldest senior senator present shall call the senate to order, and shall preside until a president pro tempore is elected, and such election shall be the first business in order.

5. *Duties of President.* It shall be the general duty of the president:

(a) To assign to the officers and employees of the senate their respective duties and stations, and to have general supervision over them.

(b) To assign places to properly accredited newspaper representatives.

(c) To take the chair every day, precisely at the hour to which the senate shall have adjourned, immediately call the senate to order, and proceed with the daily order of business.

(d) To announce the business before the senate in the order in which it is to be acted upon.

(e) To receive and submit in the proper manner all motions and propositions presented by the senators.

(f) To put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings, and to announce the result thereof.

(g) To restrain the senators while engaged in debate, within the rules of order.

(h) To enforce on all occasions the observance of order and decorum among the senators.

(i) To inform the senate when necessary, or when referred to for that purpose, on any point of order or practice.

(j) To receive messages and other communications from other branches of the government, and to announce them to the senate.

(k) To authenticate by his signature when necessary, all the acts, orders and proceedings of the senate over which he presides.

(l) To name the members of committees when directed to do so in any particular case, or when it is a part of his general duty by the rules.

(m) To represent and stand for the body over which he presides, declaring its will, and in all things obeying its commands. Every officer of the senate is subordinate to the president, and in all that relates to his several duties, is under his supervision.

6. *Election and Duties of Secretary.* A secretary of the senate shall be elected at the commencement of each session, to hold his office at the pleasure of the senate. His general duties shall be:

(a) To attend every session, call the roll, to read all bills, amendments, resolutions and all papers which are ordered to be read by the senate or presiding officer.

(b) To superintend all copying and work to be done for the senate.

(c) To have supervision over all employees of the senate, subject, however, to the direction of the president, to assign, reassign or transfer all employees to their respective duties, to certify and transmit to the house all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the house immediately after their passage or adoption by the senate.

(d) To keep a correct journal of the proceedings of the senate.

(e) To notify the house of the action of the senate on all matters originating in the house and requiring action on the part of the senate.

(f) To keep a record of the attendance of all employees. Any employee absenting himself or herself without the permission of the president, shall not be paid for the day or days of such absence. He shall keep a record of all leaves of absence and shall keep a record of and approve all pay-rolls and bills.

(g) To sign jointly with the president all requisitions on the state auditor for warrants to pay the expenses of the senate.

(h) To permit no records or papers belonging to the legislature to be taken out of his custody otherwise than in the regular course of business.

(i) To report any missing papers to the notice of the president.

(j) To be responsible for all the official acts of his assistants.

7. *Election and Duties of Sergeant-at-Arms.* A sergeant-at-arms shall be elected at the commencement of each session to hold his office at the pleasure of the senate. His general duties shall be:

To attend all sittings of the senate, to execute the command of the senate from time to time and to serve all

process which shall be issued by order of the senate or by order of any committee when the same is signed by the president. He shall, subject to the directions of the president and secretary, have supervision over the doorkeepers, messengers and watchmen, and he shall preserve order in the lobby and gallery, and guard the floor from intruders. He shall report each day to the secretary, the absence or late arrival of any employee of the senate.

RIGHTS AND DUTIES OF MEMBERS.

8. *Every Senator Must Be Present.* Every senator shall be present within the senate chamber during the sessions of the senate unless duly excused or necessarily prevented.

9. *Less Than Quorum May Send for Absent Senators.* In case a less number than a quorum of the senate shall convene at the hour to which the senate shall have adjourned, those present are authorized to send the sergeant-at-arms, or any other person, for the absent senators.

10. *How Excused from Voting.* A senator desiring to be excused from voting may, when his name is called, make a brief statement, not occupying more than five minutes, giving the reasons for making such request, and the question of excusing him shall then be decided without debate. Any senator desiring to explain his vote upon a bill may, when his name is called, be allowed a like opportunity.

11. *Not to Vote Unless Present.* No senator shall be permitted to vote on any question unless he shall be within the senate chamber before the vote is announced, except as provided for pair voting in Rule 59.

ORDER AND DECORUM.

12. *President to Preserve Order; Appeal.* The president shall preserve order and decorum; he may speak to points of order in preference to other senators, arising

from his seat for that purpose; and he shall decide questions of order, subject to an appeal by any senator, on which appeal no senator shall speak more than once, unless by leave of the senate. On appeal being taken, the question shall be: "Shall the decision of the chair stand as the judgment of the senate?" Which question and the action thereon shall be entered in the Journal.

13. *Disturbance in Lobby or Gallery.* In case of any disturbance or disorderly conduct therein, the president shall have the power to order the lobby and gallery cleared.

14. *Punishment for Disrespect to Senate.* The senate may, during its session, punish by imprisonment any person not a member, who shall be guilty of disrespect to the senate, by any disorderly or contemptuous behavior in its presence, but such imprisonment shall not at any time exceed twenty-four hours, unless the person shall persist in such disorderly or contemptuous behavior.

15. *Smoking not Permitted.* No person shall be permitted to smoke within the senate chamber while the senate is in session.

16. *Obtaining the Floor.* When any senator is about to speak or to deliver any matter to the senate he shall rise from his seat and respectfully address himself to "Mr. President." Upon being recognized by the chair, he may address the senate, confining himself to the question under consideration, and avoiding personalities. No senator shall impeach the motives of any other senator.

17. *Calling a Senator to Order for Transgressing Rules.* If any senator in speaking (or otherwise) transgress the rules of the senate, the president shall, or any senator may, call him to order, in which case the senator so called to order shall sit down, unless permitted to explain, and the senate if appealed to shall decide the case without debate. If the decision be in favor of the senator called to order, he shall be at liberty to proceed; if other-

wise, and the case require it, he shall be liable to the censure of the senate.

18. *Calling a Senator to Order for Words Spoken.* If any senator be called to order for words spoken in debate, the senator calling him to order shall repeat the words to which exception is taken, and they shall be recorded by the secretary; but no senator shall be held to answer, or be subject to the censure of the senate for words spoken in debate, if any senator has meanwhile spoken in debate or other business has intervened after the words spoken, and before such exceptions have been taken.

19. *President to Decide Who is Entitled to Floor.* If two or more senators rise at once the president shall name the senator who is to speak first.

20. *Senators Not to Leave Chamber, When.* While the president is addressing the senate, or putting a question, no senator shall walk out of, or across the chamber, nor while a senator is speaking, walk between him and the chair.

21. *Calling of Yeas and Nays.* No senator or other person shall visit or remain by the secretary's desk while the yeas and nays are being called.

22. *Priority of Business.* All questions relating to priority of business shall be decided without debate.

MOTIONS.

23. *Motion to be Stated Before Debate.* When a motion is made it shall be stated by the president or if in writing, shall be handed to the secretary and read aloud before debate.

24. *Motions in Writing.* Every motion, excepting motions to adjourn, postpone or commit, shall be reduced to writing if the president or any senator desire it.

25. *Withdrawing a Motion.* After a motion is stated by the president or read by the secretary, it shall

be deemed in the possession of the senate, but may be withdrawn at any time by the unanimous consent of the senate before division or amendment.

26. *No Second Required to Motions.* No second shall be required to any motion in the senate.

27. *Motions in Order During Debate.* When a question is under debate, no motion shall be received except:

(1) To fix the time to which to adjourn.
(2) To adjourn.
(3) To call the senate.
(4) To commit.
(5) To lay on the table.
(6) To postpone to a day certain.
(7) To postpone indefinitely.
(8) To amend.

These several motions shall have precedence in the order in which they stand in this rule.

During a roll-call no motion or other business shall be in order, until after the announcement of the result of the vote.

28. *Motion to Adjourn Always in Order; Exceptions.* A motion to adjourn shall always be in order except when the senate is voting, and except when a previous motion to adjourn having been defeated, no intervening business has been transacted; but this rule shall not authorize any senator to move an adjournment when another senator has the floor.

29. *Motion to Lay on Table Temporary Only.* A motion to lay on the table shall only have the effect of disposing of the matter temporarily, and it may be taken from the table at any time by order of the senate.

30. *Motion to Postpone.* No motion to postpone to a day certain or indefinitely, or to commit, being decided in the negative, shall again be allowed on the same day and at the same stage of a bill or proposition.

31. *Motion to Strike Out Enacting Clause.* A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried shall be deemed a rejection of the bill.

32. *Filling Blanks.* When a blank is to be filled, and different sums or times are proposed, the question shall be first put on the least sum and the shortest time.

33. *Motions Must Be Germane.* No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

34. *Motions to Commit or Postpone Preclude Amendments.* A motion to commit until it is decided shall preclude all amendments and debate on the main question, and a motion to postpone indefinitely or to a day certain, until it is decided, shall preclude all amendments on the main question.

35. *What Questions to be Decided Without Debate.* A motion to adjourn, to take a recess, to lay on the table or to take from the table shall be decided without debate, and all incidental questions of order arising after a motion is made for either of the questions named in this rule, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

36. *Division of Question.* If the question in debate contains several points, any senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question, but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition.

RECONSIDERATION.

37. *Who May Move to Reconsider.* If a bill shall fail to pass on account of not having received the constitutional majority, any senator having voted in the neg-

ative shall have a right to move for a reconsideration of such bill.

38. *Reconsideration Requires Majority of Senate.* Upon a motion to reconsider the vote on the final passage of any bill, a majority of all the members of the senate shall be required to reconsider the same.

39. *Motion to Reconsider.* When a question has been decided by the senate, any senator voting with the prevailing side may move a reconsideration thereof, or give notice that he will make such motion within the time prescribed by the rules, but no motion for the reconsideration of any vote shall be in order after a bill or resolution upon which the vote was taken shall have gone out of the possession of the senate. No motion for reconsideration shall be in order unless made within the next day of actual session of the senate. Such motion shall take precedence of all other motions and questions, except a motion to adjourn.

40. *Notice of Motion to Reconsider.* Upon notice being given by any senator of his intention to move a reconsideration of any vote taken, the secretary shall enter the same in the Journal and shall retain the bill or other papers with reference to which such vote was taken, until the time for reconsideration has expired; provided, that the operation of this rule shall be suspended during the last week of the session.

41. *No Motion to Reconsider Within One Week of Adjournment.* No notice of a motion to reconsider shall be received within one week of the time fixed for the final adjournment of the legislature.

DEBATES.

42. *Senators Not to Speak More Than Twice.* No senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any senator who has not spoken desires to speak.

43. *Interruptions and Questions.* No senator shall interrupt or question another senator in debate without his consent, and to obtain such consent, he shall first address the president.

44. *Author May Open and Close Debate.* The author of a bill, motion or resolution, shall have the privilege of opening and closing the debate.

45. *Previous Question.* The previous question shall not be entertained or be a rule of practice in the senate.

AMENDMENTS.

46. *Substitute Motions.* All so-called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto; except such matter as may be reported by committee.

47. *Amendments Must Be Germane.* Any substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

48. *Amendments to Measure Requiring Two-Thirds Vote.* A constitutional amendment or a bill requiring a vote of two-thirds of the members elected to the senate for final adoption or passage may be amended by a majority of those voting.

49. *Tabling an Amendment Does Not Prejudice Bill.* An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table it shall not carry with it or prejudice such measure.

50. *Rider Amendments.* No amendment by way of rider shall be made to any bill on its third reading.

51. *Amendments in Order at Second and Third Reading.* Amendments shall be in order at the second and third readings of a bill, resolution or motion requiring three readings, and it shall be at all times in order,

before the final passage of such bill, resolution or motion to move its commitment or recommitment.

52. *Committee Amendments, How Reported; Speaking on Amendments.* Amendments reported by a committee shall refer to the printed bill and shall not be inserted in the original bill until after such amendments shall have been adopted by the senate, when they shall be properly inserted by the secretary. A copy of the printed bill with all proposed amendments entered thereon shall accompany the committee's report. Such committee amendments shall be inserted in the senators' files before the bill is considered on its second reading and the amendments shall be acted upon by the senate in the same manner as though offered from the floor.

On an amendment being moved, a senator who has spoken to the main question may speak again to the amendment.

53. *Amendments Referred to Committees to Be Reported.* Whenever any bill to which an amendment is pending shall be referred to a committee, such amendment shall be reported back to the senate with the bill.

54. *Order of Action.* If any amendment be offered, the question shall be first upon the amendment. If rejection is recommended by a committee, the adoption of an amendment shall not change the question.

VOTING.

55. *Roll Call on Final Passage of Bills and Other Questions.* The vote upon the final passage of all bills shall be by yeas and nays, the names of the senators to be called alphabetically, except that the president shall be called last. The yeas and nays shall be ordered on other questions when demanded by five senators present. In recording the votes taken by yeas and nays, the secretary shall report those absent or not voting.

56. *Voting or Changing Vote After Decision Announced.* When the yeas and nays are taken on any ques-

tion, no senator shall be permitted to vote or to change his vote after the decision is announced by the chair.

57. *May Change Vote Before Decision Announced.* Any senator may change his vote before the decision of the question shall have been announced by the chair.

58. *Senators Required to Vote.* Every senator present when a question is put, or when his name is called, shall vote, unless the senate shall, for a special cause, excuse him, or unless he has a direct personal or pecuniary interest in the event of such question. In case the vote is by yeas and nays, or by a division, a member entering the chamber after the question is put and before it is decided, may have the question stated, record his vote and be counted.

59. *Pairs.* Absent senators whose votes, if they were present, would be cast on opposite sides of any question may pair by filing a signed statement of the same with the secretary, who shall read the same to the senate before the vote is taken. A blank form of pair shall be provided by the secretary.

60. *Putting Question; Division.* The president shall rise to put the question, but may state it sitting, and shall put questions in this form, to wit:

"As many as are in favor (as the question may be) say aye," and after the affirmative vote is expressed, "As many as are opposed say no." If he doubts the result of the vote, or if a division be called for, the senate shall divide; those in the affirmative shall first rise from their seats and be counted, and afterwards those in the negative.

CALL OF THE SENATE.

61. *Call of the Senate.* Any five senators may demand a call of the senate and require absent senators to be sent for; but a call of the senate cannot be made after the voting has commenced.

62. *Putting Question.* Upon a call of the senate being moved the president shall say: "It requiring five senators to make a call of the senate those in favor of the call will rise." And if a sufficient number shall rise the call shall be thereby ordered.

63. *Doors to Be Closed.* A call of the senate being ordered the sergeant-at-arms shall close the doors and no senator shall be allowed to leave the chamber.

64. *Sergeant-at-Arms to Bring in Absentees.* The secretary shall immediately call the roll of the senate and note the absentees, whose names shall be read and entered upon the Journal in such manner as to show who are absent without leave and who are absent with leave. The secretary shall furnish the sergeant-at-arms with a list of those who are absent without leave, and the sergeant-at-arms shall forthwith proceed to find and bring in such absentees.

65. *Senate Under Call; Raising Call; Adjournment.* While the senate is under call, no business shall be transacted except to receive and act on the report of the sergeant-at-arms; and no motion shall be in order except a motion to adjourn and a motion to suspend further proceeding under the call, which motions shall be determined by the yeas and nays, and the motion to suspend further proceedings under the call shall not be adopted unless a majority of all the senators present vote in favor thereof. A majority of those present may adjourn, but upon reconvening, the senate shall not be considered to be under the call, but the call of the senate may again be ordered in the same manner as above described.

66. *Sergeant-at-arms May Report.* The sergeant-at arms may make a report of his proceedings, at any time, which report may be accepted, and further proceedings under the call thereby dispensed with; but the motion to accept such report shall be determined by yeas and nays, and it shall not be adopted unless a majority of all the senators present shall vote in favor thereof. If such re-

port be not accepted, the sergeant-at-arms shall proceed to a completion of his duties as required by Rule 64.

67. *Call Raised When Absentees Present.* When the sergeant-at-arms shall make a report showing that all who were absent without leave (naming them) are present such report shall be entered on the Journal and the call be at an end; and thereupon the doors shall be open and the business pending when the call was made shall be proceeded with.

ORDER OF BUSINESS.

68. *Hour for Meeting.* The hour for the meeting of the senate shall be at 2 o'clock p. m. daily except Sundays unless a different hour shall be prescribed by resolution or motion adopted by a majority vote.

69. *Roll Call; Quorum.* Before proceeding to business the roll of the senators shall be called and the names of those present and those absent shall be entered on the Journal. A majority of the senators must be present to constitute a quorum for the transaction of business but a smaller number may adjourn from day to day and may compel the attendance of absent members.

70. *Leave of Absence.* Unless unable to attend on account of illness or other cause, no senator or officer of the senate shall be absent from the session during the entire day without first having obtained leave of absence.

71. *Daily Order of Business.* The daily order of business in the senate shall be as follows:

1. Roll call.

2. Prayer by the chaplain.

3. Reading and approval of the Journal of the preceding day.

4. Presentation of petitions.

5. Reports of standing committees.

6. Reports of special committees.

7. Presentation of resolutions, motions and notices.

8. Introduction of bills.

9. Consideration of resolutions

10. Consideration of bills on third reading.

11. Consideration of bills on second reading.

12. Miscellaneous business.

72. *Messages and Reports Received at Any Time.* Messages from the governor and from the house of representatives, communications and reports from state officers, reports from the committees on engrossing and enrolling and on rules, may be received at any time, except when the president is putting the question, or when the yeas and nays are being called; and upon motion may be considered at any time.

73. *Unfinished Business.* The item of unfinished business in which the senate was engaged at the last preceding adjournment shall have the preference under its regular order in the daily order of business.

74. *Action Out of Regular Order.* The senate may at any time on motion supported by a majority vote of the senators present proceed out of order to any order of business or return to an order already passed. When the senate shall have reached any particular order of business, any item thereunder may be taken up for consideration out of its regular order upon motion supported by a majority vote of the senators present, provided that it shall require unanimous consent to advance any bill on the calendar.

COMMITTEES

75. *Standing Committees.* The following Standing Committees shall be appointed by the President of the Senate:

1. Agriculture and irrigation, seven members.

2. Appropriations and claims, nine members.

3. Banking and commerce, five members.

4. Education, five members.

5. Fish and Game, seven members.

6. Highways, five members.

7. Judiciary, seven members.

8. Public institutions, health and labor, seven members.

9. Revenue and taxation, nine members.

10. Revision and Enrolling, three members.

11. Rules and contingent expenses, three members.

12. State and municipal affairs, seven members.

76. *Chairman of Committee.* The first senator named on a committee shall be the chairman thereof.

77. *Committee Not to Sit While Senate in Session.* No committee shall sit while the senate is in session, without special leave.

78. *Special Committees.* Special committees may be provided for on motion or by resolution, designating the number and the object, and unless otherwise ordered shall be appointed by the president.

79. *Committee Quorum; Subcommittees.* A majority of any committee shall constitute a quorum for the transaction of business. Subcommittees, who shall report to the regular committee, may be appointed to take charge of any part of the committee's business.

80. *Business in Committees, Report.* All business referred to a committee shall be taken up within fifteen days unless further time is granted by the senate, and if not at once disposed of, a time shall be fixed by the

committee for the final hearing thereon and report thereof made to the senate.

When a bill has been acted upon by a committee, the chairman shall report it back to the senate forthwith.

81. *Notice of Meeting to Author of Bill.* The chairman or clerk of each committee of the senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or resolution.

82. *Dissenting Members to Be Reported.* Members dissenting from a report of a committee shall be so reported when they request it.

83. *Committee on Contingent Expenses; Payment of Expenses.* No expenditures on behalf of the senate shall be incurred by any officer without the consent and authority of the committee on contingent expenses. The said committee shall examine and audit all requisitions and bills for supplies and expenditures of the senate, of its members and committees, for stationery and other purposes, and shall certify to the correctness of the same; and no such requisition shall be made nor bill be audited or paid unless so certified by the chairman or other members of the committee. After any bill or claim shall have been audited and approved by the committee on contingent expenses, it shall be certified by the president and secretary to the state auditor for payment by state warrant.

BILLS, RESOLUTIONS, ETC., PROCEDURE

84. *Seven Copies of Bills Required.* Seven tpye-written or printed copies of every bill, resolution or memorial shall be furnished the secretary by the senator introducing the same.

85. *Bill Back.* The secretary shall attach to each bill or resolution a substantial back, which shall bear no writing except the number of the bill and the name of the person or committee introducing it.

86. *Introduction and First Reading of Bill.* Any senator desiring to introduce a bill shall rise from his seat and address the president, and upon being recognized, shall present the same to the secretary. The secretary shall thereupon give it a number and read the title. This shall constitute the first reading of the bill.

87. *Reference to Committee on Revision and Enrolling.* After the bill has been read the first time it shall as a matter of course be referred to the committee on revision and enrolling, which shall examine the same. The committee by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill, for the purpose of avoiding repetitions, securing a proper title, insuring accuracy in the text and references and consistency with the language of existing statutes. The committee on revision and enrolling shall also see to it that the provisions of the joint rules covering the underscoring of new matter and the indicating of old matter omitted are observed, and that no bill is printed until these provisions are carried out.

88. *Report of Committee on Revision and Enrolling.* The committee on revision and enrolling shall report back all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

89. *Bills Ordered Printed and Referred to Standing Committee.* When the report of the committee on revision and enrolling has been read, the question shall be: "Shall the bill be printed?" If ordered printed, the bill shall be referred to a standing committee by the president, and 300 copies thereof, unless otherwise ordered by the senate, shall be printed. The committee on revision and enrolling shall compare the printed bill with the original, and if it is found to be a true and correct copy the committee shall so certify to the senate. A

printed copy of the bill, bearing the written approval of its author shall thereupon be substituted for the original, and shall thenceforth be treated as the original bill.

90. *Bill Reported from Committee.* When bills are reported from committees, they shall be placed at the foot of the second reading calendar, in the order in which they are received. The report of the committee shall be filed with the bill. The bill shall not be read the second time until at least one day later than the report of the committee.

91. *Second Reading of Bill.* When a bill is reached on the second reading calendar, it shall be read in full, after which the report of the committee shall be read and acted upon. The bill shall then be open for general discussion and amendment. The final question on the second reading shall be: "Shall the bill be read a third time?" and shall be decided by a yea and nay vote. If this question is decided in the negative, it shall be deemed a rejection of the bill.

92. *Bill Placed on Third Reading Calendar.* Each bill, resolution or constitutional amendment ordered read a third time shall be placed at the foot of the third reading calendar. At least one day shall elapse between the second and third reading of any bill.

93. *Reprinting Bill.* Any bill that has been materially amended on its second reading may by a majority vote be ordered reprinted, or retyped. When a bill has under this rule been ordered retyped, it shall be prepared upon 8½x13 inch paper and the lines should be numbered as in the printed bill.

94. *Third Reading of Bill; Final Question.* When a bill is reached on the third reading calendar, it shall be read by title, unless objection be made, in which event the bill shall be read in full as it passed its second reading. The bill shall then be open for discussion or further amendment. The final question shall be stated thus: "This bill having been read three times, the question

is: "Shall the bill pass?" or 'Shall the bill be concurred in?' as the case may be.

95. *Third Reading of Money Bills to Be in Full.* The third reading of all bills appropriating money shall be in full.

96. *Amendments Inserted in Bill Before Transmitted to House.* Any bill, resolution, memorial or constitutional amendment which shall have passed the senate with amendments shall have such amendments inserted therein in blue before being transmitted to the house of representatives.

97. *Recommitment Before Passage.* Any bill, resolution or memorial may be recommitted at any time previous to its passage.

98. *Bill Transmitted to House.* Each bill which passes its third reading shall be certified by the secretary and by him transmitted to the House. The date of transmission shall be entered on the books of the secretary.

99. *Enrollment of Bills; Signed by President.* After a senate bill has passed both houses, it shall be duly enrolled under the direction of the committee on engrossing and enrolling and carefully examined as provided by Joint Rule No. 32. When the bill is reported to the senate as correctly enrolled, its title shall be publicly read and it shall be signed by the president in the presence of the senate, and then transmitted to the house to be signed by the speaker.

100. *No Bill to Be Introduced After Fortieth Day.* No bill shall be introduced in the senate after the fortieth day of the session without unanimous consent.

101. *All Money Bills Referred to Appropriations and Claims Committee.* All bills appropriating money from any fund shall be referred to the Committee on appropriations and claims before being read a second time.

102. *Resolutions Lie One Day on Table* All res-

olutions except joint or concurrent resolutions shall lie one day on the table.

103. *Action on House Bill.* When a house bill has been received by the senate, with a message announcing that it has passed the house, such bill shall be read the first time and referred by the president to a standing committee and its course shall thereafter be the same as that of a senate bill: provided, however, that when a house bill is received, the text of which is stated by a senator to be identical with that of a senate bill, which has already been considered and reported by a standing committee of the senate, such house bill shall be referred to the committee on engrossing and enrolling for comparison, which committee shall report without delay whether or not such bill is identical with the senate bill. If reported identical, such house bill shall be substituted for the senate bill and shall take its place on the second reading calendar, provided, that the fact that the bills are identical shall be entered in the journal. Such senate bill shall thereupon be placed upon the file of unfinished business.

104. *No Senate Bills to Be Passed Within Three Days of Adjournment.* No senate bill shall be passed within three days of the time set for the adjournment sine die of the two houses of the legislature.

THE CALENDAR

105. *Bills Placed on Calendar.* When bills, resolutions, memorials or other business are reported from committees, they shall be placed upon the calendar, to be kept by the secretary, as follows:

All bills when reported to the senate by committees shall be placed at the foot of the second reading calendar, in the order in which the reports are made, and after passing their second reading, they shall be placed at the foot of the third reading calendar, in the order of second reading.

106. *Precedence in Consideration of Bills; Printed Calendar.* Precedence shall be given in the consideration of bills on the calendar in the following order: Third reading calendar and second reading calendar, unless otherwise ordered by unanimous consent. The bills upon third reading shall be considered in the order in which they appear upon the calendar, unless otherwise ordered by unanimous consent. If a bill is passed on the calendar, for any reason other than the absence of the author by leave of the senate, it shall be placed at the foot of the calendar unless otherwise ordered. The secretary shall during each daily session cause the calendar to be written and maintained upon the blackboard showing bills properly listed as provided in Rule 105.

107. *Special Order.* Any subject may by a vote of a majority of those voting be made a special order, and when the time fixed for its consideration arrives, the president shall lay it before the senate.

COMMITTEES OF THE WHOLE

108. *Bills on Second Reading May be Considered in Committee of the Whole.* During consideration of bills on their second reading, three senators may move that any bill or bills in said order of business shall be considered in committee of the whole, and the senate shall resolve itself into a committee of the whole for the consideration of the bill or bills to be so considered.

109. *Procedure in Committee of Whole.* In forming a committee of the whole, the president, unless otherwise ordered by the senate, shall appoint a chairman to preside, who shall for the time being exercise all the powers of the president necessary to the conduct of the business of the committee. The rules of the senate shall govern as far as practicable, except that a senator may speak more than twice on the same subject, that a call for the yeas and nays cannot be made, nor can an appeal from the decision of the chair be taken. Such committee

may strike out the enacting clause of a bill and report that fact to the senate; and if the report be agreed to by the senate, it shall be deemed a rejection of the bill.

110. *Action on Bills in Committee of the Whole: Report to Senate.* Upon bills committed to a committee of the whole, the bill shall first be read throughout by the secretary, and then again read and debated by sections, leaving the title to be last considered. The body of the bill shall not be defaced, or underlined, but all amendments, noting the page and line, shall be duly entered by the secretary on a separate paper, as the same shall be agreed to by the committee. All amendments made in committee of the whole shall be reported by the chairman to the senate, and shall by him be moved to be inserted, and if adopted shall then be entered upon the journal. After the bill has been reported to the senate it shall again be subject to debate and amendment before the vote thereon is taken.

111. *Motion to Rise Always in Order in Committee of the Whole.* A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

EXECUTIVE SESSIONS

112. *Executive Sessions.* When a motion is adopted to close the doors of the senate, on the discussion of any business that may, in the opinion of the senate require an executive session, the president shall require all persons, except the senators, the president, secretary, minute clerk and sergeant-at-arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the senate.

113. *Executive Communications and Nominations.* When executive communications or nominations shall be sent by the governor to the senate for confirmation, they shall, after being read by the secretary, without

motion be referred to a special committee of five appointed by the president, unless otherwise ordered by the senate. In no event shall action be taken on any executive nomination before the third day after its receipt from the governor. After having been reported by the special committee of five appointed by the president, the final question on every nomination shall be: "Will the senate advise and consent to this nomination?" which question shall not be put on the day the nomination or nominations are reported from the committee, unless by unanimous consent. While any nomination remains with the senate, it shall be in order to reconsider any vote taken thereon.

SUSPENSION OF RULES

114. *Suspension or Alteration of Rules Requires a Majority vote.* No standing rule of the senate shall be altered, amended, suspended or rescinded without the vote of a majority of the senators present.

RULES OF ORDER

115. *Robert's Rules of Order to Govern.* The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the senate.

PRIVILEGES

116. *Admission to Senate Chamber.* No person shall be admitted within the senate chamber (galleries excepted) during its sessions, unless specially invited by a senator, except the members and officers of the two houses of the legislature, former members of the Senate, the governor, heads of state departments, former governors, members of congressional delegation, judges of the United States courts and of the state courts, and reporters of the press. Any such person shall only be entitled to the quiet and orderly occupancy of the seats

provided for visitors or for representatives of the press, and in no event to the privileges of the floor.

117. *Senators' Seats Not to Be Occupied by Others.* At no time, whether the senate be in session or not, shall any employee of the senate, or any person whatsoever, other than the president or a senator, be permitted to occupy the chair or use the desk of the president or that of any senator.

118. *Sergeant-at-Arms to Enforce Rules.* The sergeant-at-arms and the employees under his direction will be held to a strict enforcement of the two preceding rules.

119. *Employees and Visitors Not to Influence Legislation.* Any employee of the Senate or of its committees soliciting or inviting any senator to vote or use his influence for any bill or matter before the senate shall be at once dismissed from service and employment, and any person entitled to the privilege of the floor of the senate who shall, while on the floor during the session of the senate, solicit or invite any senator to vote or use his influence for any bill or matter before the senate shall forfeit his privilege.

INTRODUCTION OF BILLS

S. J. R. No. 1. By Mr. Booth.

Creating the position of messenger to the Governor.

Whereas, it appears necessary, in order to expedite the business of the Legislature, that there be created the position of messenger to the Governor.

NOW THEREFORE, the said position is created for such time as the Legislature shall be in session, and the Governor is hereby authorized to appoint any suitable person to such position.

S. J. R. No. 1 was read the first time.

Senator Booth moved that the rules be suspended and Senate Joint Resolution No. 1 be read the second and third times and placed on its final passage.

The motion carried and Senate Joint Resolution No. 1 was passed on the following roll call.

Ayes, 15; Nays, 0; Absent and not voting, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Musser, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those absent and not voting were: Senators Knight, Maw, McCarthy, Owens, Patterson.

S. J. R. No. 1 was transmitted to the House.

Senate Concurrent Memorial No. 1. By Mr. Hunt.

"Memoralizing the President and the Congress of the United States to further an international agreement whereby silver may be used as a supplement to gold to form an adequate international monetary base," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 1, by Mr. Fuller, entitled: "An Act appropriating $50,000.00 or so much thereof as may be necessary to defray the regular and contingent expenses of the Nineteenth Session of the Legislature of the State of Utah," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 1 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

INTRODUCTION OF BILLS

S. B. No. 3. By Mr. Jefferson & Mr. Ryan.

"An Act to provide free Hospital and Medical Service for certain disabled miners; specifying those entitled to said service; empowering the industrial commision of Utah to contract and pay for said service; defining the power and duties of said industrial commission in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for the biennium, July 1st, 1931 to June 30th, 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 4. By Mr. Keyser.

"An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc."' was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM STATE BOARD OF EQUALIZATION AND ASSESSMENT

State Capitol,
Salt Lake City, Utah, Jan. 16, 1931.

Hon. Ray E. Dillman,
President Utah State Senate,
Building.

Dear Sir:

In accordance with the duties imposed upon the State Board of Equalization and Assessment by a Resolution

passed by the last Legislature, we have the honor and pleasure to submit for your consideration twenty-five copies of a bill for an act providing for a personal income tax.

In orderly succession we will submit, under the duties imposed by the said Resolution, bills for acts as follows:

1. Creating a State Tax Commission, defining its powers and duties.

2. An Equalization School Fund.

3. A Corporation Franchise Tax based upon income.

4. Separate bills defining in detail the duties of the State Tax Commission relating to

(a) Mines—their assessment and apportionment.

(b) Public Utilities—their assessment and apportionment.

(c) Budgets, bonds, accounting and tax levies.

(d) Equalization of property within the several counties.

We will also submit a detailed report in explanation and support of these measures.

Respectfully,

E. H. SNOW,
FRANK PAGE STEWART
R. E. HAMMOND,

Communication filed.

The Bills were referred to the Committee on Revenue and Taxation.

On motion of Senator Smith the matter of visiting state institutions, etc. was referred to the Committee on Joint Rules.

On motion of Senator Welling the Secretary was instructed to communcate with the house and request that their committee on mailing privileges confer with the Senate Joint Rules Cimmittee for the purpose of working out a mutual agreement as to senate and house mailing list privileges.

Senator Maw moved that when the Senate adjourn it be until Monday at 2 P. M.

The motion carried.

On motion of Senator Keyser the Senate adjourned.

EIGHTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah Jan. 19, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Fifth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

TRACY R. WELLING,
PAUL H. HUNT.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 16, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed, under suspension of rules, S. J. R. No. 1, by Mr. Booth, entitled: "Creating the Position of Messenger to the Governor", and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. J. R. No. 1 was referred to the Committee on Revision and Enrolling to be Engrossed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 4, by Malcolm A. Keyser, with a few minor changes consented to by the author, being "An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc.," and recommend the same to be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 4 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 1, by Mr. Fowles, with a few minor changes consented to by the author, being "An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled, 'An Act authorizing the governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation,'" and recommend the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 1 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 2, by Mr. Shields with a few minor changes consented to by the author, being "An Act amending Section 1843, Compiled Laws of Utah, 1917, relating to provision for support of dependent, neglected children," and recommend the same to be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 2 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Concurrent Memorial No. 1, by Mr. Hunt, being "A Concurrent Resolution memorializing the President and the Congress of the United States, to further an international agreement whereby silver may be used as a supplement to gold to form an adequate international monetary base," and recommend the same to be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. C. M. No. 1 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. J. R. No. 1, by Mr. Booth, entitled: "Creating the position of messenger to the Governor", properly enrolled and engrossed for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. J. R. No. 1 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

INTRODUCTION OF BILL

Senate Bill No. 5. By Mr. Hunt.

"An Act amending Section 5882, Chapter 3 Title 106, Compiled Laws of Utah, 1917, relating to the making of a statement of property to the assessor," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM
UTAH STATE AGRICULTURAL COLLEGE

January 15th, 1931.

President, Ray E. Dillman and
Members of the State Senate,
State Capitol,
Salt Lake City, Utah.

Gentlemen:

It has been customary in the past for members of the State Legislature to visit the Utah State Agricultural College, usually during the earlier part of the session. If it is the wish of the Legislature to continue this practice, as we hope it is, either by committees or the entire body, please accept this letter as a cordial invitation to visit the College at such time as is most agreeable to you.

The Union Pacific System has indicated a willingness to operate a special train with Pullman accommodations as in previous years, which can be arranged to leave Salt Lake City in the late evening, arriving in Logan early the next morning. This will permit a visit and an investigation of the College during the day, the train leaving at a convenient time in the evening and reaching Salt Lake City that same evening. It has been proposed that the party leave Salt Lake City, Thursday evening, Jan. 22, spending Friday at the College.

We shall be glad to make such arrangements as you

think desirable in order to enable your members and committees to see the work of the Institution.

Very truly yours,

ELMER G. PETERSON,

Communication filed. President.

On motion of Senator Griffin the invitation was accepted, and a committee consisting of Senators Griffin, Huggins and McCarthy was appointed to confer with a like committee from the House in regards to arrangements.

A letter from the Utah State Farm Bureau Federation was read inviting the members of the Senate to attend all or any part of the Annual Convention of the Utah State Farm Bureau Federation to be held in the Bigelow Hotel, Ogden, January 22, 23 and 24.

Senator McCarthy moved that the President direct a communication to the Attorney General asking for an opinion as to whether there is conflict between Joint Rule No. 13 and the Constitution.

The motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State H. B. No. 1, by Mr. Fuller, entitled: "An Act appropriating $50,000.00 or so much thereof as may be necessary to defray the regular and contingent

expenses of the Nineteenth Session of the Legislature of the State of Utah".

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

On motion of Senator Welling the Senate adjourned.

NINTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 20, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll Call—All Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 20, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Eighth Day and find it correct with minor amendments noted on the final copy.

Respectfully,
TRACY R. WELLING,
PAUL H. HUNT.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the House has this day passed, under suspension of rules, H. C. M. No. 2—Substitute for H. C. M. No. 1, by Mr. Holbrook, entitled: "A Resolution urging Congress to pass, and the President to approve, Jones Bill No. 255, now before the House of Representatives," and the same is herewith transmitted for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. M. No. 2, substitute for H. C. M. No. 1 was read the first time.

On motion of Senator Griffin H. C. M. No. 2—Substitute for H. C. M. No. 1 was under suspension of the rules placed on the second reading calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session S. J. R. No. 1, by Mr. Booth, entitled: "Creating the position of messenger to the Governor", and the same is herewith returned for transmission to the Secretary of State.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. J. R. No. 1 was transmitted to the Secretary of State.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 20, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports

back Senate Bill No. 3, by Mr. Jefferson and Mr. Ryan, being "An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the Industrial Commission of Utah to contract and pay for said service; defining the power and duties of said Industrial Commission in the conduct of said business and appropriating from the income of the State Land Hospital fund the sum of $12,000.00 to meet the expenses of said free service for the biennium, July 1st, 1931 to June 30th, 1933," with the title amended to read as follows:

"An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state hospital for disabled miners and constituting the state industrial commission such board defining the power and duties of said board in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for the biennium, July 1st, 1931, to June 30th, 1933," together with a few other minor changes consented to by the author and recommend the same to be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendment to title ordered.

S. B. No. 3 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 20, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 5, by Mr. Hunt, with a few minor

changes consented to by the author, being "an Act amending Section 5882, Chapter 3, Title 106, Compiled Laws of Utah, 1917, relating to the making of a statement of property to the assessor", and recommend that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 5 was ordered printed and referred to the Committee on Revenue and Taxation.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 20, 1931.

Mr. President:

Your Committee on Joint Rules of the Senate and House recommends that the Joint Rules of the 18th Legislature be amended as follows:

J. R. No. 26. Message shall be sent to the other House by an officer or employee to be designated by the Secretary of the Senate if it be a Senate message or by the Chief Clerk if it be a House message and all such messages shall be in writing signed by the Secretary of the Senate or Clerk of the House respectively.

J. R. No. 31. In line 3, the words "engrossing and enrolling" shall be changed to read "revision and enrolling".

J. R. No. 32. In line 3 the words "engrossing and enrolling" shall be changed to read "revision and enrolling".

J. R. No. 39. Shall read as follows: "All tours of inspection to state institutions shall be completed prior to February first. The Sergeant-at-Arms or an assistant of each House shall be the only employee to accompany the members on tours of inspection. It shall

be his duty to make all arrangements for transportation and accommodations of members".

J. R. No. 40. Shall read as follows: "MAILING LISTS. Each member of the Legislature shall be permitted to have mailed as designated not to exceed ten copies of each bill and resolution originating in either House".

Your Committee further recommends that Senate Rule No. 68 be amended to read as follows:

The hour for the meeting of the Senate shall be at 9 A. M. and 2 P. M. daily except Sundays, unless a different hour shall be prescribed by a resolution or motion adopted by a majority vote.

Respectfully submitted,

W. D. CANDLAND,

Chairman.

On motion of Senator McCarthy the Committee report was amended by striking the last paragraph.

On motion of Senator Candland the committee report as amended was adopted.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office,
State Capitol
Salt Lake City, Utah, Jan. 20, 1931.

To the Senate:

I am grateful to your honorable body for the courtesy extended in S. J. R. No. 1, by Mr. Booth, entitled: "Creating the position of messenger to the Governor", for such time as the Nineteenth Legislature shall be in session. Pursuant to this authority I have designated Mrs. Daisy C. Allen messenger for the Governor's Office.

Very Respectfully,

GEO. H. DERN,

Governor.

Communication filed.

Executive Office,
State Capitol,

Salt Lake City, Utah, Jan. 20, 1931.

To the Senate:

Pursuant to that portion of my message entitled: "Deficiency Appropriations", I transmit to you herewith a Deficiency Appropriation bill covering all estimated deficiencies for the remainder of the current biennium, and also covering all deficits allowed by the State Board of Examiners since the passage of the 1929 Appropriation bill. I shall be glad to submit to the Joint Appropriation Committee such data as have reached my office with reference to these various deficiency requests.

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

PRESENTATIONS OF RESOLUTIONS, MOTIONS AND NOTICES

Senator Musser moved to amend Senate Rule No. 86 by placing the words, "no bill may be introduced in the senate except by a senator" before the words "any Senators".

Before the result of the vote on the motion was announced, Senator Musser changed his vote from Aye to Nay and gave notice that he would, on the next Legislative day move to reconsider the vote by which the motion lost.

Senator Ryan rose to a point of order, claiming that the President had announced the vote before Senator Musser made the motion to reconsider, and appealed from the decision of the chair. The Presidents decision was sustained by the body of the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 20, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 2, by Mrs. Lowe, entitled: "An Act to amend Section 2896, Compiled Laws of Utah, 1917, as amended by Chapter 60, Laws of Utah, 1919, and as amended by Chapter 37, Laws of Utah, 1925, being an Act providing for and authorizing legal holidays", and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 2 was read first time and referred to Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 6. By Committee on Revenue and Taxation,

By Request of Utah State Tax Commission.

"An Act providing for the Levying, Collecting and Paying of an Income Tax on individuals and providing penalties for the violation thereof", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7. By Mr. Ryan.

"An Act Appropriating the sum of Seven Thousand Dollars to Reimburse Hayter Oscar Philion for Loss Resulting from his Incarceration in the Carbon County Jail under mistaken identity", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8. By Mr. Maw.

"An Act to Provide for the Examination, Registration, Regulation, and Licensing of Chiropodists, for the Punishment of Offenders against this Act", was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION

Salt Lake City, Utah, Jan. 19, 1931.

State Senate of the State of Utah,
Capitol Building,
Salt Lake City, Utah.

Gentlemen:

It is understood that your Honorable Body proposes to visit the various State Institutions at an early date.

The Board of Trustees of the Utah State Training School for the feeble-minded is very desirous that the site for this school be included in this visit and as a matter of convenience, it is proposed on behalf of the Board, that at the time the visit is arranged to the State Mental Hospital at Provo, the time for leaving Salt Lake City be arranged in the morning, so as to allow for a brief stopover at American Fork. Arrangements will be made to have sufficient cars meet the train there and take the members over the site of the Training School and return them to American Fork.

Board of Trustees of Utah State
Training School,
By D. A. SKEEN,
President.

On motion of Senator Welling it was decided that the Committee on Appropriations and Claims should make this visit.

President Dillman appointed Senators Jefferson and Smith as members of the Committee on revising the Journal the next four days.

On motion of Senator Musser the senate adjourned.

TENTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 21, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll Call—All Senators present except Senators Candland, Musser, Ryan and Knight, Senators Knight, and Ryan were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 21, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Ninth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE JEFFERSON,
DAVID F. SMITH.

INTRODUCTION OF BILLS

S. B. No. 9. By Mr. Booth.

"An Act making Deficiency Appropriations for the support of the State Government for the periods ending June 30, 1929, and June 30, 1931," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 10. By Mr. Booth.

"An Act to Codify, Amend and Revise the Laws relating to the Juvenile Courts and the handling of de-

linquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of childrens aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of the Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11. By Mr. McCarthy.

"An Act to create a State Board of Shorthand Reporters and to regulate the practice of shorthand reporting," was read the first time and referred to Committee on Revision and Enolling.

CONSIDERATION OF BILLS ON SECOND READING

H. C. M. No. 2 substitute for H. C. M. No. 1 was read the second time.

H. C. M. No. 2 substitute for H. C. M. No. 1 was ordered read the third time on the following roll call:

Ayes, 14; Nays, 1; Absent and not voting, 5.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting: Senators Candland, Knight, Musser, Ryan, Shields.

On motion of Senator Griffin, the rules were suspended and H. C. M. No. 2 substitute for H. C. M. No. 1 was read the third time and placed on its final passage, and passed on the following roll call:

Ayes, 15; Nays, 1; Absent and not voting, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting: Senators Candland, Knight, Musser, Ryan.

H. C. M. No. 2, substitute for H. C. M. No. 1 was transmitted to the House.

COMMUNICATION
UNIVERSITY OF UTAH

Salt Lake City, Utah, Jan. 21, 1931.

To the Honorable President and
Members of the State Senate,
State Capitol, Salt Lake City.

Gentlemen:

In behalf of the University of Utah, I extend an invitation to you to visit the institution at a day and hour to be fixed by your honorable body.

Respectfully yours,

GEORGE THOMAS,

President.

Communication filed.

On motion of Senator Young a committee consisting

of Senators Jefferson, Maw and Shields was appointed to confer with a like committee from the House to make arrangements to visit the University of Utah.

A Communication was received from the Women's Democratic Club of Salt Lake City extending an invitation to the wives of the members of the State Senate, to a Tea, in honor of Mrs. Burton W. Musser, Saturday, January 24th between the hours of 2 and 5 p. m., at the home of Mrs. James H. Wolfe, 273 East Capitol Street.

A card of acknowledgment and thanks was received from the family of Willard Done.

On motion of Senator Fowles the Senate adjourned.

ELEVENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 22, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senators Knight and Young both were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 22, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Tenth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE JEFFERSON,
DAVID F. SMITH.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 21, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. C. M. No. 2, by Mr. Holbrook, entitled: "A Resolution urging Congress to pass, and the President to approve, Jones Bill No. 255, now before the House of Representatives," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. C. M. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 21, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker of the House, has this day appointed Representatives, Goggin, Kemp, and Holbrook, to act with a like committee from the Senate to make arrangements for a visit to the University of Utah.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 21, 1931.

Mr. President:

I am directed by the House, to notify your Honorable Body, that the House has approved of the Joint Rules Committee report amending the Joint Rules as respecting J. R. No. 26, J. R. No. 31, J. R. No. 32, and J. R. No. 40, amended by striking the word ten on line four of said rule, and inserting in lieu therefor the word five, and that the House rejected the proposed Joint Rule No. 39.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 21, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, reports back S. B. No. 1, by Mr. Fowles, entitled: "An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled: 'An Act authorizing the Governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation,'" with the following amendments:

On line 4, page 1, after the word "manner" insert parenthesis,

On line 9, page 1, after the word "survey" insert parenthesis,

On line 2, page 2, after the word "survey" insert parenthesis,

And recommend that the bill be passed.

Respectfully submitted,

JOHN E. BOOTH,

Report filed. Chairman.

S. B. No. 1 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 21, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, reports back S. B. No. 4, by Malcolm A. Keyser, entitled: "An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc," with the following amendments:

On line 6, page 1, strike out the words "the county" and insert the word "said" after the word "by".

On line 6, page 1, strike out the word "through" and on line 7, page 1, strike the words "out all elections."

On line 8, page 1, insert "through-out all elections" after the word "etc."

And recommend that the bill be passed.

Respectfully submitted,

JOHN E. BOOTH,

Report filed. Chairman.

S. B. No. 4 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 22, 1931.

Mr. President.

Your Committee on Revision and Enrolling, reports back Senate Bill No. 6, by the Committee on Revenue

and Taxation by request of the State Tax Commission being "An Act providing for the Levying, Collecting, and Paying of an Income Tax on Individuals and providing penalties for the violation thereof," with the following minor changes: In Section 11, 19 and 20, the sub-head "1" was ommitted in each, which error we recommend changing, and then recommend that the bill be printed.

Respectfully submitted,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 6 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 22, 1931.

Mr. President:

Your Committee on Revision and Enrolling, reports back Senate Bill No. 9, by Mr. Booth, being "An Act making Deficiency Appropriations for the support of the State Government for the periods ending June 30, 1929 and June 30, 1931," and recommend that the same be printed.

Very respectfully submitted,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 9 was ordered printed and referred to the Committee on Appropriations and Claims.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 22, 1931.

Mr. President:

Your Committee on Revision and Enrolling, reports

back Senate Bill No. 7, by Mr. Ryan, with a few minor changes consented to by the author, being "An Act Appropriating the sum of Seven-Thousand Dollars to reimburse Hayter Oscar Philion for loss resulting from his incarceration in the Carbon County Jail under mistaken identity," and recommend that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 7 was ordered printed and referred to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS

S. B. No. 12. By Mr. Hunt,
By request of all members Highways Committee.

"An Act relating to the Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of certain persons for negligence in the operation of motor vehicles on the public highways and to make uniform the law relating thereto," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13. By Mr. Hunt,
By request of all members of Highways Committee.

"An Act to require the registration of Motor Vehicles, Trailers and Semi-Trailers and to require the payment of fees thereupon and to require report to be made of any accident involving a vehicle and to impose certain duties and obligations upon the owners of motor vehicles rented without drivers, and to prevent the taking, transfer of or injury to any vehicle without the consent of the owner; to provide for the office of vehicle commissioner and a department of motor vehicles and their powers and duties hereunder; to regulate court

procedure in certain civil actions arising under this act; to provide penalties for violations of this act and to make uniform the law relating to the subject matter of this act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 14. By Mr. Hunt,
By request of all members of Highways Committee.

"An Act to require Certificates of Title for Registered Motor Vehicles; to facilitate the recovery of stolen or unlawfully taken motor vehicles; to provide for the licensing of dealers in used motor vehicles, trailers or semi-trailers; to prescribe the powers and duties of the vehicle department; to impose certain fees to carry out the purpose of this act; to impose penalties for violations of this act and to make uniform the law relating to the subject matter of this act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 15. By Mr. Ryan and Mr. Hunt.

"An Act creating a State Geological Survey and making an Appropriation therefor," was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 2. By Mr. Patterson.

"Resolution relating to alleged prohibition," was read the first time and referred to the Committee on Revision and Enrolling.

MISCELLANEOUS BUSINESS

On motion of Senator Keyser, the Senate refused to concur in the House amendment to the report of the Joint Committee on rules with reference to J. R. No. 40 and also the House rejection of J. R. No. 39, and the report was recommitted to the Joint Rules Committee and the House notified of the action of the Senate.

Senator Patterson moved that the Joint Rules Com-

mittee promulgate a rule to advance consideration of appropriation bill.

The motion carried.

Senator Welling moved that when the Senate adjourn it be until Monday at 2 P. M.

The motion carried.

On motion of Senator Maw the senate adjourned.

FIFTEENTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

The senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except senators Griffin, Huggins, Knight and Patterson, senators Griffin and Knight were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the eleventh day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE JEFFERSON,
DAVID F. SMITH.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 22, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 7, by Mr. Hoyt, entitled: "An Act amending Chapter 33 of Title 120, Compiled Laws of Utah, 1917, by adding a new section relating to the court's charge to the jury in criminal cases," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed. H. B. No. 7 was read first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred Senate Bill No. 3 by Mr. Jefferson and Mr. Ryan, being "An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state hospital for disabled miners and constituting the state industrial commission such board defining the power and duties of said board in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for

the biennium, July 1st, 1931, to June 30th, 1933," respectfully reports that it has considered the bill and recommends that the same be passed.

Respectfully,

W. H. GRIFFIN, Jr.,
Chairman.

Report filed.

S. B. No. 3 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your committee on Banking and Commerce reports back S. C. M. No. 1, entitled: "Memorializing the president and the congress of the United States to further an international agreement whereby silver may be used as a supplement to gold to form an adequate international monetary base," and recommend that the bill be passed.

Respectfully submitted,

GEORGE JEFFERSON,
Chairman.

Report filed.

S. C. M. No. 1 was placed on the second reading calendar.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your committee on Joint Rules begs leave to submit an amended report as follows:

Rule 39. On all tours of inspection of state institutions, the sergeant-at-arms or an assistant, of each house shall be the only employee to accompany the members on such tours of inspection. It shall be his duty to make all arrangements for transportation and accommodation of members.

Rule 40. The House having refused to recede from its action which proposed to amend rule 40, we recommend that said proposed rule be stricken and that in lieu thereof said rule shall read as follows:

The committee on Appropriations and Claims shall report to the respective houses the progress of said committee not later than the forty-fifth day of the session.

Respectfully submitted,

Committee on Joint Rules.

W. D. CANDLAND,
Chairman.

Report filed.

The amended report of the committee was adopted.

INTRODUCTION OF BILLS

S. B. No. 16. By Mr. Shields,
By request.

"An Act concerning the licensing of airmen and aircraft, concerning air traffic rules, and to make uniform the law with reference thereto," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17. By Mr. Shields,
By request.

"An Act amending Section 1239, Chapter 14, Title 19, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by another railroad," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18. By Mr. Booth.

"An Act to transfer to the state tax commission funds from the unexpended balances to the credit of the state board of equalization," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 19. By Judiciary Committee.

"An Act to amend Section 2208, of the Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20. By Mr. Musser.

"An Act to amend Section 1180, Title 19, Compiled Laws of Utah, 1917, relating to mutual plan fire insurance companies," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM STATE BOARD OF EQUALIZATION AND ASSESSMENT

Salt Lake City, Utah, January 26th, 1931.

Honorable Ray E. Dillman,
President of the Senate,
Building.

Dear Sir:

Attached hereto we forward for the consideration of the legislature a proposed act providing for the appointment of the members of the state tax commission, prescribing their terms of office, qualifications and salaries, and defining the powers and duties of said commission.

This is intended as a basic act dealing with the tax commission and its general powers.

In addition to this act, proposals will be made for your consideration as follows:

1. A proposed act dealing with the assessment of mines.

2. A proposed act dealing with the assessment of public utilities.

3. A proposed act dealing with the control by the tax commission over budgets, tax levies, and bond issues.

4. A proposed act dealing with the equalization of property values throughout the state.

These proposals will be submitted to you within a short time.

Yours truly,

State Tax Commission,

E. H. SNOW,

Chairman.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 4 was read the second time.

The committee report on the bill was read.

Senator Shields moved to amend the committee report, by striking the word "Throughout" and inserting in lieu thereof the word "during". The motion carried.

On motion of Senator Booth the committee report was adopted.

On motion of Senator Maw the bill was amended as follows:

On line 7, after the word "displayed" insert the words "at or near each polling place within the county during all elections," After the word "etc." strike out the balance of the line and the first two words on line 9.

S. B. No. 4 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senator Musser.

Absent and not voting, Senators Griffin, Huggins, Knight, Patterson, Smith.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 26th, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed as amended H. B. No. 5, by Mr. Hoyt, entitled: "An Act amending Section 9247, Compiled Laws of Utah, 1917, relating to bail and appeal after conviction of a crime or public offense," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed. H. B. No. 5 was read first time and referred to Committee on Judiciary.

COMMUNICATION

Salt Lake City, Utah, Jan. 22, 1931.

President Ray E. Dillman and
Members of the State Senate.

Gentlemen:

The Senators and Representatives from southern Utah join with college officials in extending this invitation to the senate to visit and inspect the branch agricultural college at Cedar City at your convenience. It

has been suggested that either as a body or through appropriate committees, as you deem advisable, the party leave Salt Lake City, Thursday evening, January 29, arriving in Cedar City, Friday morning. Friday could then be spent at the institution and the citizens of Cedar City would be glad to arrange a trip Saturday for those who care to remain over to visit Zion Canyon and the Mt. Carmel Tunnel.

We shall be pleased to be guided by your decision as to time and other details of the trip.

Sincerely yours,

ELMER G. PETERSON,

President,

Utah State Agricultural College.

Communication filed.

On motion of Senator Candland a committee consisting of Senators Candland, Jefferson and Welling was appointed to confer with a like committee from the House on arrangments, and if possible to change the date from January 29, to January 30.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 22, 1931.

Mr. President:

Your Judiciary Committe to which was referred House Bill No. 2, by Mrs. Lowe, being "An Act to amend Section 2896, Compiled Laws of Utah, 1917, as amended by Chapter 60, Laws of Utah, 1919, and as amended by Chapter 37, Laws of Utah, 1925, being An Act provid-

ing for and authorizing legal holidays," reports back the same favorably, incorporating the House amendments and recommends that the same be passed.

Respectfully,

GEORGE H. RYAN,

Chairman.

Report filed.

H. B. No. 2 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 10, by Mr. Booth, being "An Act to codify, amend and revise the laws relating to the juvenile courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction and powers of childrens aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of the Compiled Laws of Utah, 1917," reports the

same back with a few minor changes consented to by the author and the title amended to read as follows:

"An Act to codify, amend and revise the laws relating to the juvenile courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of children's aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9, Title 21 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of Title 21 of the Compiled Laws of Utah, 1917; and all other Laws in conflict herewith," and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.,

Chairman.

Report adopted and amendments to titled ordered.

S. B. No. 10 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 11, by Mr. McCarthy, being "An Act to create a state board of shorthand reporters

and to regulate the practice of shorthand reporting," reports the same back with a few minor changes consented to by the author with the title amended to read as follows:

"An Act to create a state board of shorthand reporters and to regulate the practice of shorthand reporting: providing for examination of candidates for certificates and requiring fees to be paid," and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.,

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 11 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 15, by Mr. Ryan and Mr. Hunt, being "An Act creating a state geological survey and making an appropriation therefore," reports the same back with a few minor changes consented to by the authors and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.,

Chairman.

Report filed.

S. B. No. 15 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Joint Resolution No. 2, by Mr. Patterson, being "Resolution relating to alleged prohibition," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.,

Chairman.

Report filed.

S. J. R. No. 2 was ordered printed and referred to the Committee on State and Municipal Affairs.

COMMUNICATION
STATE BUILDING COMMISSION

Salt Lake City, Utah, Jan. 26, 1931.

To the Honorable,
Members of the Legislature,
of the State of Utah.

In transmitting to you the joint report of the building commission and board of corrections concerning the state prison, which expresses the unanimous judgment of the members of both bodies, you will observe that the original typewritten report does not bear the signature of Samuel W. Stewart while the printed reports have his name appended.

Judge Stewart was chairman of a sub-committee of the joint body which prepared this report and the sub-committee's report bears his signature. The report

to the Legislature, however, was written after Judge Stewart left the United States, to which he has not returned and is not expected for sometime.

If it is desired to have his signature on the original report to the Legislature it will be obtained promptly upon his return to this country.

Respectfully,

EVERETT D. SMITH,

Secretary.
Utah State Building Commission.

Communication filed.

S. B. No. 8 by Mr. Maw was withdrawn by unanimous consent.

INTRODUCTION OF BILLS

S. B. No. 21. By Mr. Maw.

"An Act to regulate the practice of chiropody and to license the same; providing for the examination of applicants for licenses, determining the qualifications of applicants; providing for issuing licenses without examination in certain cases; refusing licenses to applicants who are guilty of 'unprofessional and dishonest conduct' and revoking license in certain cases; imposing penalities for the violation of this act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22. By Mr. Shields,
By request.

"An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial office of the state of Utah, and providing a penalty for the violation thereof," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Fowles the Senate adjourned.

SIXTEENTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 27, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senators Knight, Patterson and Young. Senator Knight was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 27, 1931.

Mr. President.

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Fifteenth day, and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE JEFFERSON,
DAVID F. SMITH.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,
Salt Lake City, Utah, Jan. 26, 1931.

To The Senate:

Supplementing my communication of January 20, I respectfully request that you add to the Deficiency Appropriation bill the following items:

To Utah Water Storage Commission for notes and interest personallly guaranteed by members $12,335.00

To Utah State Training School for the Feeble Minded for miscellaneous expenses 1,500.00

To Secretary of State (Capitol Maintenance) for door for State Engineer's vault in basement of Capitol 150.00

Very respectfully,

GEO. H. DERN,

Governor.

Communication referred to Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor, has this day signed H. C. M. No. 2, by Mr. Holbrook, entitled: "A Resolution urging congress to pass, and the president to approve, Jones Bill No. 255, now before the house of representatives."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 26, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. J. R. No. 3, by Mr. Brimley and Mr. Jorgensen, entitled: "Resolu-

tion providing for the appointment of a committee to make a survey of the present conditions of unemployment in the State of Utah, defining its powers and duties, and the manner of its appointment,'' and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. J. R. No. 3 was read first time and referred to Committee on Public Institutions, Health and Labor.

COMMUNICATIONS FROM SECRETARY OF STATE

Executive Office,
State Capitol,
Salt Lake City, Utah, Jan. 27, 1931.

To The Senate:
Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body, claims of Thomas J. Midgley, father of Daniel I. Midgley, for damages and funeral expenses on account of the death and burial of said Daniel I. Midgley who was a member of the 145th Field Artillery, National Guard of Utah, and was killed during gun practice at Camp W. G. Williams on June 27th, 1929.

This claim was duly filed with the Board of Examiners and acted upon as provided in Section 2476, Compiled Laws of Utah, 1917. Upon unanimous vote of the board, I was directed to refer to claim to your Honorable Body as being a claim of merit for your consideration and action.

Respectfully yours,

M. H. WELLING,

Secretary,
State Board of Examiners.

Communication filed and claim referred to Committee on Appropriations and Claims.

Executive Office,
State Capitol,
Salt Lake City, Utah, Jan. 27, 1931.

To The Senate:
Gentlemen:

I am transmitting to you herewith all papers in the claim of Mr. Laurtin R. Ginn, Assistant Comptroller General of the United States, for refund of tax paid on gasoline purchased by employees of the United States traveling in this state on official business during the years 1928, 1929 and 1930.

This claim was duly filed with the Board of Examiners and acted upon as provided in Section 2476 of the Compiled Laws of Utah, 1917. Upon unanimous vote of the Board I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Respectfully yours,

M. H. WELLING,
Secretary,
State Board of Examiners.

Communication filed and claim referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 27, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 12, by Mr. Hunt by request of all members of the highways committee, being "An Act relating to the licensing of motor vehicle operators

and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways and to make uniform the law relating thereto," reports back the same with the title changed to read "An Act providing for licensing motor vehicle operators and chauffeurs; providing for examination of applicants for licenses, and prescribing their qualifications; providing for suspending and revoking such licenses; requiring every person to have a license or permit to drive a motor vehicle upon a highway; fixing fees; fixing the liability of certain persons for negligence of licensed operators and chauffeurs in the operation of motor vehicles upon a highway; providing for a state highway patrol system; prescribing penalties for violations of the provisions of this act," and a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman

Report adopted and amendments to Title ordered.

S. B. No. 12 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 27, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 13, by Mr. Hunt, by request of all members of highways committee being "An Act to require the registration of motor vehicles, trailers and semi-trailers and to require the payment of fees thereupon and to require report to be made of any accident involving a vehicle and to impose certain duties and obligations upon the owners of motor vehicles rented without drivers, and to prevent the taking, transfer of or in-

jury to any vehicle without the consent of the owner; to provide for the office of vehicle commissioner and a department of motor vehicles and their powers and duties hereunder; to regulate court procedure in certain civil actions arising under this act; to provide penalties for violations of this act and to make uniform the law relating to the subject matter of this act," reports back the same with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S .B. No. 13 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 27, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 14, by Mr. Hunt by request of all members of highways committee being "An Act to require certificates of title for registered motor vehicles; to facilitate the recovery of stolen or unlawfully taken motor vehicles; to provide for the licensing of dealers in used motor vehicles, trailers or semi-trailers; to prescribe the powers and duties of the vehicle department; to impose certain fees to carry out the purpose of this act; to impose penalties for violations of this act and to make uniform the law relating to the subject matter of this act," reports back the same with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 14 was ordered printed and referred to the Committee on Highways.

REPORT OF SPECIAL COMMITTEE

Senator Candland in reporting for the committee appointed by the president to confer with the House on the visit to the Branch Agricultural College at Cedar City, stated that the House had decided to make the visit on Jan. 29, and refused to recede from their decision.

On motion of Senator Ryan the invitation to visit the Branch Agricultural College at Cedar City on Jan. 29, was accepted and the secretary was instructed to write a letter of thanks for the invitation to the Cedar City Chamber of Commerce.

Senator Jefferson moved that the expense of Pullman reservations of the senate members for the trip to Cedar City be paid from the senate contingent expense account. The motion carried.

Senator Booth moved that the expense for the Pullman reservations of the senate members on the trip to Logan be paid from the senate contingent expense account. The motion carried.

The president called senator Ryan to the chair.

Unanimous consent was given for the substitution of S. B. No. 23 for S. B. No. 3 by Mr. Jefferson and Mr. Ryan.

INTRODUCTION OF BILL

S. B. No. 23. By Mr. Jefferson and Mr. Ryan, Substitute for S. B. No. 3.

"An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state hospital for disabled miners and constituting the state industrial commission such board defining the

power and duties of said board in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for the biennium, July 1st, 1931, to June 30th, 1933," was read the first time and under suspension of rules was referred to the committee on Public Institutions, Health and Labor.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 4 was read the third time and placed on its final passage.

S. B. No. 4 failed to pass on the following roll call:

Ayes, 8; Nays, 9; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Hunt, Jefferson, Keyser, Ryan, Smith, Mr. President.

Those voting in the negative were: Senators Candland, Griffin, Huggins, Maw, McCarthy, Musser, Owens, Shields, Welling.

Absent and not voting, Senators Knight, Patterson, Young.

CONSIDERATION OF BILLS ON SECOND READING

Senator McCarthy moved that the rules be suspended and that the journal show that S. C. M. No. 1 was read the second time and placed on the third reading calendar.

Motion carried.

The committee report was read and filed.

On motion of Senator Hunt the rules were suspended and S. C. M. No. 1 was read the third time and placed on its final passage.

S. C. M. No. 1 then passed on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, Patterson, Shields, Young.

S. C. M. No. 1 was transmitted to the House.

H. B. No. 2 was read the second time.

The committee report was read and filed.

Senator Welling served notice that on the next legislative day he would move a reconsideration of the vote by which S. B. No. 4 failed to pass.

Senator Welling moved that all rules in conflict therewith be suspended and that the chair be authorized to refer all bills originating in the office of the state tax commission, dealing with taxation and revenue to the chairman of the Revenue and Taxation Committee for introduction.

The motion carried.

On motion of Senator Welling the senate adjourned.

SEVENTEENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all senators present except senators Knight and Young, both were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Sixteenth day, and find it correct with minor amendments noted on the final copy.

Respectfully,
GEORGE JEFFERSON,
DAVID F. SMITH.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

To the Senate:

I respectfully request that both Houses of the Legislature be convened in joint session at 2:30 o'clock this afternoon so that I may present the budget message in person.

Very respectfully,
GEO. H. DERN,
Governor.

Communication filed.

On motion of Senator Keyser a committee consisting of senators Jefferson, Smith and Fowles was appointed to act with a like committee from the House, to escort the Governor to the House at 2:30 to deliver his budget message.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 27, 1931.

Mr. President:

This is to inform your Honorable Body, that the

House has this day passed under suspension of rules, S . C. M. No. 1, by Mr. Hunt, entitled: "Memorializing the president and the congress of the United States to further an international agreement whereby silver may be used as a supplement to gold to form an adequate international monetary base," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. C. M. No. 1 was referred to the Committee on Revision and Enrolling to be Engrossed.

COMMUNICATION

UTAH STATE HOSPITAL

Provo, Utah, Jan. 27, 1931.

Hon. Ray E. Dillman,
President State Senate,
Salt Lake City, Utah,

Dear Sir:

Will you please extend to all members of the State Senate a cordial invitation to visit and inspect the Utah State Hospital, Provo, at a date to be determined by yourselves.

Very truly yours,

Utah State Hosptal,
By FREDERICK DUNN,
Superintendent.

Communication filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

Your Committee on Public Institutions, Health and

Labor, to which was referred Senate Bill No. 23 which is a substitute for Senate Bill No. 3 by Mr. Jefferson and Mr. Ryan, being "An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state hospital for disabled miners and constituting the state industrial commission such board defining the power and duties of said board in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for the biennium July 1st, 1931, to June 30th, 1933," reports that they have considered the same and reports it back favorably.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 23 substitute for S. B. No. 3 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 16, by Mr. Shields, being "An Act concerning the licensing of airmen and aircraft, concerning air traffic rules, and to make uniform the law with reference thereto," reports back the same with the title changed to read "An Act concerning the licensing of airmen and aircraft, concerning air traffic rules, and to make uniform the law with reference thereto, fixing fees and providing penalties for violations of this act," and a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 16 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 17, by Mr. Shields being "An Act amending Section 1230, Chapter 14, Title 19, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by another railroad," reports the same back with the title changed to read as follows: "An Act amending Section 1239, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by another railroad," and with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 17 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 18, by Mr. Booth, being "An Act to transfer to the state tax commission funds from the unexpended balances to the credit of the state board of equalization," without change and recommends the same to be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 18 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 19, by the Judicary Committee being "An Act to amend Section 2208 of the Compiled Laws of Utah, 1917," reports back the same with the title changed to read as follows: "An Act to amend Sections 2208 of the Compiled Laws of Utah, 1917, relating to form of ballot to be used at elections," and no other changes and recommend that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 19 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 20, by Mr. Musser being "An Act to amend Section 1180, Title 19, Compiled Laws of Utah, 1917, relating to mutual plan fire insurance companies," reports the same back with the title changed to read "An Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan fire insurance companies," and with a few other minor changes consented

to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 20 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 21, by Mr. Maw being "An Act to regulate the practice of chiropody and to license the same; providing for the examination of applicants for licenses, determining the qualifications of applicants; providing for issuing licenses without examination in certain cases; refusing licenses to applicants who are guilty of "unprofessional and dishonest conduct" and revoking license in certain cases; imposing penalties for the violation of this act," with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 21 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931

Mr. President:

Your Committee on Revision and Enrolling reports

back, herewith S. C. M. No. 1, by Mr. Hunt, entitled, "Memorilizing the president and the congress of the United States to further an inter-national agreement whereby silver may be used as a supplement to gold to form an adequate inter-national monetary base," properly engrossed and enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. C. M. No. 1 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Senator Welling moved to hold over until tomorrow the matter of reconsideration of the vote by which S. B. No. 4 failed to pass.

The motion carried.

INTRODUCTION OF BILLS

S. B. No. 24. By Mr. Candland, Chairman of the Committee of Revenue and Taxation.

"An Act providing for the appointment of the members of the state tax commission prescribing their terms of office, qualifications, and salaries, and defining the powers and duties of said commission," was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 2. By Mr. Booth.

"Memorializing the congressional delegation of the State of Utah to urge the passage of a bill providing for the immediate cash retirement, upon application, of the veterans adjusted service certificates at their full face value," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Jan. 28, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day appointed Representatives, Goggin, Mrs. Tanner, and Mr. Hoyt, to act with a like committee from the Senate to escort the Governor to a joint session at 2:30 P. M., this day.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

The Senate resumed action on H. B. No. 2 which was read the second time yesterday.

On motion of Senator Griffin the bill was amended as follows: On page 1, line 3, strike out the words "be" and "same" and on lines 1, 5, 23, and 26 strike the letters "tion," from "Section."

On motion of Senator Booth the bill was amended as follows: On page 1, line 13, strike the word "Decoration" and insert in lieu thereof the word "Memorial."

Senator Jefferson moved that the Senate recess to go to the House for joint session.

The motion carried.

JOINT SESSION

The joint session was called to order at 2:30 by president Dillman of the Senate. Senate Roll call showed all Senators present, except Senators Knight and Young, both were excused.

House Roll call showed all members present.

Prayer by the House Chaplain.

The joint committee consisting of Senators Jefferson, Smith and Fowles and Representatives Goggin, Hoyt and Mrs. Tanner, appointed to call on the Governor, proceeded to the Executive Office and at 2:35 returned, escorting Governor Geo. H. Dern, who was greeted with standing applause.

He was introduced to the joint assembly by president Dillman and proceeded to read his message:

To the Nineteenth Legislature of the State of Utah:

Pursuant to law I submit herewith the biennial budget which contains a proposed plan of expenditures for the period from July 1, 1931 to June 30, 1933. Included in the printed budget are the financial statements required by the budget law.

I also transmit herewith a bill covering the appropriations suggested in the budget.

PREPARATION OF BUDGET

The Governor is by law properly charged with the duty of formulating the budget. It is evident that the Governor cannot, unaided, perform this heavy work. As an authority on the subject has said, "No budget system is complete, therefore, that does not make provision for some agency that will handle the details of securing the necessary data from the operating services, subjecting these data to critical examination, and of compiling the results in proper form for presentation to the Legislature."

Two years ago I suggested that the Executive Secretary of the Board of Supplies and Purchase be appointed by the Governor, subject to the consent and approval of the other two members of the Board, and that he be constituted the budget officer for the Governor in addition

to his other duties for the Board. The bill embodying this recommendation was not accepted by the Legislature, hence the entire responsibility of preparing the budget was left in the Governor's office without any provision for extra help to do the work.

To meet the situation in the most economical manner the other proper activities of the Board of Supplies and Purchase have been restricted, and, with the consent of all members of the Board, the formulation of the present budget was thrown into that department. While there is no express legal warrant for such action, neither is it specifically inhibited by law. The Board has therefore paid the salaries of the two special budget officers employed to assist the Executive Secretary, both of whom were selected on account of their intimate knowledge of the state departments and institutions. The Board did not have sufficient money to print the budget, hence this cost has been charged to the Governor's office. This item, together with additional expenses occasioned by the special session of the Legislature, has made it necessary for me to ask for a deficiency appropriation for my office.

THE BUDGET SYSTEM

The foregoing explanation is made for the purpose of showing that the state's budget system is not properly set up, and that the subject should have your attention at this session.

The budget should be in the making throughout the biennium, and it can never be wholly satisfactory to the Executive Department nor to the Legislature if it is hurriedly made up just before the Legislature convenes. Indeed, the mere formulation of a proposed plan of expenditures is but one of the features of an efficient, modern budget system. The theory of nearly all American state governments is that the Governor is the general manager of the Executive Department. As general manager it is his proper function, not only to outline a plan

of expenditures, but also to see that the provisions of the appropriation bill as finally enacted into law are faithfully executed, as well as to exercise a general supervision over the operating services, and to take such steps as he may find necessary to keep all branches of the administrative machinery running effectively and in coordination.

In Utah the Governor is much tied down by the details of the Boards of which he is a member, and hence his opportunities to exercise these important administrative functions are more limited than they should be. However, even if he were relieved of his Board memberships, and left free to take an equal and impartial interest in all the state institutions, he would still be unable to perform all such detailed supervisory duties in person, and hence an adequate administrative set-up should include a full time budget agency, as the right hand of the Governor. The cheapest and most effective way to secure such service is, as I have suggested, to place the work in the hands of the Secretary of the Board of Supplies and Purchase, and the budget as submitted contemplates this method. Failing this, the Governor's office should be given a budget secretary.

ESTIMATED REVENUES

In my message I discussed the finances of the state, and explained the impending shortage of revenue on account of a sudden drop in the assessed valuation. The law requires me to make up the budget on the basis of the State Auditor's estimate of state revenues for the ensuing biennium, and I have done so. In my judgment, and in the judgment of the members of the State Tax Commission, the State Auditor is too optimistic when he estimates that the assessed valuation of the state will be back up to $710,000,000 in 1932, and hence I fear his estimate of the tax receipts is too high rather than too low. At any rate, appropriations should not be permitted to exceed the State Auditor's estimate of the

amount available for appropriation, unless additional revenues from other sources are made available. I do not conceive it to be my duty to anticipate your actions in this respect, and hence the budget has been based upon existing laws, which means that the most rigid economy must be practised.

The budget is in substantially the same form as in the past, except that it aims to abolish the practice of carrying a portion of the expenditures of the current biennium over into the succeeding biennium. To this end I heretofore submitted to you a deficiency appropriation bill covering (1) all "deficits" allowed by the Board of Examiners since the passage of the last appropriation bill; (2) all claims approved by the Board of Examiners; and (3) all approved requests for additional appropriations, which are intended to obviate the necessity for any further "deficits" from now until the end of the current biennium. All of these items are properly chargeable against the current biennium, and should therefore be treated as supplementary to the appropriation bill of 1929, instead of as part of the expenditures of the succeeding biennium. As explained in my message, this is a new procedure, but I am confident that you will approve it is a change for the better.

The deficiency bill was submitted to you as early in the session as possible, with the thought that your appropriation committees would desire to expedite their work by disposing of all matters relating to the current biennium before taking up the budget for the ensuing biennium.

The formulation of a balanced budget under existing conditions has been a most difficult task. The sums which I am recommending for some of the state institutions and departments are below what I consider their legitimate needs if they are to render adequate service. The situation is rendered the more embarrassing by the establishment of a new state institution at the very

moment when the revenues show a severe shrinkage. Moreover, certain other substantial revenues appear to be in legal jeopardy. Indeed, it seems almost imperative that you take steps to provide a little new revenue for the state general fund, whether you do it through an income tax, a revision of the annual corporation license tax schedule, or new excise taxes.

STATE GENERAL FUND LEVY

The state general fund levy is limited by the constitution to 2.4 mills, and this full amount has been levied for many years. Additional revenue cannot, therefore, be secured by increasing the levy. It could be obtained, however, by raising the assessed valuation, which could be accomplished by the State Tax Commission ordering a blanket increase in assessments. This course should not be considered for a moment when property is already overburdened, and I trust that you will not adjourn without providing some alternative to so increasing taxes on property in order to avoid plunging the state into a deficit.

While the 2.4 mills property tax is not the sole source of revenue for the state general fund, yet it is the largest and most important item, and constitutes nearly two-thirds of the total receipts. It may be said that a levy of 2.4 mills is a relatively small item in the citizen's tax bill, and since it is the only property tax levied by the state for all administrative purposes, and for the Legislative and Judicial Departments as well, it seems strange that complaints about high taxes should so often be directed toward the State Capitol, instead of toward the counties, cities and schools, which levy and consume the great bulk of the taxes. Since there has for many years been neither an increase in the state general fund levy nor a pushing up of assessed valuations, it is obvious that increased taxes on property have not been caused by the state government. Nevertheless if the property tax for state general purposes could be supplanted by other

sources of revenue it would mean direct tax relief for every property owner.

The general fund levy is not the only state property tax, for there were in 1930 also levies of 4. 7 mills for the state district school fund and 0.2 mills for the state high school fund. These taxes amount to more than twice as much as the state general fund taxes, but the Governor has no control over them and the Legislature very little because the disposition of these school funds is largely prescribed by the constitution, and they are administered by the State Superintendent of Public Instruction, in accordance with the law.

EDUCATIONAL INSTITUTIONS

Of the state general fund, however, a large percentage also goes for educational purposes, for the institutions of higher education get all of their state tax money out of the general fund. Prior to 1911 the University of Utah, the Agricultural College and the Branch Agricultural College (then the Branch State Normal School) were financed by direct legislative appropriations. In that year the Legislature made a futile attempt to do away with the appropriation system for these three institutions, as well as with the attendant lobbying. To that end a law was enacted which sets aside 28 per cent of the entire annual revenue derived from the general tax levy as a permanent and perpetual fund for their general maintenance. The law further provides that this 28 per cent shall be divided among them as follows:

University of Utah	64.43 per cent
Agricultural College	28.34 per cent
Branch Agricultural College	7.23 per cent
Total	100.00 per cent

This system lasted unipaired only two years, for in 1913 each of the institutions received appropriations for "additional maintenance," and have been getting them in increasing amounts ever since. The law is still in

force and the institutions still receive a large part of their money from this "mill tax" but they also receive large direct appropriations in addition thereto. The plan has completely broken down, and I recommend that the law be repealed, for the following reasons:

1. The plan has no merit whatever unless it entirely eliminates appropriations.

2. It cannot eliminate appropriations when the attendance at these institutions of higher learning increases more rapidly than does the state's assessed valuation, unless educational standards are constantly lowered rather than raised. Thus, the University of Utah has 433 more students today than it had two years ago, whilst the assessed valuation has fallen approximately $100,000,000.

3. With a fluctuating assessed valuation, the institutions never know in advance what their revenues are going to be, and hence they cannot budget their expenditures accurately. This year they are requesting increased appropriations because of an anticipated drop in their mill tax receipts.

4. The 28 per cent fund is not under the state budget system, and the Legislature has no control over it, and hence has no adequate control over the total expenditures of these state institutions. As a matter of fact, these three institutions are hardly under the state budget system at all, for the appropriations which they receive are in lump sums, which they are free to spend as they please.

5. It has a tendency to obscure the total expenditures of the institutions named, so that members of the Legislature unskilled in reading financial statements do not understand their total requirements.

6. If these educational institutions are put on a straight appropriation basis they will be treated as all other state institutions are treated.

The University of Utah, the Agricultural College and Branch Agricultural College received over 50 per cent of the state general fund taxes in the fiscal year 1929 and over 56 per cent in the fiscal year 1930, as is disclosed by the statement appended hereto. I call attention to the financial requirements of these institutions not at all in a spirit of criticism, but solely that you may be fully informed. They have grown rapidly, their standards have been raised, and so far as I am aware they are being efficiently and economically conducted. I am informed that Utah is less generous in its support of its schools of higher education than any other state.

TRAINING SCHOOL FOR FEEBLE MINDED

The Eighteenth Legislature created a new state institution to be known as the State Training School for the Feeble Minded. Construction is under way, and the school should be ready to commence operations during the summer. The Board of Trustees requested an appropriation of $283,000 to equip the buildings and farm and to operate the institution during the ensuing biennium.

While this request was based upon a carefully prepared estimate, yet that estimate was for an inmate population of two hundred for two full years. Inasmuch as the contract does not call for completion of the buildings until July 1, I apprehend that the school cannot be formally opened until a month or two later, and that the population will be much below 200 at the start. Furniture, utensils, apparatus, machinery, implements and live stock will require a sizeable sum of money, but in view of the scanty revenues I am recommending only $170,000 for this institution. Since there has been no experience upon which to base a detailed budget, it is suggested that the grant be made in a lump sum.

STATE TAX COMMISSION

At this time we have no way of knowing what the

duties of the new State Tax Commission will be, and hence its financial requirements cannot be estimated. The budget therefore suggestes an arbitrary appropriation of $80,000 for this body.

I suggest that the unexpended balances of the appropriations made to the old State Board of Equalization, including that for salaries of the members, be transferred to the State Tax Commission to support it for the remainder of the biennium.

BONDED DEBT

The bonded indebtedness of the state is $10,810,000. On July 1, 1931, two issues aggregating $560,000 will be retired, hence the bonded debt at the beginning of the next fiscal year will be $10,250,000.

Sinking funds have been fully set up as required by law, the total amount now being $5,775,250. On July 1, 1931, $560,000 thereof will be used to retire maturing bonds, but on the same date an additional $350,000 will be set up, hence after the retirement of the two bond issues the sinking funds will amount to $5,565,250, leaving the net bonded indebtedness as of that date $4,684,750. The Attorney General has held that in figuring the state's bonding capacity the sinking funds may be deducted.

REDEMPTION FUND INVESTMENTS

All of the sinking funds have been safely invested in state, county, city and school district bonds as provided by law. These securities are readily marketable and there should be no difficulty in converting them into cash when the money is needed for the redemption of bonds .

During the past few years the condition of the money market has been such that it has been impossible to buy desirable, eligible bonds except at a premium. The State Board of Loan Commissioners is charged with the duty of investing all sinking funds, and it was confronted

with the alternatives of buying bonds at prices above their par value or else leaving the sinking funds uninvested. It chose the former alternative, and premiums aggregating $122,083.32 have been paid.

It was the intention of the Board of Loan Commissioners that all premiums should be paid out of the sinking funds, and amortized over the life of the bond purchased. For example, let us assume that a bond bearing 5 per cent interest was bought at a price to yield 4 per cent. The Board requested the State Treasurer to pay for the bond and the premium out of the redemption fund, and then open an account on his books for the full cost of the bond including the premium paid thereon. As interest collections were made, out of every $5.00 received $4.00 would have been treated as interest and $1.00 credited to the investment. By this method the premium would be wiped out by the time the bond fell due, when it would be redeemed at its face value.

The Board informed the State Treasurer that if he preferred he might set up one account for the face value of the bond, and another for the premium, and then credit $1.00 of every $5.00 interest coupon to the premium account, so that the premium account would be absorbed by the time the bond matured.

All the members of the present and preceding Board of Loan Commissioners, including the Attorney General, considered this a businesslike, safe and legal procedure, but both the present State Treasurer and his predecessor refused to follow this course because the law reads, "As the interest on any of the bonds purchased as an investment of said fund, the State Treasurer shall collect the same and deposit the proceeds thereof in the general fund of the state." They have paid premiums out of the sinking funds, but have credited all interest collections to the general fund without any credits against the premiums paid. The result is a deficit in the redemption funds. Unless by suitable legislation you specifically make it the duty of the State Treasurer and the

State Auditor to keep their accounts in some such manner as has been suggested by the Board of Loan Commissioners it will be necessary to appropriate out of the general fund the amount of the deficit, in order to keep the sinking funds intact. In deed, there is included in the budget an item of $5,704.46 to cover the premiums applying to the two bond issues which will mature July 1, 1931, in order to have these two sinking funds intact when needed.

BUILDING PROGRAM

In the budget as submitted, all requests for new buildings, large or small, have been eliminated. The building and permanent improvement requests of the state institutions for the ensuing biennium have been separately listed on a page of the printed budget, and I invite your attention thereto. These requests aggregate $2,666,781.75.

Two years ago the Legislature authorized a building program to be financed by a bond issue of $1,150,000. At the special session a year ago the prescribed program was found defective and was amended in some particulars, and an additional $75,000 was appropriated for one of the projects. That program will be completed by July 1, 1931. It has been carried out without any material addition to the burden on the state general fund, This was accomplished by issuing serial bonds and making them mature after older bond issues shall have been redeemed. To illustrate, two old bond issues will be redeemed on July 1st next. These two issues have required $56,000 annually for redemption funds. This $56,000 will not be required after July 1, 1931, hence that amount could be used to retire later bonds without increasing the burden on the general fund. The same is true of the interest on these issues. This principle has been followed in issuing the State Building Bonds, and hence the only increase in annual expenditures was on account of interest for one or two years. In other words, as payments on old bonds cease, payments on new bonds will begin.

Another bond issue up to $1,510,000 could be handled in the same manner, and I commend the plan to your favorable consideration, for these reasons:

1. Several additional building projects are urgently needed and ought to be provided as soon as possible. Among them are the removal of the State Prison and the completion of the State Training School, as well as new buildings at some of the other institutions. If the National Guard Unit at Richfield is not furnished an armory it will be out in the street on July 1st.

2. Building costs are low at the present time, and the state will doubtless get more for its money now than if construction is deferred for several years.

3. It will help relieve the present acute unemployment situation.

If you feel favorably disposed toward another building program you might follow one of two courses. First, you might designate the entire list of building requests, or any portion thereof, as an authorized building program; empower the State Building Commission to decide which projects are most urgently needed and in which order they shall be contructed; and provide a definite sum of money to be expended. Second, you might repeat the action of two years ago, and prescribe a certain, definite list of projects to be built during the next two years.

As indicated in my message, I prefer the former method. The members of the Building Commission, on the other hand, are reluctant to accept the responsibility of deciding which state institution's needs are the most pressing and which should be given the preference.

STATE LAND BOARD

Through foreclosure proceedings the State Land Board today owns 221 farm properties. The re-selling and leasing of these state-owned farms on the most favorable terms obtainable demand the close attention of someone experienced in handling farm properties, and cannot be satisfactorily done from the Land Office. The State Land Board urgently recommends that its field staff be enlarged by the employment of such an agent, and provision therefor has been made in the budget.

In 1929 the State Auditor was given an extra appropriation of $11,000, "to audit Land Board and others." The audit of the Land Board was completed September 2, 1930, and I quote the following paragraph from the Auditor's report:

> "A statement showing all the definite losses, as determined by us, on farm loans since Statehood amounting to $48,499.05, is compiled and segregated as to land grants in SCHEDULE "B8", however, out of this sum the Reservoir Interest Grant sustains a loss of $12,000.00 leaving the amount of $36,499.05 loss under the other grants. Attention is called to the fact that this amount is extremely small, when we consider losses taken by similar institutions in the loaning profession and also considering the long period it covers and the large volume of loans handled by the changing personnel of the land board. Under the Enabling Act the Legislature is to make up all the losses, and reimburse all the grants, excepting the Reservoir Land Grant. We therefore recommend that the next session of the Legislature make an appropriation to cover these losses,"

Schedule "B-8" shows the definite losses on loans segregated as to grants as follows:

Agricultural College	$ 208.73
Insane Asylum	702.54
Institution for Blind	2,492.50
Miners' Hospital Principal	5.40
Reform School	2,530.74
Reservoir Interest	12,000.00
School	30.454.38
School of Mines	104.76
Total	$48,499.05

Instead of putting into the budget the appropriation recommended by the State Auditor, I wish to lay before you certain additional information and a suggestion.

The biennial report of the State Land Board discloses that while 36 farm properties have been disposed of at a net loss of $36,499.05, yet during the same period 77 properties were re-sold at a profit of $77,060.00 above the state's principal investment. Considering the 113 properties sold as a whole, the Land Office has realized a profit of $40,560.95.

Under the practice of the Land Office, however, the profit of $77,060 has been credited to the interest funds affected, and eventually transferred by the state auditor to the credit of the institutions for their maintenance purposes. It seems anomalous that the state general fund should be expected to make good all losses but should be denied the benefit of any gains.

The Land Board believes that the statute should be amended so that any profit on property sold should go into a profit and loss account to offset losses sustained on the sale of other properties affecting the same fund. It seems to me you might make such an amendment retroactive to the extent of authorizing the Land Board to charge back to the several institutions the profits heretofore turned over to them as interest, or at least sufficient thereof to recoup the losses. This would obviate

the necessity of making an appropriation from the general fund to reimburse the various land grant funds for losses.

On June 30, 1930, the State Land Board had in force 1,624 loans on improved farm property, aggregating $5,915,014.20. Other investments bring the total up to $7,956,742.25. I submit that no loaning agency, however efficient, can possibly handle such a volume of business over a period of years without occasional losses. I have no doubt that further losses will be sustained on the properties already foreclosed and on other loans which may grow delinquent, particularly in the present depressed market for farm lands.

Some time ago I asked the Attorney General's opinion upon the question whether the Land Board could legally set aside a percentage of the interest collected on farm loans as a reserve fund to take care of losses. The Attorney General opined that under Section 5 of Article X of the Constitution this could not be done, because the proceeds of the sale of granted lands must be kept as permanent funds, "and the income thereof shall be used exclusively for the support and maintenance of the different institutions . . . " Apparently he is of the opinion that the word "income" as used in the constitution means the gross income and not the net income. This strict interpretation throws such a burden of risk upon the state general fund that one sometimes wonders whether the state ought to be in the farm loan business at all or not.

CONCLUSION

I refrain from discussing other items in the budget, but stand ready to furnish any information in my possession. We have endeavored to outline a list of appropriations that will enable the state to live within its income with a minimum of damage to the operating services.

January 28, 1931. GEORGE H. DERN.

Appendix to Governor's Budget Message

STATEMENT SHOWING THE AMOUNT RECEIVED BY THE HIGHER EDUCATIONAL INSTITUTIONS FROM THE STATE GENERAL FUND AND THE PERCENTAGE OF THE TOTAL TAX REVENUE GIVEN TO THE INSTITUTIONS

Year Ending June 30, 1930.

	Mill Tax	Percentage	Appropriation Biennial	Percentage	Total	Percentage
University	$302,764.24	18.0404	$207,500.00	12.3641	$510,264.24	30.4045
Agricultural College	133,169.91	7.9352	110,500.00	6.5842	243,669.91	14.5194
Extension Division			45,837.00	2.7312	45,837.00	2.7312
Experiment Station			76,000.00	4.5285	76,000.00	4.5285
Branch A. C.	33,975.61	2.0244	34,418.50	2.0501	68,394.11	4.0745
	$469,909.76	28.	$474,255.50	28.2581	$944,165.26	56.2581

Year Ending June 30, 1929

Univeristy	$299,042.42	18.0404	$168,019.00	10.1361	$467,061.42	28.1765
Agricultural College	131,535.23	7.9352	80,335.00	4.8464	211,870.23	12.7816
Extension Division			42,500.00	2.5640	42,500.00	2.5640
Experiment Station			65,500.00	3.9514	65,500.00	3.9514
Branch A. C.	33,556.34	2.0244	19,973.00	1.2049	53,529.34	3.2293
	$464,133.99	28.	$376,327.00	22.7028	$840,460.99	50.7028

The reading of the message was completed at 3:35 P. M. The joint committee then escorted the Governor back to his office.

On motion of Senator Keyser the joint assembly dissolved.

The Senate reconvened at 3:40 P. M., President Dillman in the chair.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Jan. 28, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session in the presence of the House, S. C. M. No. 1, by Mr. Hunt, entitled: "Memorializing the president and the congress of the United States to further an international agreement whereby silver may be used as a supplement to gold to form an adequate international monetary base," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. C. M. No. 1 was transmitted to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 2 on second reading.

On motion of Senator Ryan the bill was amended as follows. On line 11, page 1, insert the words "from the days between March 1st and April 15th,"

H. B. No. 2 was then ordered read the third time on the following roll call.

Ayes, 12; Nays, 4; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, Musser, Patterson, Ryan, Welling, Mr. President

Those voting in the negative were: Senators Jefferson, McCarthy, Owens, Shields.

Absent and not voting, Senators Candland, Knight Smith, Young.

S. B. No. 1 was read the second time.

The committee report was read.

On motion of Senator Booth the bill was amended as follows: On line 4, page 1, after the word "manner" insert "( )".

On line 9, page 1, after the word "survey" insert "( )".

On line 2, page 2, after the word "survey" insert "( )".

S. B. No. 1 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Welling, Mr. President.

Absent and not voting, Senators Knight, Musser, Patterson, Smith, Young.

On motion of Senator Fowles the rules were suspended and S. B. No. 1 was read the third time and placed on its final passage.

S. B. No. 1 then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Welling Mr. President .

Absent and not voting, Senators Knight, Musser, Patterson, Smith, Young.

S. B. No. 1 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Jan. 28, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 8, by Mr. S. M. Jorgensen, entitled: "An Act amending Section 62, Chapter 67, Laws of Utah, 1919, as amended by Chapter 100, Laws of Utah, 1925, relating to the appointment of water commissioners for the distribution of water; levying assessment to pay compensation and expenses; enforcing collection of assessments," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 8 was read first time and referred to Committee on Agriculture and Irrigation.

MISCELLANEOUS BUSINESS

Senator Booth moved that the visit to the State Mental Hospital at Provo, and the school for the feeble minded

at American Fork be made by the members of the appropriations committee only and that they arrange their own time for the visit. The motion carried.

Senator Shields moved that a sufficient number of House Bills except where there be a duplication be printed to supply the mailing lists of the Senators. The motion carried.

The President appointed Senators Young and Maw as members of the Committee on revising the journal the next 5 days.

On motion of Senator Welling the Senate adjourned.

EIGHTEENTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Seventeenth day, and find it correct with minor amendments noted on the final copy.

Respectfully,

CLIFFORD E. YOUNG,
HERBERT B. MAW.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. C. M. No. 2, by Mr. Booth, being "A memorial memorializing the congressional delegation of the State of Utah to urge the passage of a bill providing for the immediate cash retirement, upon application of the veterans adjusted service certificates at their full face value," reports the same back, with a few minor changes consented to by the author; and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report field.

S. C. M. No. 2 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 22, by Mr. Shields by request, being "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial office of the state of Utah, and providing a penalty for the violation thereof," reports the same back with the title changed to read as follows: "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judiciary office of the State of Utah, (or any district, county or city govern-

ment), and providing a penalty for the violation thereof,'' and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 22 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 24, by Mr. Candland, chairman of the Committee on Revenue and Taxation, being, ''An Act providing for the appointment of the members of the state tax commission, prescribing their terms of office, qualfications, and salaries, and defining the powers and duties of said commission,'' reports back the same with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 24 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

Mr. President:

Your Committee on Banking and Commerce, to which was referred S. B. No. 18, by Mr. Booth, entitled:

"An Act to transfer to the state tax commission funds from the unexpended balances to the credit of the state board of equalization," reports back the same favorably.

Respectfully,

GEORGE JEFFERSON,

Chairman.

Report filed.

On motion of Senator Booth the rules were suspended and S. B. No. 18 was read the second and third times, and placed on its final passage.

Senator Candland moved that S. B. No. 18 be made special order of business Monday when the Senate reaches the business of third reading calendar. The motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Jan. 29, 1931

Mr. President:

Your Committee on Public Institutions, Health and Labor, to which was referred H. J. R. No. 3, by Mr. Brimley and Mr. Jorgensen, being "A resolution providing for the appointment of a committee to make a survey of the present conditions of unemployment in the state of Utah, defining its powers and duties, and the manner of its appointment," respectfully reports that it has considered the resolution and reports favorably.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

H. J. R. No. 3 was placed on the second reading calendar.

On motion of Senator Welling the action of the Senate in rejecting S. B. No. 4 was reconsidered.

On motion of Senator Welling the bill was amended as follows:

Strike the following words from line 7 and 8, on page 1: "Flag Code of H. J. Resolution 287, 71st, congress, etc.," and insert in lieu thereof, the following: "established flag code of the United States and said flag shall be returned by the judges of election to the county clerk at the close of elections."

On line 7, page 1, after the word "all" insert "general and school elections."

S. B. No. 4 then passed on the following roll call:

Ayes, 13; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Keyser, Maw, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Huggins, McCarthy, Musser, Owens, Patterson, Shields.

Absent and not voting, Senator Knight.

S. B. No. 4 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 25. By Mr. Booth.

"An Act amending Section 4, Chapter 9, Session Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26. By Mr. Booth.

"An Act to amend Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah for

1921, as amended by Chapter 47, Laws of Utah for 1923, relating to traffic regulations on highways," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27. By Mr. Booth

"An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Session Laws of Utah, 1921, relating to special taxes," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28. By Mr. Fowles.

"An Act defining the crime of arson and providing the punishment therefor, and repealing Sections 8248, 8249, 8250, 8251, 8252, 8253, 8254, and 8255, Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29. By Mr. Huggins.

"An Act to amend Section 2527, Compiled Laws of Utah, 1917, relating to fees of precinct officers," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30. By Mr. Shields, By request.

"An Act amending Section 9269, Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31. By Mr. Shields, By reqeuest.

"An Act amending Section 801, Compiled Laws of Utah, 1917, relating to regulation of use of water by inhabitants of cities and towns, and remedies of such city or town on failure to pay," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION
STATE BOARD OF EQUALIZATION AND ASSESSMENT

Salt Lake City, Utah, Jan. 29, 1931

Hon. Ray E. Dillman,
President Utah State Senate.
Building.

Dear Sir:

In conformity with a duty imposed upon us by the Legislature, we herewith respectfully submit a bill for an act providing for a school equalization program and the apportionment of revenue when and if provided by the Legislature for carrying it into effect.

In this connection may we respectfully represent that upon the estimated valuation of $625,000,000 for 1931 it will require a state property tax levy of about 5.3 mills for district school purposes. To provide an equalization fund of $5.00 per school child will require probably 1.2 mills more. The Attorney General's office advises us that contemplated revenues from income taxes may not be used for the equalization fund.

In view of these facts we question very much the wisdom of imposing at this time the additional taxes upon property for this purpose.

Respectfully,

STATE TAX COMMISSION,

E. H. SNOW,

Chairman.

Communication filed and bill referred to Senator Candland, chairman of the committee on Revenue and Taxation for introduction.

INTRODUCTION OF BILL

S. B. No. 32. By Mr. Candland, chairman of the Committee on Revenue and Taxation.

"An Act creating and defining a uniform minimum program of public school education in the state of Utah, and providing for the apportionment of any revenue made available for an equalization fund," was read the first time and referred to the Committee on Revision and Enrolling.

Senator Griffin moved that when the Senate adjourn it be until Monday at 2 P. M. The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 2 was read the third time and placed on its final passage.

H. B. No. 2 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Jefferson.

Absent and not voting, Senators Knight, Owens, Patterson.

H. B. No. 2 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 23 was read the second time.

The committee report was read.

S. B. No. 23 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Fowles, Knight, Owens, Welling.

On motion of Senator Booth the Senate adjourned.

TWENTY-SECOND DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senators Knight, Musser and Patterson, Senator Knight was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Eighteenth day, and find it correct with minor amendments noted on the final copy.

Respectfully,

CLIFFORD E. YOUNG,
HERBERT B. MAW.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, F'eb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 25, by Mr. Booth, being "An Act amending Section 4, Chapter 9, Session Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," reports the same back with the title changed to read as follows:

"An Act amending Section 4, Chapter 9, Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," and a few other minor changes consented to by the author and recommend that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 25 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 26 by Mr. Booth, being, "An Act to amend Section 3978, Compiled Laws of Utah,

1917, as amended by Chapter 83, Laws of Utah for 1921, as amended by Chapter 47, Laws of Utah for 1923, relating to traffic regulations on highways," reports the same back with the title changed to read as follows:

"An Act to amend Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, as amended by Chapter 47, Laws of Utah, 1923, relating to traffic regulations on highways," and a few other minor changes consented to by the author and recommend that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 26 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 27 by Mr. Booth, being, "An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Session Laws of Utah, 1921, relating to special taxes," reports the same back with the title changed to read as follows:

"An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes," and with a few other minor changes consented to by the author and recommend that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 27 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 28 by Mr. Fowles, being "An Act defining the crime of arson and providing the punishment therefor, and repealing Sections 8248, 8249, 8250, 8251, 8252, 8253, 8254 and 8255, Compiled Laws of Utah, 1917," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 28 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 29 by Mr. Huggins, being "An Act to amend Section 2527, Compiled Laws of Utah, 1917, relating to fees of precinct officers," reports the same back with the title changed to read as follows:

"An Act to amend Section 2527, Compiled Laws of Utah, 1917, relating to fees of justice of the peace," and with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 29 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 30 by Mr. Shields, by request, being "An Act amending Section 9269, Compiled Laws of Utah, 1917," reports the same back with the title changed to read as follows:

"An Act amending Section 9269, Compiled Laws of Utah, 1917, relating to disposition of money deposited as bail when forfeited," and with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 30 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 31 by Mr. Shields, by request being "An Act amending Section 801, Compiled Laws of Utah, 1917, relating to regulation of use of water by inhabitants of cities and towns, and remedies of such city or town on failure to pay," reports the same back

with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 31 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 32 by Mr. Candland, chairman of the Committee on Revenue and Taxation, being "An Act creating and defining a uniform minimum program of public school education in the State of Utah, and providing for the apportionment of any revenue made available for an equalization fund," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 32 was ordered printed and referred to the Committee on Education.

PRESENTATION OF RESOLUTIONS, MOTIONS AND NOTICES

Senator Hunt moved that S. B. No. 17 be recommitted to the Senate. The motion carried.

S. B. No. 17 was received and referred to the Committee on Judiciary.

Senator Fowles moved that the members of the Committee on Public Institutions, Health and Labor, Revenue and Taxation, and Appropriations be instructed to make a tour of inspection of the industrial school and the school for the blind at Ogden, Saturday Feb. 14. The motion carried.

On motion of Senator Fowles the president appointed a committee consisting of Senators Keyser, Fowles, and Booth to confer with a like committee from the House on arrangements for the Ogden trip, and the tour of inspection to the mental hospital at Provo and the school for the feeble minded at American Fork.

Senator Hunt moved that Senate rule No. 89 be suspended and that 400 Senate bills be printed instead of 300 as now provided. The motion carried.

Senator Jefferson moved that the tour of inspection to the University of Utah leave from the Hotel Utah, Wednesday morning. The motion carried.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 22 by Mr. Shields by request, being "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial office of the State of Utah, (or any district, county or city government) and providing a penalty for the violation thereof," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 22 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 19 by the Judiciary Committee, being "An Act to amend Section 2208 of the Compiled Laws of Utah, 1917, relating to form of ballots to be used at election," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 19 was placed on the second reading calendar.

INTRODUCTION OF BILL

S. B. No. 33. By Mr. Hunt.
(by request of Committee on Highways)

"An Act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act; and repealing Sections 3975, 3986, 3977 and 3979, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; repealing Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, as amended by Chapter 47, Laws of Utah, 1923, repealing

Sections 3982, and 3984 and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; repealing Sections 3992, 3993, 3994, 3995, and 3996, Chapter 82, Laws of Utah, 1921," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Booth, Special Order for S. B. No. 18 was made special order for Feb. 3rd.

President Dillman called Senator McCarthy to the chair.

S. B. No. 23 was read the third time and placed on its final passage.

S. B. No. 23 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Knight, Musser, Patterson.

S. B. No. 23 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker of the House has this day appointed Representatives, H. C. Anderson, Fuller and Neslen, to act with a like committee from the Senate in making arrangements for the trips to Ogden and Provo.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 3 was read the second time.

On motion of Senator Candland the bill was amended as follows: On page 2, line 7 strike the word "asked" and insert in lieu thereof the words "are hereby directed."

On motion of Senator Fowles the bill was amended as follows: On page 2, line 5, strike the word "twenty" and insert in lieu thereof the word "ten."

On motion of Senator Huggins the bill was amended as follows: On page 2, line 6, after the word "appointment" strike the period and insert the words "with its recommendations."

H. J. R. No. 3 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Candland, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Booth, Fowles, Griffin, Knight, Musser, Patterson, Young.

On motion of Senator Maw the rules were suspended and H. J. R. No. 3 was read the third time and placed on its final passage.

H. J. R. No. 3 then passed on the following roll call:

Ayes, 13; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Candland, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Booth, Fowles, Griffin, Knight, Musser, Patterson, Young.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 6, by Mr. Hoyt, entitled: "An Act to amend Section 9279, Compiled Laws of Utah, 1917, relating to defendant's being a witness in his own behalf in criminal proceedings," and the same is herewith transmitted for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 6 was read first time and referred to Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 34. By Mr. Welling.

"An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the law with reference thereto," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35. By Mr. Huggins

"An Act to amend Section 19, Chapter 87, Laws of Utah, 1925, relating to appeals from orders and acts of the state securities commission," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Welling the Senate adjourned.

TWENTY-THIRD DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Twenty-second Day, and find it correct with minor amendments noted on the final copy.

Respectfully,

CLIFFORD E. YOUNG,
HERBERT B. MAW.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 2, by Mrs. Lowe, entitled: "An Act to amend Section 2896, Compiled Laws of Utah, 1917, as amended by Chapter 60, Laws of Utah, 1919, and as amended by Chapter 37, Laws of Utah, 1925, being an act providing

for and authorizing legal holidays," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 17, by Mr. Allan S. Tingey, entitled: "An Act to amend Section 3776 and Section 3777, Compiled Laws of Utah, 1917, providing for lessors' liens," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 17 was read first time and referred to the Committee on Judiciary.

COMMUNICATIONS

A communication was received from the Salt Lake and Utah Railroad, inviting the members of the inspection tour to Provo and American Fork to take advantage of a special train on the Salt Lake and Utah Railroad, leaving Salt Lake on February 7th, at 9 A. M., and returning from Provo at 4 P. M.

A communication was received from the University of Utah inviting the Senators to attend the lecture of Hendrick Willem Van Loon, Friday evening at 8 o'clock in Kingsbury Hall, on the University Campus. Also to attend the basketball games, between the University and the Utah Agricultural College in the L. D. S. Gymnasium beginning at 8 o'clock on Feburary 6 and 7.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor, to which was referred S. B. No. 21, by Mr. Maw, entitled: "An Act to regulate the practice of chiropody and to license the same, providing for the examination of applicants for licenses, determining the qualifications of applicants; providing for issuing licenses without examination in certain cases; refusing licenses to applicants who are guilty of "unprofessional and dishonest conduct" and revoking license in certain cases: imposing penalties for the violation of this act," reports back the same favorably.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 21 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 36. By Mr. Booth.

"An Act providing for the regulating, planting, care and control of shade trees and shrubbery upon the public streets, avenues and ways: authorizing the creation of

shade tree departments; the appointment of shade tree commissions; and continuance of existing shade tree commissions; prescribing their powers and duties; making certain expenses a lien of abutting real property and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37. By Mr. Fowles.

"An Act to amend Section 5993, of the Compiled Laws of Utah, 1917, as amended by Chapter 69, of the 1929 Session Laws of the State of Utah, relating to tax rate for county purposes," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 38. By Mr. Fowles.

"An Act to amend Section 1400x46 of the Compiled Laws of Utah, 1917, pertaining to the duties and powers of the board of county commissioners of the respective counties of the State of Utah," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39. By Mr. Shields.

"An Act amending Section 6314 of the Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40. By Mr. Shields.
(By request)

"An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41. By Mr. Booth.

"An Act to amend Section 9, of Chapter 67, Session Laws of Utah, 1919, as amended by Chapter 72, Session

Laws of Utah, 1921, relating to water and water rights," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42. By Mr. Booth.

"A Bill for an act to amend Section 6 of Chapter 39, Laws of Utah, 1923, as amended by Chapter 40, Laws of Utah, 1925, and Chapter 41 of the Laws of Utah, 1927 relating to the excise tax on motor vehicle fuels; its collection and distribution," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43. By Mr. Patterson.

"An Act amending Sections 3070, 3100, 3113, 3114, 3124, 3136, 3147, 3152, 3156 and 3156x of title 49, Compiled Laws of Utah, 1927, as amended by Chapter 63, Laws of Utah, 1919, by Chapter 67, Laws of Utah, 1921, by Chapter 64, Laws of Utah, 1923, and by Chapter 80, Laws of Utah, 1925, relating to the industrial commission, the state insurance fund and workmen's compensation," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 44. By Mr. Musser.

"A Bill for an act establishing a mineral survey of the State of Utah; providing for its control and management, the appointment of a director, and fixing his qualifications, defining the objects, duties and purposes of said mineral survey, and providing for an annual appropriation for the support and maintenance thereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45. By Mr. Booth.

"An Act providing for the sale of property for delinquent general, special and drainage taxes and for the distribution of the proceeds of said sale," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46. By Mr. Booth.

"An Act to amend Section 699, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes in cities, liens, sale, limitation and liability of city," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. J. R. No. 3, by Mr. Brimley and Mr. Jorgensen, entitled: "Resolution providing for the appointment of a committee to make a survey of the present conditions of unemployment in the State of Utah, defining its powers and duties, and the manner of its appointment," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. J. R. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 22 was read the second time.

The Committee report was read.

President Dillman called Senator Griffin to the chair.

On motion of Senator Shields the bill was amended as follows:

On page 1, line 3, after the word "his" add the words "or her."

On page 1, line 3, after the word "Mother" add the words "Husband, Wife,"

On page 1, line 9, after the word "Mother" add the words "Husband, Wife,"

S. B. No. 22 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Knight.

On motion of Senator Patterson the rules were suspended and S. B. No. 22 was read the third time and placed on its final passage.

On motion of Senator Musser action on S. B. No. 22 was deferred until Feb. 4th.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 11, by Mr. McCarthy being "An Act to create a state board of shorthand reporters and to regulate the practice of shorthand reporting: providing for examination of candidates for certificates and requiring

fees to be paid," reports the same back favorably with the following proposed amendments:

After the word "appointed" on line 20, page 2, strike the period and insert the following words, "whether such suggested reporter is or is not the holder of a certificate from said board." On line 1, page 3, after the word "thereon" insert the following "The holder of such revoked certificate may appeal within thirty days thereafter from such decision of the board to the district court of the county in which such revocation was made."

And recommends that the same be passed.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 11 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 17 by Mr. Shields, being "An Act amending Section 1239, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by another railroad," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,

Chairman.

Report fled.

S. B. No. 17 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 29 by Mr. Huggins, being "An Act to amend Section 2527, Compiled Laws of Utah, 1917, relating to fees of justice of the peace," reports the same back without recommendations.

Respectfully,
GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 29 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 30 by Mr. Shields by request, being "An Act amending Section 9569, Compiled Laws of Utah, 1917, relating to disposition of money deposited as bail when forfeited," reports the same back without recommendations.

Respectfully,
GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 30 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred

Senate Bill No. 31 by Mr. Shields by request, being "An Act amending Section 801, Compiled Laws of Utah, 1917, relating to regulation of use of water by inhabitants of cities and towns, and remedies of such city or town on failure to pay," reports the same back without recommendations.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 31 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 5, by Mr. Hoyt, being "An Act amending Section 2947, Compiled Laws of Utah, 1917, relating to bail on appeal after conviction of a crime or public offense," reports the same back and recommends that it be not passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 5 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 7, by Mr. Hoyt, being "An Act amending

Chapter 33 of Title 120, Compiled Laws of Utah, 1917, by adding a new Section relating to the court's charge to the jury in criminal cases," reports the same back with the following proposed amendments:

On line 3 after the word "jury" add "in writing," and on line 4 after the word "may" add "as a part of such written instructions."

And recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 7 was placed on the second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 18 having been read the third time was placed on its final passage.

S. B. No. 18 passed on the following roll call:

Ayes, 13; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Jefferson, Keyser, Maw, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Hunt, McCarthy, Shields.

Absent and not voting, Senators Knight, Musser, Patterson.

S. B. No. 18 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 19 was read the second time.

The committee report was read.

On motion of Senator Musser the bill was amended as follows: On page 1, line 21 after the word "office" strike the balance of the line, and on page 1, line 22, strike the first five words.

S. B. No. 19 was rejected on the following roll call:

Ayes, 8; Nays, 11; Absent, 1.

Those voting in the affirmative were: Senators Fowles, Huggins, Maw, McCarthy, Patterson, Shields, Smith, Welling.

Those voting in the negative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Musser, Owens, Ryan, Young, Mr. President.

Absent and not voting, Senator Knight.

Senator Musser gave notice that on the next legislative day he would move a reconsideration of the vote by which S. B. No. 19 was rejected.

President Dillman resumed the chair.

INTRODUCTION OF BILL

S.B. No. 47. By Mr. Maw. (by request)

"An Act amending Section 2, Chapter 30, Laws of Utah, 1929, relating to firemen's pension fund," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,
Salt Lake City, Utah, Feb. 3, 1931.

To The Senate:

I have this day signed and transmitted to the Secretary of State, S. C. M. No. 1, by Mr. Hunt, entitled:

"Memorializing the President and the Congress of the United States to further an international agreement whereby silver may be used as a supplement to gold to form an adequate international monetary base."

Very respectfully,

GEO. H. DERN,

Governor.

Communication field.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day appointed Representatives, Brimley, Neslen, and Mills to make the survey and report on H. J. R. No. 3.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

The President appointed a committee consisting of Senators Griffin, Smith and Huggins to act with the committee from the House to make the survey and report on H. J. R. No. 3.

COMMUNICATION
STATE BOARD OF EXAMINERS

Salt Lake City, Utah, Feb. 3, 1931.

To the Senate:
Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body, claim of Thomas Barrett Christensen covering damages sustained by him in

June, 1929, on account of alleged unlawful arrest as a deserter from National Guard Encampment.

This claim was duly filed with the board and acted upon as provided in Section 2476 of the Compiled Laws of Utah, 1917, and rejected. Claimant has appealed from the decision of this board, under the provisions of Section 2481 of the Compiled Laws of 1917, and the claim together with notice of appeal are transmitted to you herewith for your consideration.

Yours very truly,

M. H. WELLING,

Secretary—State Board of Examiners.

Communication filed, and claim referred to the Committee on Appropriations.

On motion of Senator Booth the Senate adjourned.

TWENTY-FOURTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the

Twenty-third Day, and find it correct with minor amendments noted on the final copy.

Respectfully,

CLIFFORD E. YOUNG,

HERBERT B. MAW.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 14, by Mr. Ryberg, entitled: "An Act to amend Chapter 4, Title 20, Compiled Laws of Utah, 1917, relating to the general powers of counties and county commissioners by adding new Sections to be known as Sections 1401x1, 1401x2, 1401x3, 1401x4, 1401x5, 1401x6, and 1401x7, authorizing boards of county commissioners to create and designate special improvement, sewer and sanitary districts outside of incorporated cities and towns and to provide for the cost of the construction of such special improvements, sewers, drains and structures by taxes levied against the property benefited by such improvements," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 14 was read first time and referred to Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Committee on Highways to which was referred S. B. No. 26, by Mr. Booth, entitled: "An Act to amend Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 73, Laws of Utah, 1921, as amended by Chapter 47, Laws of Utah, 1923, relating to traffic regulations on highways," begs leave to report the same back favorably and recommends that the same be passed.

Respectfully,

PAUL H. HUNT,
Chairman—Highways Committee.

Report filed.

S. B. No. 26 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 35 by Mr. Huggins, being "An Act to amend Section 19, Chapter 87, Laws of Utah, 1925, relating to appeals from orders and acts of the state securities commission," with minor changes consented to by the author, reports the same back and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 35 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 3, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 34 by Mr. Welling, being "An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the law with reference thereto," reports the same back with a change in the title making it read:

"An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the law with reference thereto, and providing penalties for violations of this act," and also with other minor changes consented to by the author, and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 34 was ordered printed and referred to the Committee on Highways.

INTRODUCTION OF BILLS

S. B. No. 48. By Mr. Young.

"An Act providing for liens in favor of hospitals and other charitable institutions that furnish care, treatment and maintenance for persons injured in accidents, upon and against the rights of action, claims or demands of such injured persons against other persons or corporations for damages on account of negligence causing

the injuries and upon the proceeds of the settlements of any such liens," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49. By Mr. Booth.

"An Act creating the ninety-first division memorial commission, providing for its appointment, authorizing and directing the erection of a memorial to Utah men in the ninety-first division and making an appropriation therefor under certain conditions," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50. By Mr. Smith,
By request of State Flood Control Commission.

"An Act to amend Sections 5571 and 5573, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, and Sections 5574, and 5583 of the Compiled Laws of Utah, 1917, as amended by Chapter 31, Session Laws of Utah, 1925, and Section 5574x of Chapter 31, Laws of Utah, 1925, changing the personnel of the state land board; providing for the salaries of the members of the state land board; defining their powers and duties; providing for the oath to be taken and bond to be given by members of said board and providing for the expenses incurred in carrying out the powers and duties of the said board," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51. By Mr. Jefferson.

"An Act for the relief of Harry W. Griffith," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 22 having been read the third time was placed on its final passage.

On motion of Senator McCarthy the bill was amended as follows:

On page 1, line 2, after the word "to" insert the words "retain in employment or to".

S. B. No. 22 then passed on the following roll call:

Ayes, 17; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Those voting in the negative were: Senators Fowles, Young.

Absent and not voting, Senator Knight.

S. B. No. 22 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 21 was read the second time.

The Committee report was read.

On motion of Senator Patterson the bill was amended as follows:

On page 4, line 31, after the word "chiropodist" strike the balance of line 31, and all of line 32.

On motion of Senator Welling the bill was amended as follows:

On page 2, line 12, after the word "meetings" insert the word "as".

On page 3, line 1, strike the word "this".

On page 3, line 2, strike the words "privilege under".

On page 4, line 2, strike the word "publicate" and insert in lieu thereof the word "duplicate".

On page 5, line 12, strike the word "county" and insert in lieu thereof the word "country".

On motion of Senator Maw the bill was amended as follows:

On page 5, line 32, after the word "prevent" strike the rest of the line, all of line 33 and all of line 1, on page 6, and substitute the following: "the fitting, recommending, or sale of corrective shoes, arch supports or similar mechanical appliances".

S. B. No. 21 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Hunt, Knight.

Senator Musser moved to reconsider the vote by which S. B. No. 19 was rejected. On motion of Senator Ryan the motion of Senator Musser to reconsider was laid on the table.

S. B. No. 11 was read the second time.

The committee report was read.

On motion of Senator Ryan the following amendments to the bill proposed by the committee were adopted.

After the word "appointed" on line 20, page 2, strike the period and insert the following words, "whether such suggested reporter is or is not the holder of a certificate from said board." On line 1, page 3, after the word "thereon" insert the following "The holder of such revoked certificate may appeal within thirty days thereafter from such decision of the board to the district court of the county in which such revocation was made."

S. B. No. 11 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Knight.

S.B. No. 17 was read the second time.

The committee report was read.

S. B. No. 17 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Knight.

On motion of Senator Smith the rules were suspended and S. B. No. 17 was read the third time and placed on its final passage.

S. B. No. 17 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Knight, Patterson.

S. B. No. 17 was transmitted to the House.

S. B. No. 29 was read the second time.

The committee report was read.

S. B. No. 29 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, McCarthy, Owens, Ryan, Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senators Musser, Patterson, Smith.

Absent and not voting, Senators Jefferson, Knight.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. J. R. No. 2, by Mr. Hoyt, entitled: "A joint resolution proposing an amendment to Section 10, of Article 1, of the constitution relating to trial by jury," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. J. R. No. 2 was read first time and referred to Committee on Judiciary.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 50, by Mr. Cates, entitled: "An Act amending Section 4609,

Compiled Laws of Utah, 1917, relating to compensation of members of boards of education and adding a new section to be known as section 4609x prohibiting members from receiving additional compensation or being interested in contracts with board," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 50 was read first time and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 38 by Mr. Fowles, being "An Act to amend Section 1400x46 of the Compiled Laws of Utah, 1917, pertaining to the duties and powers of the board of county commissioners of the respective counties of the state of Utah," reports the same back with the title changed to read as follows:

"An Act to amend Section 1400x46 of the Compiled Laws of Utah, 1917, pertaining to the powers of the county commissioners to levy a tax for support of poor," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 38 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 39 by Mr. Shields, being "An Act amending Section 6314 of the Compiled Laws of Utah, 1917," reports the same back with the title changed to read as follows:

"An Act amending Section 6314 of the Compiled Laws of Utah, 1917, relating to a testamentary disposition," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 39 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 40 by Mr. Shields, by request being "An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors," reports the same back with a few minor changes consented

to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 40 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 41, by Mr. Booth being "An Act to amend Section 9, of Chapter 67, Session Laws of Utah, 1919, as amended by Chapter 72, Session Laws of Utah, 1921, relating to water and water rights," reports the same back with the title changed to read as follows:

"An Act to amend Section 9, Chapter 67, Laws of Utah, 1919, as amended by Chapter 72, Laws of Utah, 1921, relating to water and water rights," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 41 was ordered printed and referred to the Committee on Agriculture and Irrigation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which

was referred Senate Bill No. 42 by Mr. Booth, being "A Bill for an act to amend Section 6, of Chapter 39, Laws of Utah, 1923, as amended by Chapter 40, Laws of Utah, 1925, and Chapter 41 of the Laws of Utah, 1927, relating to the excise tax on motor vehicle fuels; its collection and distribution," reports the same back with the title changed to read as follows:

"An Act to amend Section 6, Chapter 39, Laws of Utah, 1923, as amended by Chapter 40, Laws of Utah, 1925, and Chapter 41, Laws of Utah, 1927, relating to the excise tax on motor vehicle fuels," and with other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 42 was ordered printed and referred to the Committee on Highways.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 30 was read the second time.

The committee report was read.

S. B. No. 30 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Fowles, Knight.

On motion of Senator Shields the rules were suspended and S. B. No. 30 was read the third time and placed on its final passage.

S. B. No. 30 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Fowles, Knight, Young.

S. B. No. 30 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended H. B. No. 20, by Mr. Fuller, entitled "An Act to amend Section 6060x, Compiled Laws of Utah 1917, as amended by Chapter 123 Laws of Utah, 1919, as amended by Section 1, Chapter 18, Laws of Utah, passed at special session of the 13th legislature, 1919, relating to the collection of taxes on personal property," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 20 was read first time and referred to Committee on Revenue and Taxation.

The president appointed Senators Owens and Patterson as members of the committee on revising the journal the next five days.

On motion of Senator Musser the Senate adjourned.

TWENTY-FIFTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senators Knight and Young, both were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Twenty-fourth Day, and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. T. OWENS, Jr,
KNOX PATTERSON,

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 73 by Commit-

tee on Public Buildings and Grounds, substitute for H. B. No. 21, by Mr. Burgon, entitled: "An Act to amend Section 1420, Compiled Laws of Utah 1917, as amended by Laws of Utah 1919, and Sections 1421 and 1422, Compiled Laws of Utah 1917, relating to the powers of the board of county commissioners," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 73 substitute for H. B. No. 21 was read the first time and referred to Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 36 by Mr. Booth, being "An Act providing for the regulation, planting, care and control of shade trees and shrubbery upon the public streets, avenues and ways; authorizing the creation of shade tree departments; the appointment of shade tree commissions; and continuance of existing shade tree commissions; prescribing their powers and duties; making certain expenses a lien on abutting real property and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 36 was ordered printed and referred to the Committee on Agriculture and Irrigation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 37 by Mr. Fowles, being "An Act to amend Section 5993, of the Compiled Laws of Utah, 1917, as amended by Chapter 69 of the 1929 Session Laws of the State of Utah, relating to tax rate for county purposes,"reports the same back with the title changed to read as follows:

"An Act to amend Section 5993, Compiled Laws of Utah, 1917, as amended by Chapter 69, Laws of Utah, 1929 relating to tax rate for county purposes," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 37 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 43 by Mr. Patterson, being "An Act amending Sections 3070, 3100, 3113, 3114, 3124, 3136, 3147, 3152, 3156 and 3156x of Title 49, Compiled Laws of Utah, 1927, as amended by Chapter 63, Laws of

Utah, 1919, by Chapter 67, Laws of Utah, 1921, by Chapter 64, Laws of Utah, 1923, and by Chapter 80, Laws of Utah, 1925, relating to the industrial commission, the state insurance fund and workmen's compensation," reports the same back with the title changed to read as follows: "An Act amending Sections 3070 and 3100, Compiled Laws of Utah, 1917; Section 3113, Compiled Laws of Utah, 1917; as amended by Chapter 63, Laws of Utah, 1919; Section 3114, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919 and Chapter 67, Laws of Utah, 1921, and Chapter 64, Laws of Utah, 1923, and Chapter 80, Laws of Utah, 1925; Section 3124, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921; Section 3136 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; Section 3147 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67 Laws of Utah, 1921; Section 3152, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921, Section 3156, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; and Section 3156x which was added by Chapter 67, Laws of Utah, 1921, relating to the industrial commission, the state insurance fund, and the workmen's compensation," and with a few other minor changes consented to by the author, and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 43 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which

was referred Senate Bill No. 44 by Mr. Musser, being "A bill for an act establishing a mineral survey of the State of Utah: providing for its control and management, the appointment of a director, and fixing his qualifications, defining the objects, duties and purposes of said mineral survey, and providing for an annual appropriation for the support and maintenance thereof," reports the same back with the title changed to read as follows:

"An Act establishing a mineral survey of the State of Utah: providing for its control and management, the appointment of a director, and fixing his qualifications, defining the objects, duties and purposes of said mineral survey, and providing for an annual appropriation for the support and maintenance thereof," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 44 was ordered printed and referred to the Committee on Appropriations.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 4, 1931.

Mr. President:

Your Committee on Banking and Commerce to which was referred Senate Bill No. 20, by Mr. Musser, (by request) being "An Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan and fire insurance companies," with the following change: The words "By Request" following the authors name be

stricken, and the committee reports the bill out without recommendation.

Very truly yours,

GEORGE JEFFERSON,
Chairman.

Report filed.

S. B. No. 20 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 6, by Mr. Hoyt, being "An Act to amend Section 9279, Compiled Laws of Utah, 1917, relating to defendant's being a witness in his own behalf in criminal proceedings," reports the same back unfavorably and recommends that the same be not passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 6 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 52. By Mr. Fowles.

"An Act providing that voluntary associations may sue, or be sued, and designating upon whom process may be served," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53. By Mr. McCarthy.

"An Act amending Section 786x6, Compiled Laws of Utah, 1917, relating to the powers of the boards of

trustees of towns," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 54. By Mr. Huggins, (By Request)

"An Act creating a veterans' welfare commission, defining its duties and powers and appropriating $10,000.00 per annum to pay the salaries and to defray the expenses thereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55. By The Judiciary Committee By Request

"An Act authorizing judges of the district court, upon request, to assist the supreme court in the performance of its duties, and amending Section I, Chapter 94, Laws of Utah, 1919, so as to provide for the payment of the expenses of such district judges, incurred while so engaged," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 56. By Mr. Fowles.

"An Act to amend Section 2855, Chapter 62, Session Laws of Utah, 1921, as amended by Chapter 89, Session Laws of Utah, 1923, as amended by Chapter 72 Session Laws of Utah, 1925, as amended by Chapter 21, Session Laws of Utah, 1929, relating to the designation of state roads," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Musser the rules were suspended and S. B. No. 20 was placed at the foot of the second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 21 was read the third time and placed on its final passage.

On motion of Senator Maw the bill was amended as follows:

Strike the words "all persons" on line 6, page 1. Strike all of lines 7 and 8 and the first 3 words on line 9 and substitute the following: "all applicants to practice Chiropody in this State shall make application for a license upon a blank form authorized and printed by the Department of Registration."

The president called Senator Welling to the chair.

On motion of Senator Ryan the bill was amended as follows:

On page 1, line 6, strike the words "of the taking effect of this act" and insert in lieu thereof the words "this act takes effect".

On motion of Senator Huggins the bill was amended as follows:

On page 5, line 2, strike the word "using" and insert in lieu thereof the word "prescribing".

S. B. No. 21 then passed on the following roll call:

Ayes, 14; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling.

Those voting in the negative were: Senators Candland, Griffin, Patterson, Mr. President.

Absent and not voting, Senators Knight, Young.

S. B. No. 21 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

This is to inform your Honorable Body, that the

House has this day passed, S. B. No. 18, by Mr. Booth, entitled: "An Act to transfer to the state tax commission funds from the unexpended balances to the credit of the state board of equalization," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 18 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 12, by Mr. Neslen, entitled: "An Act under which counties, municipalities, or other political subdivisions may establish, develop, operate, maintain, regulate, and police airports and landing fields," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 12 was read first time and referred to Committee on State and Municipal Affairs.

COMMUNICATION
STATE BOARD OF EQUALIZATION AND ASSESSMENT

State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Hon. Ray E. Dillman,
President Utah State Senate,
Building.

Dear Sir:

We respectfully submit for your consideration a bill for an "Act imposing a tax upon national banks and a franchise tax upon state banks and all other corporations, joint stock companies, business trusts or other associations, wherein interest is evidenced by certificates or other written instrument, according to or measured by their net income. And providing for a minimum tax according to the fair value of the capital stock of such corporations."

The rate (2½) is a flat rate with no offsets and no corporate exemptions. It is an average of the 14 states which have flat rates when the offsets and corporate exemptions are considered. If the rates in the personal income tax bill are reduced, this rate might be reduced to 2% but this should, in our judgment, be the minimum.

Respectfully,
STATE TAX COMMISSION,
Sgd, E. H. SNOW,
Chairman.

Communication filed.

INTRODUCTION OF BILL

S. B. No. 57. By Mr. Candland
Chairman—
Committee on Revenue and Taxation.

"An Act imposing a tax on national banks and a

franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income. And providing for a minimum tax based upon the fair value of the capital stock of such corporation," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 11 was read the third time and placed on its final passage.

On motion of Senator Patterson the bill was amended as follows:

Strike the amendment on line 1, page 3, after word "thereon" as shown in the Journal of Feb. 4th.

On motion of Senator Patterson the bill was amended as follows:

Add the following: Section 12. Any person affected by any decision of the board shall have the right of appeal on all questions of law and fact, to the district court of the county wherein such person resides.

On motion of Senator Huggins the bill was amended as follows:

On page 2, line 11, after the word "board" insert the words "not to exceed the sum of fifteen dollars".

On page 2, line 16, after the word "be" insert the words "temporarily absent or".

On motion of Senator McCarthy the bill was amended as follows:

On page 3, line 6, strike the number '12" and insert in lieu thereof the number "13".

S. B. No. 11 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, Musser, Young.

S. B. No. 11 was transmitted to the House.

S. B. No. 29 was read the third time and placed on its final passage.

S. B. No. 29 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, McCarthy, Young.

S. B. No. 29 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 59, by Mr. Dart, entitled: "An Act amending Section 3740, Compiled Laws of Utah, 1917, relating to the enforcement of liens," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 59 was read first time and referred to the Committee on Judiciary.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 31 was read the second time.

The committee report was read.

Senator Maw moved to strike the enacting clause. The motion carried.

H. B. No. 5 was read the second time.

The committee report was read.

Senator Maw moved that H. B. No. 5 and H. B. No. 7 be recommitted to the Judiciary Committee. The motion caried.

S. B. No. 26 was read the second time.

The committee report was read.

S. B. No. 26 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Owens, Patterson, Ryan, Shields, Welling.

Absent and not voting, Senators Knight, McCarthy, Smith, Young, Mr. President.

S. B. No. 20 was read the second time.

The committee report was read and the bill was amended by striking the words "(by request)" after the name of the author as recommended by the committee.

S. B. No. 20 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Owens, Patterson, Ryan, Shields, Welling, Mr. President.

Absent and not voting, Senators Knight, McCarthy, Smith, Young.

President Dillman resumed the chair.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 18, by Mr. Booth, entitled: "An Act to transfer to the state tax commission funds from the unexpended balances to the credit of the state board of equalization," properly engrossed and enrolled for the signature of the President.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.
Revision and Enrolling Committee.

S. B. No. 18 was signed by the President in open session in the presence of the Senate and was tranmitted to the House for the signature of the Speaker.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 43, by Mr. Nes-

len, entitled: "An Act to amend Section 3883, Compiled Laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1929, relating to the borrowing powers of the state armory board, and to increase such power," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 43 was read first time and referred to the Committee on State and Municipal Affairs.

On motion of Senator Booth the Senate adjourned.

TWENTY-SIXTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 6, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senators Knight, Patterson, and Young. Senators Knight and Young were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Twenty-fifth Day, and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. T. OWENS,
KNOX PATTERSON.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 73, by committee on Public Buildings and Grounds substitute for H. B. No. 21, by Mr. Burgon, entitled "An Act to amend Section 1420, Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1919, and Sections 1421 and 1422, Compiled Laws of Utah 1917, relating to the powers of the board of county commissioners," reports the same back, without recommendations.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

H. B. No. 73 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred S. B. No. 38, by Mr. Fowles, entitled, "An Act to amend Section 1400x of the Compiled Laws of Utah, 1917, pertaining to the duties and powers of the board of county commissioners to levy a tax for support of poor," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

S. B. No. 38 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Highways to which was referred S. B. No. 34, by Mr. Welling, entitled, "An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the law with reference thereto, and providing penalties for violations of this act," begs leave to report the same back favorably and recommends that the same be passed, with the following proposed amendments:

Page 2, Section 5, Line No. 11, after the period following thereof, insert, the following, any acrobatic maneuvers performed over any other place shall be concluded at a height more than 1500 feet.

Page 2, Section 5, Line No. 16, following the word Commerce, the term "acrobatically fly" if used in this Section means any intentional maneuver in respect to air navigation.

Respectfully,

PAUL H. HUNT,
Chairman, Highways Committee.

Report filed.

S. B. No. 34 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Highways to which was referred S. B. No. 16, by Mr. Shields, entitled, "An Act concern-

ing the licensing of airmen and aircraft, concerning air traffic rules, and to make uniform the law with reference thereto, fixing fees and providing penalties for violations of this act," reports same back and recommends that it be not passed.

Respectfully,

PAUL H. HUNT,
Chairman, Highways Committee.

Report filed.

S. B. No. 16 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 51, by Mr. Jefferson, being "An Act for the relief of Harry W. Griffith," reports the same back with the title changed to read as follows:

"An Act making an appropriation for the relief of Harry W. Griffith," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman, Revision & Enrolling Committee.

Report adopted and amendments to title ordered.

S. B. No. 51 was ordered printed and referred to the Committee on Appropriations.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 48, by Mr. Young by re-

quest, being "An Act providing for liens in favor of hospitals and other charitable institutions that furnish care, treatment and maintenance for persons injured in accidents, upon and against the rights of action, claims or demands of such injured persons against other persons or corporations for damages on account of negligence causing the injuries and upon the proceeds of the settlements of any such liens," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman, Revision & Enrolling Committee.

Report filed.

S. B. No. 48 was ordered printed and referred to the Committee on Judiciary.

By unanimous consent S. B. No. 47 was withdrawn.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 45, by Mr. Booth, being "An Act providing for the sale of property for delinquent general, special and drainage taxes and for the distribution of the proceeds of said sale," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman, Revision & Enrolling Committee.

Report filed.

S. B. No. 45 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 46, by Mr. Booth, being "An Act to amend Section 699, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes in cities, liens, sale, limitation and liability of city," reports the same back with the title changed to read as follows:

"An Act to amend Section 699, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes in cities," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman, Revision & Enrolling Committee.

Report adopted and amendments to title ordered.

S. B. No. 46 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 49, by Mr. Booth, being "An Act creating the ninety-first division memorial commission, providing for its appointment, authorizing and directing the erection of a memorial to Utah men in the

ninety-first division and making an appropriation therefor under certain conditions," reports the same back with the title changed to read as follows:

"An Act creating the ninety-first division memorial commission, providing for its appointment, authorizing and directing the erection of a memorial to Utah men in the ninety-first division and making an appropriation therefor under certain conditions," and with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman, Revision & Enrolling Committee.

Report adopted and amendments to title ordered.

S. B. No. 49 was ordered printed and referred to the Committee on Appropriations.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 5, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 2, by Mrs. Lowe, entitled: "An Act to amend Section 2896, Compiled Laws of Utah, 1917, as amended by Chapter 60, Laws of Utah, 1919, and as amended by Chapter 37, Laws of Utah, 1925, being an act providing for and authorizing legal holidays."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,

State Capitol,
Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session in the presence of the House, S. B. No. 18, by Mr. Booth, entitled: "An Act to transfer to the state tax commission funds from the unexpended balances to the credit of the state board of equalization," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 18 was transmitted to the Governor.

PRESENTATION OF RESOLUTIONS, MOTIONS, AND NOTICES

On motion of Senator Musser the following words by George A. Hicks of Spanish Fork and sung by Uncle Jimmy Wilson of the House of Representatives were ordered printed in the Journal.

JIM AND BOLLIE

Once I lived in Cottonwood, and owned a little farm,
And I was called to Dixie, which did me much alarm.
To raise the cane and cotton, I right away must go.
The reason why they called on me, I'm sure I do not know.

I yolked old Jim and Bollie up, all for to make a start.
To leave my house and garden, it almost broke my heart.
I traveled on quite slowly, but oft times looked behind.
The sands and rocks Dixie kept running through my mind.

At length I reached the Sandy, where I could not move at all.
Poor old Jim and Bollie began to puff and loll.
I cussed and swore a little bit, but couldn't make the route.

May Heaven reward a Dixieite, whenever they get out.
At length I reached the Black Ridge, where I broke my wagon down.
I couldn't find a carpenter, for I was twenty miles from town.
But with a clumsy cedar pole, I made an awkward slide,
But my wagon pulled so heavy, that Betsy couldn't ride.

As Betsy was a walking, I told her to take care
But all upon a sudden, she kicked a prickley pair.
Then she began to blubber out, as loud as she could bawl,
If I was back in Cottonwood, I wouldn't come at all.

Then we went to Washington, and stayed a little while.
To see if April showers would make the Virgin smile.
But then we were mistaken, for when we went away,
The red hills of November looked just the same as May.

I brought this old coat with me, about ten years ago,
And how I'll get another, I'm sure I do not know.
My shirt is died with dock root and greese wood for a sweat.
I'm afraid the color 'll all come out, whenever it gets wet.

Of carrot tops and lucern, I've had enough to eat.
I'd like to change my diet, to buckweat cakes and meat.
The hot winds whirl around me and take away my breath.
I've had the chills and fever 'till I'm d.....near shook to death.

My wagon went for sorgom seed, to make a little bread.
Poor old Jim and Bollie, they long ago are dead.
There's none but I and Betsy left, to hold the cotton trees.
May Heaven reward a Dixieite, wherever he may be.

Senator Welling moved that when the Senate adjourn it be until Monday at 2 P. M. The motion carried.

INTRODUCTION OF BILLS

S. B. No. 58. By Mr. Fowles
By Request.

"An Act to provide for moral and humane education in the public schools," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59. By Mr. Fowles
By Request

"An Act to prohibit experiment upon any living creature for the purpose of demonstration in any study in any public school of this state; and to prohibit the killing of any animal in the presence of any pupil of a public school for the purpose of dissecting in such school," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60. By Mr. Huggins.

"An Act repealing Chapter 48 Session Laws of Utah, 1925, relating to elections," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61. By Mr. Huggins.

"An Act repealing Chapter 77, Laws of Utah, 1927, relating to paving by street railway companies," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 26 was read the third time and placed on its final passage.

On motion of Senator Booth the bill was amended as follows:

On page 3, line 2, after the word "light" insert the words "or reflector approved by the state road commission" and on page 2, line 17, after the word "state" strike the word "highway" and insert in lieu thereof the word "road".

S. B. No. 26 then passed on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Jefferson, Knight, Patterson, Young.

S. B. No. 26 was transmitted to the House.

S. B. No. 20 was read the third time and placed on its final passage.

S. B. No. 20 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, Patterson, Young.

S. B. No. 20 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 6 was read the second time.

The committee report was read.

On motion of Senator Maw H. B. No. 6 was recommitted to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Joint Resolution No. 2 by Mr. Hoyt being "A joint resolution proposing an amendment to Section 10, of Article 1, of the Constitution relating to trial by jury," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. J. R. No. 2 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 59, by Mr. Dart, being "An Act amending Section 3740, Compiled Laws of Utah, 1917, relating to the enforcement of liens," reports the same back favorably.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H .B. No. 59 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Judiciary Committee to which was referred

Senate Bill No. 39 by Mr. Shields being "An Act amending Section 6314 of the Compiled Laws of Utah, 1917, relating to testamentary disposition," reports the same back favorably.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 39 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 40 by Mr. Shields by request being "An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors," reports the same back favorably and recommends its passage.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 40 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 28 by Mr. Fowles, being "An Act defining the crime of arson and provinding the punishment therefor, and repealing Sections 8248, 8249, 8250, 8251,

8252, 8253, 8254 and 8255, Compiled Laws of Utah, 1917," reports the same back favorably and recommends its passage.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 28 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred S. B. No. 2, by Mr. Shields, being "An Act amending Section 1843, Compiled Laws of Utah, 1917, relating to provision for support of dependent, neglected children," respectfully reports that it has duly considered the said bill and recommends the bill lay on the table.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 2 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred Senate Bill No. 33, by Mr. Hunt by request of Committee on Highways, being "An Act regulating traffic on highways and providing for traffic signs and

signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act; and repealing sections 3975, 3986, 3977 and 3979, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921 repealing Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, as amended by Chapter 47, Laws of Utah, 1923, repealing Sections 3982, and 3984 and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; repealing Sections 3992, 3993, 3994, 3995, and 3996, Chapter 82, Laws of Utah, 1921," reports the same back with the title changed to read as follows:

"An Act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce rules and regulations regarding the matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to create a fund to be known as the highway improvement fund; providing penalties for the violations of this act; and repealing Sections 3975, 3976, 3977, 3979, 3982, 3984, and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; and Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, and by Chapter 47, Laws of Utah, 1925, and Sections 3992, 3993, 3994, 3995 and 3996, New Sections which were added by Chapter 82, Laws of Utah, 1921," and with a few minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 33 was ordered printed and referred to the Committee on Highways.

On motion of Senator Candland the rules were suspended and H. B. No. 73, S. B. No. 38, S. B. No. 34, S. B. No. 16, H. J. R. No. 2, H. B. No. 59, S. B. No. 39, S. B. No. 40, S. B. No. 28, and S. B. No. 2, were placed on the second reading calendar for immediate consideration.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 73 was read the second time.

The committee report was read.

Senator Keyser moved to strike the enacting clause in H. B. No. 73. The motion carried.

President Dillman called Senator McCarthy to the chair.

S. B. No. 38 was read the second time.

The committee report was read.

On motion of Senator Shields the bill was amended as follows:

On page 1, line 6 after the word "dollar" insert the following "during the years 1931 and 1932 and thereafter one mill on the dollar".

On motion of Senator Booth the bill was amended as follows:

On line 2 of the title, strike the word "duties" and on line 3 of the title strike the word "and" and the words "board of".

President Dillman resumed the chair.

S. B. No. 38 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Smith, Mr. President.

Those voting in the negative were: Senator Welling.

Absent and not voting, Senators Knight, Owens, Patterson, Young.

On motion of Senator Smith the rules were suspended and S. B. No. 38 was read the third time and placed on its final passage.

S. B. No. 38 then passed on the following roll call:

Ayes, 14; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Maw, McCarthy, Musser, Ryan, Shields, Smith, Mr. President.

Those voting in the negative were: Senator Welling.

Absent and not voting, Senators Keyser, Knight, Owens, Patterson, Young.

S. B. No. 38 was transmitted to the House.

S. B. No. 34 was read the second time.

The committee report was read.

On motion of Senator Hunt the bill was amended as follows:

On page 2, line 12, after the word "performed" insert the word "over" and after the word "any" insert the word "other". On page 2, line 13, strike the word "greater" and insert in lieu thereof the word "more".

On page 2, line 16, after the word "commerce" insert the following: "the term "acrobatically fly" as used

in this section means any intentional maneuver in respect to air navigation".

S. B. No. 34 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Welling, Mr. President.

Absent and not voting, Senators Griffin, Huggins, Knight, Owens, Patterson, Smith, Young.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol

Salt Lake City, Utah, Feb. 6, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 18, by Mr. Booth, entitled: "An Act to transfer to the State Tax Commission funds from the unexpended balances to the credit of the State Board of Equalization".

Very respectfully,

GEO. H. DERN,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 64,

by Mr. Spencer, entitled: "An Act to regulate the soliciting and writing of insurance, defining insurance brokers, requiring them to procure license, and prescribing penalties for violation of its provisions," and the same is transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 64 was read the first time and referred to Committee on Banking and Commerce.

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 63, by Mr. Geo. M. Miller, entitled: "An Act relating to insurance adjusters, and insurance adjusters agents; providing for their licensing and regulating their doing business in the State of Utah," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 63 was read the first time and referred to Committee on Banking and Commerce.

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931

Mr. President:

This is to inform your Honorable Body, that the House has this day passed as amended by the Senate,

S. B. No. 4, by Mr. Malcolm A. Keyser, entitled: "An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed, and S. B. No. 4 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 6, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 55, by Mr. A. S. Tingey, entitled "An Act to amend Section 3736, Paragraph 1386, Compiled Laws of Utah, 1917, relating to the matter of filing notice of lien and recording, and to extend such time," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 55 was read first time and referred to Committee on Judiciary.

On motion of Senator Keyser the secretary was ordered to direct a communication to the house asking that H. B. No. 73 substitute for H. B. No. 21 be returned to the Senate for further action.

Senator Keyser then served notice that on the next legislative day he would move a reconsideration of the action by which H. B. No. 73 was rejected.

By unanimous consent of the Senate S. B. No. 16 was withdrawn.

H. J. R. No. 2 was read the second time.

The committee report was read.

On motion of Senator Candland H. J. R. No. 2 was made special order of business for Wednesday when the second reading calendar is reached.

H. B. No. 59 was read the second time.

The committee report was read.

H. B. No. 59 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Welling, Mr. President.

Absent and not voting Senators Griffin, Huggins, Knight, Owens, Patterson, Smith, Young.

On motion of Senator Keyser the senate adjourned.

TWENTY-NINTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Twenty-sixth Day and find it correct with minor amendments noted on the final copy.

Respectfully,
WM. T. OWENS, Jr.
KNOX PATTERSON.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 6, 1931.

Mr. President:

As per your request, we herewith return you H. B. No. 73 by Committee on Public Buildings and Grounds, (Substitute for H. B. No. 21 by Mr. Burgon), entitled: "An Act to amend Section 1420, Compiled Laws of Utah 1917, as amended by Laws of Utah 1919, and Sections 1421 and 1422, Compiled Laws of Utah 1917, relating to the powers of the Board of County Commissioners," for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

On motion of Senator Keyser the Senate's action on H. B. No. 73 was reconsidered.

Senator Keyser moved that H. B. No. 73 be recommitted to the Committee on State and Municipal Affairs.

The motion carried.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 4, by Mr. Malcolm A. Keyser, entitled: "An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc.," properly engrossed and enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 50 by Mr. Smith, by request of the State Flood Control Commission, entitled: "An Act to amend Sections 5571 and 5573, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, and Sections 5574, and 5583 of the Compiled Laws of Utah, 1917, as amended by Chapter 31, Session Laws of Utah, 1925, and Section 5574x of Chapter 31, Laws of Utah, 1925, Changing the personnel of the state land board; providing for the salaries of the members of the state land board; defining their powers and duties; providing for the oath to be taken and bond to be given by

members of said board and providing for the expenses incurred in carrying out the powers and duties of the said board," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 50 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 52, by Mr. Fowles, entitled, "An Act providing that voluntary associations may sue, or be sued, and designating upon whom process may be served," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 52 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 54, by Mr. Huggins, (By request)

entitled, "An Act creating a veterans' welfare commission, defining its duties and powers and appropriating $10,000.00 per annum to pay the salaries and to defray the expenses thereof," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 54 was ordered printed and referred to the Committee on Appropriations.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 57, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled, "An Act imposing a tax on national banks and a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income, and providing for a minimum tax based upon the fair value of the capital stock of such corporation," reports the same back and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 57 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 43, by Mr. Neslen, entitled, "An Act to amend Section 3883, Compiled Laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1929, relating to the borrowing power of the state armory board, and to increase such power," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

H. B. No. 43 was placed on the Second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 14, by Mr. Ryberg, entitled, "An Act to amend Chapter 4, Title 20, Compiled Laws of Utah, 1917, relating to the general powers of counties and county commissioners by adding new Sections to be known as Sections 1401x1, 1401x2, 1401x3, 1401x4, 1401x5, 1401x6 and 1401x7, authorizing boards of county commissioners to create and designate special improvement, sewer and sanitary districts outside of incorporated cities and towns and to provide for the cost of the construction of such special improvements, sewers, drains and structures by taxes levied against the property benefited by such improvements," reports the same back without recommendations.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

H. B. No. 14 was placed on the Second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 12, by Mr. Neslen, entitled, "An Act under which counties, municipalities, or other political subdivisions may establish, develop, operate, maintain, regulate, and police airports and landing fields," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

H. B. No. 12 was placed on the Second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 35 by Mr. Huggins being "An Act to amend Section 19, Chapter 87, Laws of Utah, 1925, relating to appeals from orders and acts of the state securities commission," reports the same back favorably with the following amendments consented to by the author:

On line 3, page 1, after the word "any ()" strike the balance of the line and insert "person, whether pecuniarily interested or otherwise, who shall have become a party prior to the hearing before the commission,". On line 4, strike the first two words "the State". On line

5 strike the last two words "and the" and the word "applicant" on line 6.

We recommend that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 35 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. J. R. No. 3. By Senators, McCarthy, Maw, Candland, Musser, Fowles.

"A joint resolution proposing to commend the efforts of the american legislator's association and of the interstate legislative reference bureau for their efforts to procure promptly for all inquiring state legislators, whatever information or advice they desire in connection with legislative problems, to conduct a systematic study of legislative matters, and to publish for the benefit of all state legislators, the magazine called the 'State Government,'" was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 62. By Mr. Fowles.

"An Act prescribing specifications for motor vehicle fuel to be sold in this state, providing for the inspection thereof, the appointment of inspectors, providing for paying the expense of administering the act from the taxes received on the sale of motor vehicle fuels and providing penalties for violating the provisions hereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63. By Mr. Jefferson, By Request.

"An Act empowering boards of county commissioners to levy taxes not to exceed four-tenths of one mill

per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue; to such needy blind persons; determining the rules and regulations under which such distribution shall be made; and providing penalties," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 64. By Mr. Shields.

"An Act amending Section 4384, Compiled Laws of Utah, 1917, relating to interest rates, statements and records," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65. By Mr. Huggins.

"An Act to amend Section 6549, Compiled Laws of Utah, 1917, as amended by Chapter 143, Session Laws of Utah for 1921, as amended by Chapter 53, Session Laws of Utah for 1925, relating to service of summons by publication; also to amend Section 6962, Compiled Laws of Utah, 1917, relating to conveyances by order of court," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 34 was read the third time and placed on its final passage.

On motion of Senator Welling the bill was amended as follows:

Strike the period at the end of the title and add the words " and repealing Chapter 24 Session Laws of Utah, 1923,"

On motion of Senator Jefferson S. B. No. 34 was recommitted to the Committee on Highways.

H. B. No. 59 was read the third time and placed on its final passage.

President Dillman called Senator Jefferson to the Chair.

H. B. No. 59 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Musser.

Absent and not voting, Senators Candland, Fowles, Knight.

H. B. No. 59 was transmitted to the House.

Senator Jefferson called Senator Keyser to the Chair.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 39 was read the second time.

The committee report was read.

On motion of Senator Shields the bill was amended as follows:

On page 1, line 4, strike the "comma" after the word "of".

S. B. No. 39 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Jefferson, Knight.

On motion of Senator Shields the rules were suspended and S. B. No. 39 was read the third time and placed on its final passage.

S. B. No. 39 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Jefferson, Knight.

S. B. No. 39 was transmitted to the House.

S. B. No. 40 was read the second time.

The committee report was read.

On motion of Senator Shields the bill was amended as follows:

On page 1, line 5, after the word "of" change the word "ordinances" to the word "ordinaries".

S. B. No. 40 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Griffin, Jefferson, Knight, Patterson.

On motion of Senator Fowles the rules were suspended and S. B. No. 40 was read the third time and placed on its final passage.

S. B. No. 40 then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Griffin, Jefferson, Knight, Patterson.

S. B. No. 40 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 4, by Mr. Malcolm A. Keyser, entitled: "An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 4 was transmitted to the Governor.

S. B. No. 28 was read the second time.

The committee report was read.

S. B. No. 28 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Griffin, Jefferson, Knight.

S. B. No. 2 was read the second time.

The committee report was read.

Senator Maw moved that S. B. No. 2 lay on the table. The motion carried.

On motion of Senator Musser the rules were suspended and H. B. No. 43, H. B. No. 14, H. B. No. 12, and S. B. No. 35 were considered on second reading.

H. B. No. 43 was read the second time.

The committee report was read.

On motion of Senator McCarthy the bill was amended as follows:

On page 1, line 8, after the word "state" strike the words "board of land commissioners" and insert in lieu thereof the words "Land Board" and capitalize the word "State".

On motion of Senator Welling the bill was amended as follows:

On page 1, line 5, capitalize the words "armory and board". On page 1, line 10 capitalize the words "State, armory and board". On page 1, line 11, capitalize the words "state, armory and board".

On motion of Senator McCarthy H. B. No. 43 was referred to the committee on Appropriations.

Senator Keyser called Senator Hunt to the Chair.

H. B. No. 14 was read the second time.

The committee report was read.

On motion of Senator Fowles the bill was amended as follows:

On page 3, line 28, after the word "of" strike "10%" and insert in lieu thereof "8%".

On motion of Senator Maw the bill was amended as follows:

On page 2, line 29 after the word "which" strike "51%" and insert in lieu thereof "25%".

President Dillman resumed the Chair.

H. B. No. 14 was then ordered read the third time on the following roll call:

Ayes, 10; Nays, 6; Absent, 4.

Those voting in the affirmative were: Senators Fowles, Hunt, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Young, Mr. President.

Those voting in the negative were: Senators Booth, Candland, Jefferson, Owens, Patterson, Smith.

Absent and not voting, Senators Griffin, Huggins, Knight, Welling.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 59, by Mr. Dart, entitled: "An Act amending Section 3740 Compiled Laws of Utah 1917, relating to the enforcement of liens," has been signed in open session in the presence of the House, by the Speaker, and

the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 59 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 4, by Mr. Mills, entitled: "An Act amending Section 2104 of Chapter 1 of the Compiled Laws of Utah of 1917, relating to the filling of vacancies in the congress of the United States and the legislature of the state of Utah," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 4 was read the first time and referred to Committee on State and Municipal Affairs.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, H. B. No. 57, by Mr. Ful-

ler, entitled: "An Act relating to the ownership of the name, trade name, or device of any person, firm or corporation manufacturing, preparing, selling, or distributing any article of food or commerce in containers or carriers bearing such name, trade name, or device; forbidding the use by other persons designated of such name, trade name, or device, and of the containers and carriers bearing or having impressed or produced thereon such name, trade name or device, providing for the transfer of the right to use such name, trade name, or device, defining conditions under which the title to containers and carriers shall not pass, and prescribing the penalty for violation thereof, and repealing Chapter 2 Title 109 and Sections 8451, 8452, 8453, 8454, 8455 and 8456 Compiled Laws of Utah 1917," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 57 was read first time and referred to Committee on Public Institutions, Health and Labor.

Senator Keyser moved that the President be authorized to appoint a committee to arrange for a short appropriate program for Lincoln Day celebration. The motion carried.

On motion of Senator Shields H. B. No. 12 was referred to the Committee on Highways.

On motion of Senator Patterson the Senate adjourned.

THIRTIETH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 10, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Twenty-ninth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. T. OWENS, Jr.
KNOX PATTERSON.

COMMUNICATIONS
OFFICE OF THE SECRETARY OF STATE

Senator Ray E. Dillman,
President of the Senate,
Building.

Dear Senator Dillman:

I have the honor to transmit to you herewith Senate Resolution No. 55, transmitted to me by the Secretary of State of North Carolina with the request that it be presented to your body as a memorial from the Legislature of North Carolina.

Very respectfully yours,

M. H. WELLING,

Communication filed. Sec. of State.

Senate Resolution No. 55 from the Secretary of State of North Carolina was referred to the Committee on Banking and Commerce.

THE FIRST NATIONAL BANK

Jefferson City, Mo., Jan. 28, 1931.

To the Chief Clerks of the Senate
and House of Representatives.

Gentlemen:

I am enclosing herewith copy of a joint and concurrent resolution adopted by the Missouri State Senate and House of Representatives on January 22, 1931. This joint and Concurrent resolution is self-explanatory. You have drainage districts and levee districts in your state. They are doubtless in distress for the same reasons that exist in Missouri. You are doubtless aware that there is before Congress what is known as the Glenn-Smith bill, and that it has passed the Senate and is now before the House. The purpose of the Glenn-Smith bill is to lend Federal money, without interest, to drainage and levee districts over a period of not more than forty years, with which to pay off their obligations and give them an opportunity to rehabilitate themselves. It is tremendously important that this bill be passed at this session of Congress which ends March 4th. Therefore quick action is necessary. We have at Washington able men leading the fight for the passage of this bill. They represent the National Drainage Association. The National Drainage Association is sponsoring the Glenn-Smith bill. We need the co-operation of your state.

Will you bring this resolution and letter to the attention of the members of your Senate and House to the end that they may present a similar resolution and have it adopted and forwarded to the House of Representatives at Washington, D. C. Believing this is the greatest and most practical relief measure for farmers, I sincerely hope and trust that you will be willing to have

a similar resolution adopted at once by your legislative bodies.

Yours respectfully,

A. A. SPEER, Chairman,

Agricultural Committee of the

Missiouri State Chamber of Commerce.

Communication filed and the Joint and Concurrent resolution adopted by the Missiouri State Senate and House of Representatives was referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 55, by the Judiciary Committee by request, entitled, "An Act authorizing judges of the district court, upon request, to assist the supreme court in the performance of its duties, and amending Section 1, Chapter 94, Laws of Utah, 1919, so as to provide for the payment of the expenses of such district judges, incurred while so engaged," reports the same back with the title amended to read as follows:

"An Act authorizing judges of the district court, upon request, to assist the supreme court in the performance of its duties and denominating any such judge as a commissioner of the supreme court; amending Sec. 5073, Compiled Laws of Utah, 1917, as amended by Chapter 94, Laws of Utah, 1919, relating to salaries and expenses of judges of the district court," and with a few

other minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 55 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 58, by Mr. Fowles, by request, entitled, "An Act to provide for moral and humane education in the public schools," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 58 was ordered printed and referred to the Committee on Education.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 59, by Mr. Fowles, by request,

entitled, "An Act to prohibit experiment upon any living creature for the purpose of demonstration in any study in any public school of this state; and to prohibit the killing of any animal in the presence of any pupil of a public school, for the purpose of dissecting in such school," reports the same back with the title amended to read as follows:

"An Act to prohibit experimenting upon any living creature for the purpose of demonstration in any study in any public school of this state; and to prohibit the killing of any animal in the presence of any pupil of a public school or using the same for the purpose of dissection in such school," and with a few other minor changes consented to by the author, recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 59 was ordered printed and referred to the Committee on Education.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. J. R. No. 2, by Knox Patterson, entitled, "Resolution relating to alleged prohibition. A joint resolution proposing to forever repeal Section Three, Article 22 of the constitution of the State of Utah, purporting to forever prohibit sale, possession, disposition, transportation, or advertising of intoxicating liquors or other spirits, malts, and kindred susbstances,

either mixed or otherwise," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

S. J. R. No. 2 was placed on the second reading calendar.

Senator Patterson moved that S. J. R. No. 2 be placed at the foot of the second reading calendar to remain there until called up by the author. The motion carried.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Highways to which was recommitted S. B. No. 34, by Mr. Welling, entitled, "An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make the law uniform with reference thereto, and providing penalties for violations of this act and repealing Chapter 24 Session Laws of Utah, 1923," reports the bill back favorably with the following proposed amendment to the title:

Following the word "repealing" insert "all of Section One and Section Nine".

Respectfully submitted,

P. H. HUNT,

Chairman.

Report filed.

S. B. No. 34 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 5 by Mr. Hunt entitled, "An Act amending Section 5882, Compiled Laws of Utah, 1917, relating to the making of a statement of property to the assessor," reports the same back without recommendation.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 5 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 37, by Mr. Fowles, entitled, "An Act to amend Section 5993, Compiled Laws of Utah, 1917, as amended by Chapter 69, 1929, Laws of of Utah, relating to tax rate for county purposes," reports the same back without recommendation.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 37 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 9, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred House Bill No. 20 by Mr. Fuller, entitled,

"An Act to amend Section 6060x, Compiled Laws of Utah, 1917, as amended by Chapter 123 Laws of Utah, 1919, as amended by Section 1, Chapter 18, Laws of Utah, passed at Special Session of the 13th legislature, 1919, relating to the collection of taxes on personal property," reports the same back without recommendation.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

H. B. No. 20 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 55 by Mr. A. S. Tingey being, "An Act to amend Section 3736, Paragraph 1386, Compiled Laws of Utah, 1917, relating to the matter of filing notice of lien and recording, and to extend such time," reports the same back favorably and recommends that it be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 55 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 17 by Allan S. Tingey being "An Act to amend

Section 3776 and Section 3777, Compiled Laws of Utah, 1917, providing for lessors' liens," reports the same back favorably recommended with the following proposed amendment:

That the words "thirty days" on the last line thereof be stricken and the words "ninety days" inserted in lieu thereof.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

H. B. No. 17 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Committee on Appropriations and Claims to which was referred S. B. No. 7, by Mr. Ryan, entitled, "An Act appropriating the sum of seven thousand dollars to reimburse Hayter Oscar Philion for loss resulting from his incarceration in the Carbon county jail under mistaken identity," reports the same back with the following proposed amendments:

The title of the bill shall be amended to read as follows:

"An Act appropriating the sum of five thousand dollars to reimburse Hayter Oscar Philion in full, for loss resulting from his incarceration in the Carbon county jail under mistaken identity". On line one, Section one, strike the word "seven" and in lieu thereof insert the word "five". On line 3, after the word "reimburse", add the following words: "in full satisfaction of all

claims and obligations against the State of Utah."

And recommends that the same be passed.

Respectfully,

MALCOLM A. KEYSER,
Chairman.

Report filed.

S. B. No. 7 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Judiciary Committee to which was referred S. B. No. 52 by Mr. Fowles, being "An Act providing that voluntary associations may sue, or be sued, and designating upon whom process may be served," reports the same back favorably.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 52 was placed on the second reading calendar.

PRESENTATION OF RESOLUTIONS, MOTIONS AND NOTICES

By unanimous consent of the Senate S. B. No. 60 was withdrawn.

Senator Smith moved that the President appoint a committee to act with a like committee from the House to meet with the Governor and confer with him concerning the unemployed who are now making a demonstration in front of the capitol.

The motion carried.

The President appointed Senators Griffin, Musser and Smith to act with a like committee from the House to meet with the Governor.

INTRODUCTION OF BILLS

S. C. M. No. 3. By Mr. Smith.

"Memoralizing the congress of the United States to pass the necessary legislation to extend the provisions of the act to consolidate national forest lands to other lands in the State of Utah," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 66. By Mr. Huggins.

"An Act to amend Section 2180, Chapter 4, Title 27, Compiled Laws of Utah, 1917, as amended by Chapter 48, Laws of Utah, 1925, relating to nominations," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67. By Mr. Welling.

"An Act to amend Section 3260, Title 52, Compiled Laws of Utah, 1923, relating to county insurance companies," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 68. By Mr. Musser.

"An Act for the relief of Harold D. Sudweeks," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 28 was read the third time and placed on its final passage.

On motion of Senator Fowles the bill was amended as follows:

On line 1, of the title after the word " arson" insert the following: "and attempts to commit arson". On page 1, line 15, after the word "shall" insert the following: "be guilty of arson in the second degree and". On page 2, line 2, after the word "shall" insert the following: "be guilty of arson in the third degree and". On page 2, line 10 after the word "shall" insert the following: "be guilty of a felony and". On page 2, line 17, after the word "shall" insert the following: "be guilty of an attempt to commit arson and".

S. B. No. 28 then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Patterson, Ryan, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Knight, Musser, Shields, Smith.

S. B. No. 28 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed as amended by the House S. B. No. 17, by Mr. Shields, entitled: "An Act amending Section 1239, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by another railroad," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

Senator Ryan moved that the Senate concur in the House amendment to S. B. No. 17.

The motion carried.

S. B. No. 17 as amended by the House was then placed on its final passage.

S. B. No. 17 then passed on the following roll call:

Ayes, 13; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Keyser, Maw, McCarthy, Patterson, Ryan, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Jefferson, Knight, Musser, Owens, Shields, Smith.

S. B. No. 17 was referred to the committee on revision and enrolling to be engrossed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker of the House, has this day appointed Representatives Brimley, Mills, and Neslen, to act with a like committee from the Senate to meet with the Governor and confer with him concerning the unemployed who are now making a demonstration in front of the Capitol.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

Senator Griffin, reported that the committee appointed by the president to act with a like committee from the House to meet with the Governor and confer with him concerning the unemployed, had carried out the instructions of the Senate and recommended that the Senate recess for 15 minutes to meet with the unemployed.

On motion of Senator Griffin the Senate recessed.

The Senate resumed session at 3:55 P. M.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 14 was read the third time and placed on its final passage.

On motion of Senator Ryan the bill was amended as follows:

On page 1, line 4 after the word "county" insert the following "of the first class".

On motion of Senator Ryan H. B. No. 14 was recommitted to the committee on State and Municipal Affairs.

On motion of Senator Fowles the rules were suspended and S. B. No. 37 was placed at the head of the second reading calendar for immediate consideration.

S. B. No. 37 was read the second time.

The committee report was read.

On motion of Senator Fowles the bill was amended as follows:

On page 2, line 9, after the word "dollar" strike the period and insert the following "during the years 1931 and 1932 and thereafter one-half mill on the dollar".

On motion of Senator Maw the bill was amended as follows:

On page 2, line 8, after the word "one" strike the words "and one half".

S. B. No. 37 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Hunt, Jefferson, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Keyser.

Absent and not voting, Senators Griffin, Huggins, Knight.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 4, by Mr. Malcolm A. Keyser, entitled, "An Act amending Section 2214, Compiled Laws of Utah, 1917, relating to polling places, booths, ballots, etc".

Very respectfully,
GEO. H. DERN,
Governor.

Communication filed.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 17, by Mr. Shields, entitled, "An Act amending Section 1239, Compiled Laws of Utah,

1917, relating to the crossing of one railroad by another railroad," properly engrossed and enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 17 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

INTRODUCTION OF BILL

S. B. No. 69. By Mr. Maw.

"An Act to amend Section 6023 and 6024, Compiled Laws of Utah, 1917, relating to property bought by county to be sold at private sale and the manner of redemption from tax sale," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERTION OF BILLS ON SECOND READING

S. B. No. 35 was read the second time.

The committee report was read.

On motion of Senator Ryan the bill was amended as follows:

On page 1, line 3 after the word "any" strike the balance of the line and insert the following: "person whether pecuniarily interested or otherwise, who shall have become a party prior to the hearing before the commission". On page 1, line 4, strike the first two words "the state". On page 1, line 5, strike the last two words "and the" and the word "applicant" on line 6.

On motion of Senator Maw the senate adjourned.

THIRTY-FIRST DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present except Senators Knight, Maw and Young, all were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Thirtieth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. T. OWENS, Jr.

KNOX PATTERSON.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 17, By Mr. Shields, entitled: "An Act amending Section 1239, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by

another railroad," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 17 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, and reprinted, H. B. No. 9, by Mr. Esplin, entitled: "An Act amending Section 191, Compiled Laws of Utah, 1917, as amended by Chapter 2, Session Laws of Utah, 1921, and adding Sections 191x, 191x1, 191x2, 191x3 and 191x4, providing for the inspection of hides and of neat animals before being sold, purchased, transported or slaughtered, and providing for enforcement, and making it unlawful to mutilate, alter or deface any marks or brands or to conceal hides for the purpose of preventing identification of animals," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed..

H. B. No. 9 was read the first time and referred to Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Committee on Education to which was re-

ferred H. B. No. 50 by Mr. Cates, entitled, "An Act amending Section 4609, Compiled Laws of Utah, 1917, relating to compensation of members of boards of education and adding a new Section to be known as Section 4609x prohibiting members from receiving additional compensation or being interested in contracts with boards," reports the same back favorably and recommends the following amendment:

On line 16 after the numerals "4609" add the following: "Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail not to exceed thirty days or by a fine of $100.00, or both such fine and imprisonment and shall forfeit his office."

Respectfully,

CLIFFORD E. YOUNG,
Chairman.

Report filed.

H. B. No. 50 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your Committee on Highways to which was referred H. B. No. 12, by Mr. Neslen, entitled , "An Act under which counties, municipalities, or other political subdivisions may establish, develop, operate, maintain, regulate, and police airports and landing fields," reports the same back without recommendation.

Respectfully submitted,

P. H. HUNT,
Chairman.

Report filed.

H. B. No. 12 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Judiciary Committee to which was referred S. B. No. 55 by the Judiciary Committee by request being "An Act authorizing judges of the district court, upon request, to assist the supreme court in the performance of its duties and denominating any such judges as a commissioner of the supreme court; amending Section 5073, Compiled Laws of Utah, 1917, as amended by Chapter 94, Laws of Utah, 1919, relating to salaries and expenses of judges of the district court," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 55 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. J. R. No. 3 by Senators McCarthy, Maw, Candland, Musser, Fowles, entitled, "A joint resolution proposing to commend the efforts of the American Legislator's association and of the interstate legislative reference bureau for their efforts to procure promptly for all inquiring state legislators, whatever information or advice they desire in connection with legislative problems, to conduct a systematic study of legislative matters, and to publish for the benefit of all state legislators,

the magazine called the 'State Government'," reports the same back with a few minor changes consented to by the authors and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. J. R. No. 3 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 56, by Mr. Fowles, entitled, "An Act to amend Section 2855, Chapter 62, Session Laws of Utah, 1921, as amended by Chapter 89, Session Laws of Utah, 1923, as amended by Chapter 71, Session Laws of Utah, 1925, as amended by Chapter 21, Session Laws of Utah, 1929, relating to the designation of state roads," reports the same back with the title amended to read as follows:

"An Act amending Section 2855 Compiled Laws of Utah, 1917 as amended by Chapter 57, Laws of Utah, 1919, and Chapter 62, Laws of Utah, 1921 and Chapter 89, Laws of Utah, 1923 and Chapter 71 Laws of Utah, 1925 and Chapter 21 Laws of Utah, 1927, relating to the designation of state roads," and a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 56 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 65 by Mr. Huggins, entitled, "An Act to amend Section 6549, Compiled Laws of Utah, 1917, as amended by Chapter 143, Session Laws of Utah for 1921, as amended by Chapter 53, Session Laws of Utah for 1925, relating to service of summons by publication; also to amend Section 6962, Compiled Laws of Utah, 1917, relating to conveyances by order of court," reports the same back with the title amended to read as follows:

"An Act to amend Section 6549, Compiled Laws of Utah, 1917, as amended by Chapter 143, Laws of Utah, 1921, as amended by Chapter 53, Laws of Utah, 1925, relating to service of summons by publication; also to amend Section 6962, Compiled Laws of Utah, 1917, relating to conveyances by order of court," together with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 65 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which

was referred S. B. No. 64 by Mr. Shields, entitled, "An Act amending Section 4384, Compiled Laws of Utah, 1917, relating to interest rates, statements and records," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 64 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 62, by Mr. Fowles, entitled, "An Act prescribing specifications for motor vehicle fuel to be sold in this state, providing for the inspection thereof, the appointment of inspectors, providing for paying the expense of administering the act from the taxes received on the sale of motor vehicle fuels and providing penalties for violating the provisions hereof," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 62 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

Your Committee on Education to which was referred S. B. No. 32, by Mr. Candland (chairman of Com. on Rev. and Tax.) entitled, "An Act creating and defining a uniform minimum program of public school education in the State of Utah, and providing for the approtionment of any revenues made available for an equalization fund," reports the same back without recommendation.

Respectfully,

CLIFFORD E. YOUNG,
Chairman.

Report filed.

S. B. No. 32 was placed on the second reading calendar.

President Dillman announced that he had appointed Senator Candland as a committee of one to arrange for a Lincoln Day program and that Senator Candland had arranged for Judge Straup to speak on that day.

The President appointed Senators Booth and Fowles as members of the committee on Revising the Journal the next five days.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 37 was read the third time and placed on its final passage.

President Dillman called Senator Welling to the chair.

S. B. No. 37 then passed on the following roll call:

Ayes, 13; Nays, 2; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jeff-

erson, McCarthy, Musser, Owens, Patterson, Ryan, Shields.

Those voting in the negative were: Senators Keyser, Welling.

Absent and not voting, Senators Knight, Maw, Smith, Young, Mr. President.

S. B. No. 37 was transmitted to the House.

COMMUNICATION
STATE BOARD OF EQUALIZATION AND ASSESSMENT

Salt Lake City, Utah, Feb. 11, 1931

Hon. Ray E. Dillman, President,
Utah State Senate,
Building.

Dear Sir:

We herewith submit subsidiary measures as contemplated by Constitutional amendments as follows:

1. An Act providing for the assessment of mines, mining claims and mining property.

2. An Act providing for the assessment of public utilities and the allocation of such assessment to the counties in which they are located or through which they operate.

3. An Act prescribing miscellaneous duties of the State Tax Commission relating to the assessment and equalization of property for taxation.

4. An Act providing for the review of proposed bond issues of cities, towns, counties, school districts and drainage or irrigation districts by the State Tax Commission.

5. An Act providing for the State Tax Commission to review tax levies and budgets of local govern-

mental units under such regulation in such cases and within such limitations as are herein provided.

6. An Act exempting from taxation a maximum amount of real and personal tangible property owned by resident disabled persons who served in the military service of the United States or of the State of Utah.

7. An Act to carry out the provisions of Sections 2 and 3 Article 13 of the Constitution as amended and relating to the exemption from taxation of portions of power plants used for pumping water for irrigation purposes and to prorating the benefits to the users of such power.

Respectfully,

STATE TAX COMMISSION,

By E. H. SNOW,

Chairman.

Communication, and bills referred to chairman of the Committee on Revenue and Taxation.

SPECIAL ORDER

H. J. R. No. 2 was read the second time.

On motion of Senator Shields H. J. R. No. 2 was recommitted to the committee on Judiciary.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 35 was read the second time.

The committee report was read.

S. B. No. 35 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Griffin, Knight, Maw, Young.

President Dillman resumed the chair.

On motion of Senator Booth the rules were suspended and S. B. No. 35 was read the third time and placed on its final passage.

S. B. No. 35 then passed on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Griffin, Knight, Maw, Young.

S. B. No. 35 was transmitted to the House.

S. B. No. 34 was read the second time.

The committee report was read.

On motion of Senator Hunt the bill was amended as follows: After the word "repealing" in the title insert the following: "Section One and Section Nine" and strike the word "session". On page 3, line 20, after the numerals "12" insert the following "section One and section Nine". After the numerals "24" strike the word "session". After the numerals "1923" strike the words "is hereby" and insert in lieu thereof the word "are".

On motion of Senator Welling the bill was amended as follows: On page 3, line 7, strike the word "people" and insert in lieu thereof the word "state". On page 3, line 10, strike the word "people" and insert in lieu thereof the word "state". On page 2, line 19 after the word "town" insert the word "or". On page 2, line 20 after the word "settlement" insert the following: "at an altitude less than sufficient".

On page 2, line 16 after the word "commerce" strike the balance of the line and insert the following "The term 'acrobatically fly' as used in this section means any intentional maneuver not necessary to air navigation".

On motion of Senator Musser the bill was amended as follows:

On page 3, line 12, after the word "purpose" add the word "and".

S. B. No. 34 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, Maw, Young.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 46, by Mr. Neslen, entitled: "An Act authorizing the state board of corrections to deed a portion of state prison property to Salt Lake City for park and playground purposes," and the same is herewith transmitted for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 46 was read first time and referred to Committee on Public Institutions, Health and Labor.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 5 was read the second time.

The committee report was read.

On motion of Senator Musser the bill was amended as follows:

On page 1, line 1, after the numeral "1" strike the word "that" and after the numerals "5882" strike the words "chapter 3, title 106". On page 1, line 2, strike the first three words "the state of" and after the word "is" strike the word "hereby". On page 1, line 3, insert the word "sec." before the numerals "5882".

President Dillman called Senator Shields to the chair.

Senator McCarthy moved that S. B. No. 5 lay on the table. The motion carried.

Senator Booth moved that S. B. No. 25, and S. B. No. 27 be referred to the Judiciary Committee. The motion carried.

COMMUNICATION

Washington, D. C., Feb. 11, 1931.

Hon. Ray E. Dillman,
President of Senate.

Today I introduced in United States Senate, senate resolution four forty two advising president of United States to take certain action relative to dumping of silver on market of world derived from melting up of silver coins also and in addition to call or obtain an international conference or conferences looking to an agree-

ment or understanding with regard to use and status of silver as money. I also introduced in senate, senate resolution four forty three advising president to consider practicability of our government alone or in connection with other governments establishing silver pool or fund for advancement of silver to national government of China for coinage and use for specific purposes. I also today filed with foreign relations committee report of sub-committee of which I am chairman. I forwarded you Monday night by air mail copies of such report and resolutions. I hope that report meets your approval and if so that in a memorial of your legislature you will express your approval of report your indorsement of resolutions and urge foreign relations committee of United States senate to favorably report such resolutions and urge senate to pass such resolutions and urge president to carry out purposes of such resolutions as expeditiously as may be possible together with such other information and recommendations as you deem proper.

Respectfully,

KEY PITTMAN,

Chairman, Subcommittee.

Communication filed.

Senator Fowles moved that the President appoint a committee to act with a like committee from the House to draw up a suitable resolution as requested by Senator Pittman. The motion Carried.

President Dillman resumed the chair, and appointed Senators Hunt, Patterson, and Jefferson, to act with a like committee from the House in drawing up a suitable resolution.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 20 was read the second time.

The committee report was read.

On motion of Senator Huggins the bill was amended as follows:

On page 1, line 1, strike the word "that" after the numeral "1". On line 12, strike the letters "tion" from the word "section".

Senator Keyser moved that action be deferred on H. B. No. 20 and that the bill be placed at the foot of the second reading calendar. The motion carried.

H. B. No. 55 was read the second time.

The committee report was read.

On motion of Senator Musser the bill was amended as follows:

On line 1, of the title, strike the words "Paragraph 1386".

On line 2 of the title strike the word "matter" and insert in lieu thereof the word "manner".

On line 3 of the title before the word "recording" insert the word "the" and after the word "recording" insert the word "thereof".

On page 1, line 1 after the numerals "3736" insert the following "Compiled Laws of Utah, 1917", and strike the word "that" after the numeral "1".

On page 1, line 2, insert the word "sec." before the numerals "3736" and after the numerals "3736" strike the following: "(1386)".

H. B. No. 55 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Mr. President.

Absent and not voting, Senators Knight, Maw, Shields, Young.

H. B. No. 17 was read the second time.

The committee report was read.

On motion of Senator Ryan the bill was amended as follows:

On page 1, line 13, strike the word "thirty" and insert in lieu thereof the word "ninety".

On motion of Senator Musser the bill was amended as follows:

On line 1, of the title before the numerals "3776" add the letter "s" to the word "section" and strike the word "section" after the word "and". On page 1, line 2 after the word "are" strike the word "hereby". On page 1, line 3, strike the letters "tion" from the word "section" and insert a period following "sec." On page 1, line 7, strike the letters "tion" from the word "section" and insert a period following "sec."

H. B. No. 17 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Mr. President.

Absent and not voting, Senators Hunt, Knight, Maw, Shields, Young.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931

Mr. President:

I am directed to inform your Honorable Body, that the Speaker of the House, has this day appointed Representatives Wilson, Johnson, and Hoyt, to act with a like committee from the Senate to prepare resolution to the Congressmen of the United States relative to the the resolutions introduced in Senate by Key Pittman, Chairman of the Sub-Committee on Silver.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 11, 1931

To the Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 17, by Mr. Shields, entitled, "An Act amending Section 1239, Compiled Laws of Utah, 1917, relating to the crossing of one railroad by another railroad."

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

On motion of Senator Booth the senate adjourned.

THIRTY-SECOND DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 12, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

We, your committee on revision of the Journal respectfully report that we have read the Journal for the Thirty-first Day and find it correct with minor amendments noted on the final copy.

Respectfully,

JOHN E. BOOTH,

J. FRANCIS FOWLES.

President Dillman introduced Justice D. N. Straup, of the State Supreme Court to the members of the Senate. Justice Straup then addressed the Senate on the subject, "The man, Lincoln."

Representatives Wilson, Woodruff and Mrs. Lowe, appeared in the Senate Chamber and invited Justice Straup to deliver his address "The man, Lincoln" before the members of the House. Justice Straup accepted the invitation.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred S. B. No. 43 by Mr. Patterson, entitled, "An Act amending Sections 3070 and 3100, Compiled Laws of Utah, 1917; Section 3113, Compiled Laws of Utah, 1917; as amended by Chapter 63, Laws of Utah, 1919; Section 3114, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67, Laws of Utah, 1921, and Chapter 64, Laws of Utah, 1923, and Chapter 80, Laws of Utah, 1925; Section 3124, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921; Section 3136 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; Section 3147 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67 Laws of Utah, 1921; Section 3152, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921. Section 3156, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; and Section 3156x which was added by Chapter 67, Laws of Utah, 1921, relating to the industrial commission, the state insurance fund, and the workmen's compensation," reports the same back favorably.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 43 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 69 by Mr. Maw, entitled, "An Act to amend Sections 6023 and 6024, Compiled Laws of Utah, 1917, relating to property bought by county to be sold at private sale and the manner of redemption from tax sale," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 69 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 66, by Mr. Huggins, entitled, "An Act to amend Section 2180, Chapter 4, Title 27, Compiled Laws of Utah, 1917, as amended by Chapter 48, Laws of Utah, 1925, relating to nominations," reports the same back with the title amended to read as follows:

"An Act to amend Section 2180, Compiled Laws of Utah, 1917, as amended by Chapter 48, Laws of Utah, 1925, relating to nominations," and with a few other

minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 66 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 68 by Mr. Musser, entitled, "An Act for the relief of Harold D. Sudweeks," reports the same back with the title amended to read as follows:

"An Act making an appropriation for the relief of Harold D. Sudweeks," and with a few other minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 68 was ordered printed and referred to the Committee on Appropriations.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 67 by Mr. Welling, entitled, "An

Act to amend Section 3260, Title 52, Compiled Laws of Utah, 1923, relating to county insurance companies," reports the same back with the title changed to read as follows:

"An Act to amend Section 3260, Compiled Laws of Utah, 1917, relating to county insurance companies," and with a few other minor changes with the consent of the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 67 was ordered printed and referred to the Committee on Banking and Commerce.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

Your committee appointed February 11, 1931, to draft a resolution concerning the report on Trade Relations with China by the sub-committee of the Foreign Relations Committee of the United States Senate, present the following memorial and urge its unanimous adoption.

Respectfully,

P. H. HUNT,
Chairman.

Report filed.

S. C. M. No. 4. By Mr. Hunt.

"Be it resolved by the Nineteenth Session of the Legislature of the State of Utah:

We approve the report and recommendations presented February 11, 1931, to the United States Senate

Committee on Foreign Relations by its sub-committee on Trade Relations with China and the resolutions presented to the Senate by chairman Pittman of the said sub-committee in connection therewith."

Senator Hunt moved that the rules be suspended and that the memorial be read the first time and placed on the second reading calendar for immediate consideration.

The motion carried.

S. C. M. No. 4 was read the second time.

S. C. M. No. 4 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Knight.

On motion of Senator Hunt the rules were suspended and S. C. M. No. 4 was read the third time and placed on its final passage.

S. C. M. No. 4 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Knight.

On motion of Senator Welling the senate's action on S. C. M. No. 4 was reconsidered.

On motion of Senator Welling the memorial was amended as follows:

After the word "herein" at the end of the memorial insert the following:

"Resolved, that copies of this resolution be sent by the Secretary of State to the following:

The President,

The President of the Senate and the Speaker of the House.

Senator Wm. E. Borah, Chairman, Senate Committee on Foreign Relations;

Senator Key Pittman, Chairman, Sub-committee on Trade Relations with China;

Senator Reed Smoot;

Senator Wm. H. King;

Representative Don B. Colton; and

Representative F. C. Loofburrow".

S. C. M. No. 4 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Knight.

S. C. M. No. 4 was transmitted to the House.

Senator Keyser moved that the claim of Mr. Laurtin R. Ginn, assistant comptroller general of the United States, for refund of tax paid on gasoline purchased by employees of the United States traveling in this state on official business during the years 1928, 1929 and 1930

now in the hands of the Senate Appropriations Committee be referred to the House for introduction there. The motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. C. M. No. 3, by Mr. Callister, entitled: "Memorializing the congress of the United States to pass and the president to approve senator Thomas' (of Idaho) bill appropriating five million ($5,000,000.00) dollars to the reclamation fund," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. M. No. 3 was read the first time and referred to Committee on Agriculture and Irrigation.

INTRODUCTION OF BILLS

S. B. No. 70. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act providing for the assessment of mines, mining claims, and mining property and the allocation of such property to the counties wherein it is located."

S. B. No. 71. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act providing for the assessment of public

utilities and the allocation of such assessment to the counties in which they are located or through which they operate,"

S. B. No. 72. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act prescribing miscellaneous duties of the state tax commission relating to the assessment and equalization of property for taxation."

S. B. No. 73. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act providing for the review of proposed bond issues of cities, towns, counties, school districts, and drainage or irrigation districts by the state tax commission".

S. B. No. 74. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act providing for the state tax commission to revise the tax levies and budgets of local governmental units under such regulations, in such cases, and within such limitations as are herein provided."

S. B. No. 75. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act exempting from taxation a maximum amount of real and tangible personal property owned by resident disabled persons who served in the military service of the United States or of the state of Utah."

S. B. No. 76. By Mr. Candland,
Chairman of Committee on
Revenue and Taxation.

"An Act to carry out the provisions of Sections 2

and 3, Article XIII, of the constitution of Utah as amended and relating to the exemption from taxation of portions of power plants used for pumping water for irrigation purposes and to prorating the benefits to users of such power."

On motion of Senator Candland the rules were suspended and S. B. No. 70, S. B. No. 71, S. B. No. 72, S. B. No. 73, S. B. No. 74, S. B No. 75, and S. B. No. 76, were ordered printed and referred to the Committee on Revenue and Taxation.

Senator Candland moved that the Secretary of the Senate make arrangements with the Chief Clerk of the House to have these bills printed as one measure by both the House and Senate.

The motion carried.

S. B. No. 77. By Mr. Booth.

"An Act to amend Sec. 5575 Compiled Laws of Utah, 1917, as amended by Sec. 5575, Chapter 107, Session Laws of Utah, 1919, as amended by Sec. 5575, Chapter 110, Session Laws of Utah, 1921, as amended by Sec. 5575, Chapter 120, Session Laws of Utah, 1921, as amended by Sec. 5575, Chapter 31, Compiled Laws of Utah, 1925, relating to the control, leasing, sale, etc. of state lands," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 78. By Mr. Ryan.

"An Act relating to the publication of reports of proceedings of certain tax expending bodies, and fixing penalties for violation thereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 79. By the Judiciary Commmittee.

"An Act to prevent unnecessary delay in rendering judicial decisions by the courts of the State of

Utah," was read the first time and referred to the Committee on Revision and Enrolling.

Senator Ryan moved that the rules be suspended and that the senate consider bills on the second reading calendar.

The motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 52 was read the second time.

The committee report was read.

Senator Booth was excused at 3:45 P. M. to make an investigation of the Agricultural College.

President Dillman called Senator Young to the chair.

S. B. No. 52 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Fowles, Huggins, Hunt, Jefferson, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Young, Mr. President.

Those voting in the negative were: Senators Candland, Keyser, Smith, Welling.

Absent and not voting, Senators Booth, Griffin, Knight.

S. B. No. 7 was read the second time.

The committee report was read.

On motion of Senator Candland S. B. No. 7 was recommitted to the Appropriations Committee.

On motion of Senator Keyser H. B. No. 20 was recommitted to the committee on Revenue and Taxation.

H. B. No. 50 was read the second time.

The committee report was adopted with the following amendment:

On line 16 after the numerals "4609" add the following "Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail not to exceed thirty days or by a fine of $100.00, or both such fine and imprisonment and shall forfeit his office."

On motion of Senator Shields the bill was amended as follows:

On line 16 after the numerals "4609" strike the Article "a" and all of lines 17 and 18.

On motion of Senator Huggins the house amendment was amended to read: "Providing each board member shall be required to submit a detailed itemized statement of his expenses incurred in school work which statement shall be approved by the board."

On motion of Senator Ryan the house amendment was amended as follows:

After the article "a" add the letter "n" and strike the word "detailed."

On motion of Senator Musser the bill was amended as follows:

On line 1 after the numeral "1" strike the word "that" and after the numerals "1917" strike the word "be". On line 2 strike the first three words "and the same" and the word "hereby" after the word "is". On line 8 after the sign "$" strike the numeral "3" and insert in lieu thereof the numeral "1".

H. B. No. 50 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators

Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Booth, Knight, Ryan.

On motion of Senator Musser the Senate adjourned.

THIRTY-THIRD DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

We, your committee on Revision of the Journal respectfully report that we have read the Journal for the Thirty-second Day and find it correct with minor amendments noted on the final copy.

Respectfully,
JOHN E. BOOTH,
J. FRANCIS FOWLES.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

Your Committee on Highways to which was referred

S. B. No. 56, by Mr. Fowles, entitled, "An Act amending Section 2855 Compiled Laws of Utah, 1917, as amended by Chapter 57, Laws of Utah, 1919, and Chapter 62, Laws of Utah, 1921 and Chapter 89, Laws of Utah, 1923, and Chapter 71, Laws of Utah, 1925, and Chapter 21, Laws of Utah, 1927, relating to the designation of state roads," reports favorably on this bill.

Respectfully,

P. H. HUNT,
Chairman.

Report filed.

S. B. No. 56 was placed on the second reading caldar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 79 by the Judiciary Committee, entitled, "An Act to prevent unnecessary delay in rendering judicial decisions by the courts of the State of Utah," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 79 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 78 by Mr. Ryan, entitled, "An Act

relating to the publication of reports of proceedings of certain tax expending bodies, and fixing penalties for violation thereof," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 78 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 64 by Mr. Shields being "An Act amending Section 4384, Compiled Laws of Utah, 1917, relating to interest rates, statements and records," reports the same back and recommends that the same be withdrawn at the request of the author.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

At the request of Senator Shields, S. B. No. 64 was withdrawn by unanimous consent of the Senate.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 77 by Mr. Booth, entitled, "An Act to amend Sec. 5575 Compiled Laws of Utah, 1917,

as amended by Sec. 5575, Chapter 107, Session Laws of Utah, 1919, as amended by Sec. 5575, Chapter 118, Session Laws of Utah, 1921, as amended by Sec. 5575, Chapter 120, Session Laws of Utah, 1921, as amended by Sec. 5575, Chapter 31, Compiled Laws of Utah, 1925, relating to the control, leasing and sale, etc., of state lands," reports the same back with the title amended as follows:

"An Act to amend Sec. 5575 Compiled Laws of Utah, 1917, as amended by Chapter 107, Laws of Utah, 1919, as amended by Chapter 118, Laws of Utah, 1921, as amended by Chapter 120, Laws of Utah, 1921, as amended by Chapter 31, Laws of Utah, 1925, relating to the control, and sale, of state lands," and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 77 was ordered printed and referred to the Committee on State and Municipal Affairs.

Senator Keyser moved that when the senate adjourn it be until Monday at 2 P. M. The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 34 was read the third time and placed on its final passage.

On motion of Senator Welling the bill was amended as follows:

Strike all of Section 6 and in lieu thereof insert the following: "It shall be unlawful to navigate any aircraft in this state at an altitude less than 1000 feet over the congested part of any city, town, settlement or open assembly of persons, and over any other place at an altitude less than 500 feet; provided, however, that the fore-

going provisions shall not prevent flying at lower altitudes in taking off from or landing upon established landing fields, airports, or property designated for these purposes by the owner, or when such navigation is indespensible to industrial flying operations, or when unavoidable circumstances or stress of weather conditions render departure therefrom necessary."

S. B. No. 34 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Knight, Shields.

S. B. No. 34 was transmitted to the House.

H. B. No. 55 was read the third time and placed on its final passage.

On motion of Senator Musser the bill was amended as follows:

On page 1, line 1, after the numerals "3736" strike the word "be" and insert in lieu thereof the word "is".

H. B. No. 55 then passed on the following roll call:

Ayes, 18,; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Knight.

H. B. No. 55 was transmitted to the House.

H. B. No. 17 was read the third time and placed on its final passage.

On motion of Senator Welling, the bill was amended as follows:

On page 1, line 4, after the word "rent ( )" strike the word "accrued". And after the word "for" insert the word "accrued".

President Dillman called Senator Fowles to the chair.

H. B. No. 17 then passed on the following roll call:

Ayes, 14; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Young, Mr. President.

Those voting in the negative were: Senators Fowles, Jefferson, Smith.

Absent and not voting, Senators Huggins, Knight, Welling.

H. B. No. 17 was transmitted to the House.

S. B. No. 52 was read the third time and placed on its final passage.

S. B. No. 52 then passed on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senator Keyser.

Absent and not voting, Senators Huggins, Knight, Patterson, Welling.

S. B. No. 52 was transmitted to the House.

H. B. No. 50 was read the third time and placed on its final passage.

H. B. No. 50 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Young.

Those voting in the negative were: Mr. President.

Absent and not voting, Senators Knight, Patterson, Welling.

At the request of Senator Young, S. B. No. 48 was withdrawn by unanimous consent of the Senate.

INTRODUCTION OF BILLS

S. B. No. 80. By Mr. Shields.

"An Act amending Section 4388, Compiled Laws of Utah, 1917," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81. By Mr. Shields. (by request).

"An Act to amend Section 2553, Compiled Laws of Utah, 1917, relating to jury trial in the district court," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 82. By Mr. Ryan.

"An Act to amend Chapter 8, Title 106, Compiled Laws of Utah, 1917, relating to re-purchasing on the installment plan of real estate sold to a county for delinquent taxes," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83. By Mr. Ryan.

"An Act to amend Section 6024, Compiled Laws of Utah, 1917, relating to the redemption of real estate sold

to a county for delinquent taxes,'' was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 12 was read the second time.

The committee report was read.

H. B. No. 12 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senator Candland.

Absent and not voting, Senators Booth, Knight, Welling.

S. B. No. 32 was read the second time.

The committee report was read.

On motion of Senator Musser S. B. No. 32 was made special order of business for Feb. 19, at 2:30 P. M.

S. B. No. 55 was read the second time.

The committee report was read.

On motion of Senator Musser the bill was amended as follows:

Strike the quotation marks from the title. On page 1, line 17 after the numeral ''2'' strike the word ''that''.

S. B. No. 55 was rejected on the following roll call:

Ayes, 5; Nays, 13; Absent, 2.

Those voting in the affirmative were: Senators Griffin, Maw, Musser, Ryan, Welling.

Those voting in the negative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, McCarthy, Owens, Patterson, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Keyser, Knight.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed, under suspension of rules, as amended S. C. M. No. 4, by Mr. Hunt, entitled "Be it resolved by the Nineteenth Session of the Legislature of the State of Utah, the governor concurring therein:", and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Hunt moved that the Senate concur in the House amendment to S. C. M. No. 4.

The Motion carried.

S. C. M. No. 4 as amended by the House was then placed on its final passage.

S. C. M. No. 4 then passed on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson,

Maw, Musser, Owens, Patterson, Ryan, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Keyser, Knight, McCarthy, Shields, Smith.

S. C. M. No. 4 was referred to the Committee on Revision and Enrolling to be Engrossed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, refuses to concur in the Senate amendments to H. B. No. 50, by Mr. Cates, entitled: "An Act amending Section 4609, Compiled Laws of Utah 1917, relating to compensation of members of boards of education and adding a new Section to be known of Section 4609x prohibiting members from receiving additional compensation or being interested in contracts with board," and requests the Senate to recede.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Maw moved that the Senate refuse to recede from the Senate amendments to H. B. No. 50.

Motion carried.

On motion of Senator Maw President Dillman appointed a conference committee consisting of Senators Jefferson, Musser, and Young to confer with a like committee from the House on the Senate amendments to H. B. No. 50.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 43 was read the second time.

The committee report was read.

On motion of Senator Maw the Senate adjourned.

THIRTY-SIXTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present except Senators Knight and Owens both were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

We, your committee on the Revision of the Journal respectfully report that we have read the Journal for the Thirty-third Day and find it correct with minor amendments noted on the final copy.

Respectfully,

JOHN E. BOOTH,
J. FRANCIS FOWLES.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

Your committee on Agriculture and Irrigation to

which was referred H. C. M. No. 3, by Mr. Callister entitled, "Memorializing the congress of the United States to pass and the president to approve senator Thomas' (of Idaho) bill appropriating five million ($5,000,000.00) dollars to the reclamation fund," reports the same back unfavorably and recommends that same be not passed.

Respectfully,
WM. T. OWENS, Jr.
Chairman.

Report filed.

H. C. M. No. 3 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on Revision and Enrolling reports back herewith, S. C. M. No. 4, by Mr. Hunt, entitled, "Be it resolved by the Nineteenth Session of the legislature of the State of Utah, the governor concurring therein; we approve the report and recommendations presented February 11, 1931, to the United State Senate Committee on foreign relations by its sub-committee on trade relations with China and the resolutions presented to the senate by chairman Pittman of the said sub-committee in connection therewith," properly engrossed and enrolled for the signature of the President.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. C. M. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on State and Municipal Affairs to

which was referred House Bill No. 4 by Mr. Mills being "An Act amending Section 2104 of Chapter 1 of the Compiled Laws of Utah of 1917, relating to the filling of vacancies in the congress of the United States and the legislature of the State of Utah," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,

Report filed. Chairman.

H. B. No. 4 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on State and Municipal Affairs to which was referred Senate Bill No. 66 by Mr. Huggins being "An Act to amend Section 2180, Compiled Laws of Utah, 1917, as amended by Chapter 48, Laws of Utah, 1925, relating to nominations," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,

Report filed. Chairman.

S. B. No. 66 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 80 by Mr. Shields, entitled, "An Act amending Section 4388, Compiled Laws of Utah, 1917," reports the same back with the title amended as follows:

"An Act amending Section 4388, Compiled Laws of Utah, 1917, relating to the business of making small loans," and with a few minor changes recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 80 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 82 by Mr. Ryan, entitled, "An Act to amend Chapter 8, Title 106, Compiled Laws of Utah, 1917, relating to re-purchasing on the installment plan of real estate sold to a county for delinquent taxes," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 82 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 83 by Mr. Ryan, entitled, "An Act to amend Section 6024, Compiled Laws of Utah, 1917, re-

lating to the redemption of real estate sold to a county for delinquent taxes," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 83 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 10, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 61, by Mr. Huggins, entitled, "An Act repealing Chapter 77, Session Laws of Utah, 1917, relating to paving by street railway companies," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 61 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your committee on Revision and Enrolling to which was referred S. B. No. 53 by Mr. McCarthy, entitled, "An Act amending Section 786x6, Compiled Laws of Utah,

1917, relating to the powers of the boards of trustees of towns," reports the same back without change and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 53 was ordered printed and referred to the Committee on State and Municipal Affairs.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah Feb. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 17, by Mr. Allan S. Tingey, entitled: "An Act to amend Sections 3776 and 3777, Compiled Laws of Utah, 1917, providing for lessors' liens," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 55, by Mr. A. S. Tingey, entitled: "An Act to

amend Section 3736, Compiled Laws of Utah, 1917, relating to the manner of filing notice of lien and the recording thereof, and to extend such time," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 55 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has appointed a Conference Committee, consisting of Representatives, Horsley, Cates and Madsen, to act with a like committee from the Senate to act on H. B. No. 50, by Mr. Cates, entitled: "An Act amending Section 4609, Compiled Laws of Utah 1917, relating to compensation of members of boards of education and adding a new section to be known as Section 4609x prohibiting members from receiving additional compensation or being interested in contracts with board."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 13, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the House, has this day passed as amended, H. B. No. 23, by Mr. Cardon, entitled: "An Act amending Section 674, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes and repealing all acts and parts of acts in conflict therewith," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 23 was read first time and referred to Committee on Revenue and Taxation.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 13, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed as amended by the House, S. B. No. 1, by Mr. Fowles, entitled: "An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled 'An Act authorizing the governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation, and providing for the conveyance of lands to the State of Utah by Ogden City,'" and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Fowles moved that action on the House amendment to S. B. No. 1 be deferred and made special order for Feb. 17 at 2:30 P. M.

The motion carried.

REPORT OF SPECIAL COMMITTEE.

To the Honorable Members of the Nineteenth Legislature of the State of Utah:

Your Joint Committee on Unemployment Relief, under the provisions of H. J. R. No. 3, begs leave to report as follows:

A survey of unemployment in Salt Lake County was made, revealing the fact that there are approximately 8000 registered unemployed within the County at the present time. Of these, 7041 have been residents for more than one year.

A similar investigation was made in Weber County, showing that there are approximately 3000 unemployed in that county.

From a further survey of other counties of the State it is reasonable to assume that there are approximately 12,500 unemployed persons within the State of Utah. It is reported that unemployment in our larger cities is increased in the winter months on account of men from farming districts coming into town to secure work.

Your committee has called for reports from the State Road Commission, the Public Utilities Commission, and the State Building Commission, as to work in process at the present time and that which is anticipated may be started advantageously within the very near future. The reports of these commissions are numbered Exhibits A, B and C, in the order above given and are appended to and made a part of this report. In brief, Exhibit "A", shows that road work has been and will be let within a short time, aggregating $4,563,000. Exhibit "B" indicates that permits have been granted by the Public Utilities Commission to lay gas mains from Ogden north to Idaho (we are informed as far as Pocatello).

Your committee respectfully calls your attention to the budget of the Hon. George H. Dern, Governor of

Utah, referring particularly to building requests of State institutions for the biennium of 1931-1933. In the Governor's Budget Message to the Legislature under date of January 28th, His Excellency calls attention to the building program included on page 22 of his budget report, and your committee quotes from that report as follows:

H. J., 19th Session, Page 13-15. "In the budget as submitted, all requests for new buildings, large or small, have been eliminated. The building and permanent improvement requests of the state institutions for the ensuing biennium have been separately listed on a page of the printed budget and I invite your attention thereto. These requests aggregate $2,666,781.75.

Two years ago the Legislature authorized a building program to be financed by a bond issue of $1,500,000. At the special session a year ago the prescribed program was found defective and was amended in some particulars, and an additional $75,000 was appropriated for one of the projects. That program will be completed by July 1, 1931. It has been carried out without any material addition to the burden on the state general fund. This was accomplished by issuing serial bonds and making them mature after older bond issues shall have been redeemed. (To illustrate, two old bond issues will be redeemed on July 1st next. Those two issues have required $56,000 annually for redemption funds. This $56,000 will not be required after July 1, 1931, hence that amount could be used to retire later bonds without increasing the burden on the general fund. The same is true of the interest on these issues. This principle has been followed in issuing the State Building Bonds, and hence the only increase in annual expenditures was on account of interest for one or two years. In other words, as payments on old bonds cease, payments on new bonds will begin.)

Another bond issue up to $1,500,000 could be handled in the same manner and I recommend the plan to your favorable consideration, for these reasons:

(1) Several additional building projects are urgently needed and ought to be provided as soon as possible. Among them are the removal of the State Prison and the completion of the State Training School, as well as new buildings at some of the other institutions. If the National Guard unit at Richfield is not furnished an armory it will be out in the street on July 1st.

(2) Building costs are low at the present time, and the state will doubtless get more for its money now than if construction is deferred for several years.

(3) It will help relieve the present accute unemployment situation."

Your committee, as a unit, is very much opposed to a dole, or any other system which would give to the unemployed regular compensation without services rendered. The separate counties of the state are now providing relief for poor and indigent and unemployed through their charity funds provided for by section 5993 of the Compiled Laws of Utah. We attach hereto a report from the Auditor of Salt Lake County, marked Exhibit "D", showing the amount expended for these purposes during the year 1930.

In addition to the considerable amount of money which the state will spend for roads as indicated in Exhibit "A", and the amount which private enterprise will spend, as indicated in Exhibit "B", it is estimated that the Federal Government will spend in the State of Utah within the present year the sum of $2,357,000, in the following manner:

An addition to Salt Lake City Post Office	$1,350,000
Ogden, Post Office (contract has been let, work to begin immediately)	257,000
Cedar City Post Office (estimate)	200,000
Federal Hospital in Salt Lake City	450,000
Tooele Post Office (now under construction, estimated)	300,000
	$2,357,000

Your committee also calls attention to H. B. No. 93, under the provisions of which the U. of U. will convey to the U. S. of America sufficient land on the U. of U. campus for the erection by the Federal Government of a metallurgical building at a cost between $500,000 and $1,000,000.

In addition the L. D. S. Church will build a new tabernacle at Cedar City (estimate cost $75,000), and will also build five or six chapels within the state at an approximate cost of $200,000.

Your committee calls attention to the following statement in the message of the Governor concerning unemployment: *"During this period of nationwide depression I have had frequent requests for information about the nature and extent of unemployment in Utah, but since the state collects no unemployment statistics I have not been able to give definite replies. Neither has the State in operation any agency charged with the duty of taking steps to relieve unemployment.*

The law, however, gives the Industrial Commission full power, jurisdiction and authority "to establish and *conduct free employment agencies, and license and supervise the work of private employment offices, and to do all in its power to bring together employers seeking employes and working people seeking employment, and to make known the opportunities for employment in this state"*; also *"to collect, collate, and publish all statistical and other information relating to employes, employers, employments and places of employment and such other statistics as it may deem proper."*

We respectfully recommend that the Industrial Commission be directed to exercise the foregoing functions to the end that these important statistics be available at all times and that the employment offices be regulated under their supervision.

In view of the above, your committee feels that if

the Legislature adopts the building program recommended by the Governor, as far as necessary buildings are concerned and the Industrial Commission assumes its responsibility as outlined above, the State of Utah will be doing much to relieve the unemployment among its citizenry. It may be to the financial advantage of the state to do some building at the present time, for the reason that prices are lower now than at any time for several years past and with the improvement in business conditions, prices of material and labor must soon rise.

We believe it to be sound economics to take advantage of low prices and abundant labor at this time and to curtail building operations at times when materials are high and it is necessary to compete with private enterprise because of scarcity of labor. Your committee calls attention to an article in the Salt Lake Tribune, under date of February 11th, relating to the Wagner Bill, passed in the National Congress and signed by President Hoover, providing for a construction program far enough ahead so it will provide employment in times of depression. Said article is marked Exhibit "E" and attached hereto as part of this report. We recommend that the Legislature of the State of Utah take similar action in harmony with the program of the Federal Government.

We strongly recommend in any program of building or construction the state may adopt, that Utah citizens, who can show residence within the state for one year last past, be given the preference in employment.

Respectfully submitted,

W. H. GRIFFIN, JR.
WILFORD C. BRIMLEY,
C. CLARENCE NESLEN,
I. H. HUGGINS,
J. M. MILLS,

Committee on Unemployment Relief.

Senator Smith does not agree to the majority report.

Report filed.

Senator Fowles moved that the committee report be printed in the journal along with the data gathered by the committee, the motion carried.

February 6, 1931.

EXHIBIT "A"

STATEMENT AS TO WORK PERFORMED UNDER SUPERVISION OF STATE ROAD COMMISSION FROM OCTOBER 1st TO DATE AND CONTEMPLATED WORK FOR 1931.

Federal and State Aid Projects placed under construction from October 1st to January 1st	$ 814,128
Projects awarded since January 1st or to be awarded by March 1st	934,520
Federal Aid and State Projects to be advertised during March	1,038,000
Maintenance and Special Maintenance October, November and December, 1930	361,876
Maintenance and Special Maintenance January, 1931	109,786
Special Betterments October, November, December and (Minor projects) done by state forces	150,000
TOTAL	$3,408,310
Federal Aid Regular Program following March 1st. (Budget incomplete)	$ 855,000
State Projects following March 1st (Budget incomplete)	$ 300,000
	$4,563,310

In addition to above list there were several projects completed during October, November and Decem-

ber, which were placed under construction earlier in 1930, but on which considerable labor was employed the last three months.

February 5, 1931.

EXHIBIT "B"

Hon. W. C. Brimley,
State Representative,
Building.

Dear Sir:

Mr. McKay stated that you were interested in projects resulting from the Commission's orders, which would be constructed necessarily involving labor.

On December 22, 1930, the Commission granted the application of the Wasatch Gas Company to construct gas lines from Ogden, north through Perry, Willard, Brigham, Hyrum, Wellsville, Logan, Richmond and Smithfield, on over the Utah-Idaho State line.

We have pending before the commission the application of the State Road Commission to abandon two grade crossings over the main line tracks of the Los Angeles & Salt Lake Railroad Company near Tooele, Utah, which, if granted, will be superseded by an overhead crossing or an underpass.

Hearing has been arranged at Provo on February 18th, on the application of John McFadyen and L. B. Denning to serve the cities of Provo, Pleasant Grove, Orem, Linden, American Fork and Lehi with natural gas.

We believe these are the only projects which might involve any appreciable amount of labor.

Yours very truly,

PUBLIC UTILITIES COMMISSION OF UTAH

By F. L. OSTLER,
Secretary.

February 5, 1931.

February 5, 1931.

EXHIBIT "C"

To the Joint Committee of the Senate and House of Representatives on Unemployment Relief.

Gentlemen:

Your subscriber has been requested to express his views on the matter of possible relief for unemployment through the medium of a building program to be undertaken promptly by the state.

The views expressed herein are solely those of the writer and have not been submitted to the Building Commission, consequently they have no official approval of the Commission.

It is fair to say that the state can let building contracts at this time and in the near future at more favorable cost than has been possible for several years past or is likely to be after the next few months have elapsed. The market for materials has been declining and, it is thought, has reached the probable minimum. Any change therein likely to take place will be on a rising market rather than otherwise even though this increase be not at a rapid rate.

Wages have not shown any material decline, but labor is more plentiful and contractors and builders are able to procure the most efficient workmen and labor of all sorts.

It will be recalled that the state did very little in the way of new buildings for the last eight or ten years prior to the current biennium, and that until 1929 no bonds for building purposes had been issued since the Capitol Bonds in 1914-1915.

Last winter the Building Commission made special effort in advance to carry on as much work as it could during the winter, and had Kingsbury Hall under roof with from forty to fifty men working without interruption. In December, 1929 contracts were let for the Library Building at Logan and the Girls' Dormitory at

Ogden, so that these jobs got under way early in the season, in fact as early as whether conditions would permit.

This winter there are two major jobs under way, the Training School for Feeble-Minded at American Fork and the Men's Ward Building at the State Hospital at Provo, which altogether aggregate about $450,000.00

The Provo job is well started, the greater part of the concrete having been placed before the present unprecedented cold spell commenced, as is some of the brick work, and if the weather remains moderate this work will proceed rapidly.

At the Training School at American Fork the contract was let late in December. Excavation for one building is completed and for another well along and the foundations for the first named are in and this building can go forward without interruption except for temporary storms. The entire work on this job will be prosecuted just as rapidly as the weather permits.

There are now engaged on these two jobs about thirty men and the forces will be very materially increased as rapidly as the weather permits. The completion of these jobs will finish the present authorized program of the Building Commission.

Requests for buildings and lands from the various state institutions have been received as shown in detail on page 22 of Governor Dern's biennial budget for 1931-1933 in the total sum of $2,666,781.75. These requests appear to be reasonable and proper and it is suggested that for the sake of relieving unemployment and affording business for our people a further building program be presented and passed by the Legislature covering all these items and that for the purpose of carrying out that program the sum of $1,510,000.00 be authorized as a bond sale, the program to be gotten under way as promptly as is practicable under the statutes.

In his budget message Governor Dern recommends this, and an examination of the Auditor's statement of

the bonded indebtedness of Utah shows that the net debt at June 30th, 1931 will be $4,684,750.00, or a little less than $10.00 per capita for this state; and that on July 1st, 1931 state bonds in the amount of $560,000.00 will be due and will at that time be paid from the sinking funds; and that by January 1st, 1934, less than three years hence, there will have matured and been paid from the sinking fund $950,000.00 more of bonds, making a total sum by that time of $1,510,000.00. So that if an equal amount of new bonds be issued making the first maturities subsequent to January 1st, 1934, the only added burden to the state's revenues will be a moderate over-lapping interest charge between now and that time.

It would therefore seem that the most practical and beneficial form of relief for the present depressed condition can be afforded our people and our business men by continuing the building program of the state rather than to make direct contributions to the needy ones without any return being given.

It will be observed that in the Governor's building budget the last item is $400,000.00 for acquiring and establishing a state prison farm colony, looking to the ultimate removal of the entire prison from its present site.

This matter is also the subject of a separate bill which it is expected will be introduced very soon covering the purchase and establishing of a farm colony; but this latter bill does not carry any money, so that that provision should be included in the building program bill.

Yours very truly,

R. K. BROWN.

MOUNTAIN AND PACIFIC STATES
NET FUNDED DEBT FOR THE YEAR 1928
AS PUBLISHED BY U. S. DEPT. OF COMMERCE.

State	1930 Population	Funded Debt Total	Funded Debt Net	Per Capita For Net Debt
Arizona	436,000	$ 3,011,163.	$	$
Calif.	5,672,000	89,193,409.	115,614,867.	22.31
Colorado	1,035,000	12,298,961.	10,194,386.	9.94
Idaho	446,000	7,336,415.	4,500,073.	10.17
Montana	536,000	9,534,632.	4,666,984.	8.64
Nevada	91,000	2,228,926.	1,597,532.	18.01
New Mex.	427,000	6,115,175.	2,762,481.	6.75
Oregon	953,000	63,993,587.	33,860,216.	36.78
Utah	503,000	10,459,975.	6,005,413.	12.13
Wash.	1,562,000	14,962,977.	12,826,605.	8.48
Wyoming	225,000	2,784,521.	1,599,498.	7.29
Utah—June 30, 1931	503,000	10,250,000.	4,684,750.	9.31

February 13, 1931.

To the Joint Committee of the Senate and the House of Representatives on Unemployment Relief.

Gentlemen:

Following further conferences with members of your Committee, I beg leave to submit the attached statement of building construction and improvements which seem to me the most logical under all the circumstances, and in view of the scaling down of the requests of the institutions to bring them within a total sum of $1,510,000.00 which is the amount for which the State can issue bonds within the next few months without substantially increasing its bonded debt and without materially increasing the charges to the general fund.

In order that no misunderstanding may arise, I would say that neither Governor Dern nor the Building Commission have had any part in the preparation of this list, consequently it represents only the judgment of the undersigned.

Yours very truly,

R. K. BROWN.

RECOMMENDED EMERGENCY BUILDING PROGRAM FOR THE BIENNIUM 1931-1933 (Feb. 13, 1931).

UNIVERSITY OF UTAH:		
Remodeling Physical Science Building	$ 73,000	
Library Building	250,000	$ 323,000
UTAH STATE AGRICULTURAL COLLEGE:		
Home Economics Building	200,000	
One Boiler and Equipment	8,000	
One Green House	7,000	
Remodel Women's Building	10,000	
Reconstruction of Electrical System, etc.	30,000	255,000
UTAH STATE HOSPITAL:		
Receiving and Hospital Building	200,000	
Laundry	14,000	
Root Cellar	1,000	
Hay and Dairy Barn	7,000	222,000
UTAH STATE TRAINING SCHOOL:		
One Brick Dormitory	56,000	
Superintendent's Cottage	13,500	
One Employees' Dormitory	25,000	
Farm Buildings	13,500	
School House	49,000	157,000
SCHOOL FOR THE DEAF AND BLIND:		
Heating Plant and Laundry, etc.	61,500	61,500
STATE INDUSTRIAL SCHOOL:		
Remodel Main Building	27,500	27,500

NATIONAL GUARD OF UTAH:		
Richfield Armory	30,000	
Logan Armory	30,000	60,000
BRANCH AGRICULTURAL COLLEGE:		
Re-shingle Mechanic Arts Building	400	
Repair Roof and Deck of Library Building	500	
Refinishing and Renovating classrooms and auditorium	1,000	
Painting Roofs and Buildings	600	
Reconstruction of Electrical System	1,500	4,000
UTAH STATE PRISON:		
Prison Farm, Buildings, Equipment, etc.	400,000	400,000
TOTAL		$1,510,000

EXHIBIT "D"

February 7, 1931.

HOUSE OF REPRESENTATIVES,
State Capitol.

Salt Lake City, Utah.

Honorable Wilford Brimley,
State Legislature,
State Capitol.

Dear Mr. Brimley:

In answer to your request for information concerning the budget appropriation of the Charity Department of Salt Lake County, am inclosing information which I think will answer your purpose.

In addition to the budget allowance of the Charity

Department, there were disbursed in the Old Age Pension $70,000.00 and in the Widow's Pension $50,000.00.

Trusting this information is satisfactory and holding our office open at any time to assist you in the future, I am

Respectfully yours,

C. R. VIGUS,
County Auditor.
By N. A. LEATHAM.

ANNUAL REPORT OF CHARITY FUND SALT LAKE COUNTY

Statement of Disbursements from January 1, 1930 to December 31, 1930.

CHARITY

Total Budget Appropriation					$118,930.00
Acct. No. 355	Salary	Sch. No.	1	$	9,174.83
" " 356	Merchandise	" "	2		57,079.74
" " 357	Rent & other relief	" "	3		14,417.46
" " 358	Indigent Dead	" "	4		1,807.50
" " 359	Care of Children	" "	5		20,541.89
" " 360	Contingent	" "	6		1,600.00
" " 361	Stationery and Printing	" "	7		283.94
" " 362	Automobile Expenses	" "	8		1,261.40
" " 363	Other Expenses	" "	9		156.88
" " 364	Coal	" "	10		7,413.30
" " 365	Furniture and Fixtures	" "	11		233.93
			TOTAL		$113,970.87
			Unexpended		4,959.13
					$118,930.00

EXHIBIT "E"

HOOVER SIGNS BILL TO GUARD EMPLOYMENT

New Law for Public Works Planning in Advance Gets Praise.

Jobs Provided For Dull Times

Act Affords Better Relief Organization in Future Slumps

Washington, Feb. 10 (AP) The Wagner bill for advance planning of federal public works, as a safeguard against unemployment, became a law today.

It was signed by President Hoover, who said he took that action with "great pleasure."

The bill, by Senator Wagner, Democrat, New York, places the duty of planning federal construction in the hands of Secretary of Commerce Robert P. Lamont. It was sponsored in the House by Representative Graham, Republican, Pennsylvania.

LAW PRAISED BY PRESIDENT HOOVER

"Senator Wagner and Representative Graham," President Hoover said, "have worked out an admirable measure in which they adopted the constructive suggestions of the various government departments."

The bill provides for planning and acceleration of federal construction work far enough ahead so it will be possible to give employment in times of depression.

"It is not a cure for business depression," the president said, "but will afford better organization for relief in future depressions."

The principles of the Wagner bill, the president said were suggested to congress at various times during the past five years, but their usefullness was not recognized, he said, until "we experienced this depression."

PUBLIC BUILDING BILL SENT TO CONFERENCE

The measure authorizing an additional $100,000,000 for public buildings construction was sent to conference today for adjustment of differences between the Senate and House.

Commenting upon his bill, signed by President Hoover, Senator Wagner said:

"We have long talked about public works as a means of providing employment during periods of depression but we have never had the machinery to enable us to expand public construction in sufficient volume and in time to be effective.

"The element of time is particularly important. The public construction project must be released at the crucial moment, before unemployment has become very general. The new act provides the two elements to make public construction most useful as a stablizer of employment.

VALUE OF ADVANCE PLANNING CONSIDERED

"The first is the planning commission, whose function and responsibility it will be to watch the trend of business and to give the signal when public construction must be increased. The second is the provision for advance planning, which will establish a reserve of plans for public work so that no time need be lost in their preparation.

"Similar legislation is a fundamental necessity of every state and municipal government. The intelligent administration of this act and of similar acts in the several states will contribute mightily to the stabilization of business and the steadiness of employment."

Senator Keyser moved that S. B. No. 44 now in the hands of the appropriations committee be referred to the committee on State and Municipal Affairs.

The motion carried.

INTRODUCTION OF BILLS

S. B. No. 84. By Mr. Booth.

"An Act providing for 'trial visits' or 'paroles' of certain patients from the Utah State Hospital," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85. By Mr. Booth.

"An Act amending Section 5385, Compiled Laws of Utah, 1917, relating to the board of insanity," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86. By Mr. Booth.

"An Act creating a pension for employees of the Utah State Hospital who have rendered certain continuous employment and have reached certain ages," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 87. By Mr. Booth.

"An Act amending Section 4413, Compiled Laws of Utah, 1917, as amended by Chapter 130, Laws of Utah, 1921, relating to renewal of registration of registered pharmacists and assistant pharmacists; and authorizing the collection of annual dues of members of the Utah Pharmaceutical Association," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88. By Mr. Booth.

"An Act amending Section 6 of Chapter 130, Laws of Utah, 1921, pertaining to the department of registration; and authorizing the direct payment of all dues collected for the benefit of the Utah Pharmaceutical Association," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 89. By Mr. Patterson.

"An Act amending Section 5275 of Compiled Laws

of Utah, 1917, to prohibit colleges from dealing in farm products," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 90. By Committee on Public Institutions, Health and Labor, by request.

"An Act to amend Section 5444 of the Compiled Laws of Utah, 1917, relating to the state prison," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 92. By Mr. Ryan.

"An Act amending Sections 170, 171, 173 and 174, Chapter 2, Laws of Utah, 1921, relating to the state board of agriculture," was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 25 by Mr. Booth being "An Act amending Section 4, Chapter 9, Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 25 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 45 by Mr. Booth being "An Act providing for the sale of property for delinquent general, special and drainage taxes and for the distribution of the proceeds of said sale," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 45 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 46 by Mr. Booth being "An Act to amend Section 699, Compiled Laws of Utah, 1917; as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes in cities," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 46 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 27 by Mr. Booth being "An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 27 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. J. R. No. 2 by Hr. Hoyt, entitled, "A joint resolution proposing an amendment to Section 10, of Article 1, of the constitution relating to trial by jury," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. J. R. No. 2 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred

H. B. No. 7 by Mr. Hoyt, entitled, "An Act amending Chapter 33 of Title 120, Compiled Laws of Utah 1917, by adding a new Section relating to the court's charge to the jury in criminal cases," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

H. B. No. 7 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 6 by Mr. Hoyt, entitled, "An Act to amend Section 9279, Compiled Laws of Utah, 1917, relating to defendant's being a witness in his own behalf in criminal proceedings," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 6 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 79 by the Judiciary Committee being "An Act to prevent unnecessary delay in rendering

judicial decisions by the courts of the State of Utah," reports the same back favorably with the following proposed amendment:

That on line 2 strike the word "April" and insert "October".

We recommend that the same be passed.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 79 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred S. B. No. 65 by Mr. Huggins, entitled, "An Act to amend Section 6549, Compiled Laws of Utah, 1917, as amended by Chapter 143, Laws of Utah, 1921, as amended by Chapter 53, Laws of Utah, 1925, relating to service of summons by publication; also to amend Section 6962, Compiled Laws of Utah, 1917, relating to conveyances by order of court," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 65 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 10 by Mr. Booth being "An Act to codify amend and revise the laws relating to the juvenile courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of children's aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9, Title 21 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of Title 21 of the Compiled Laws of Utah, 1917; and all other laws in conflict herewith," reports the same back herewith together with a substitute containing amendments accepted by the author and recommends that S. B. No. 91, substitute for S. B. No. 10 be printed and placed on the second reading calendar with a favorable report from the committee.

Respectfully,
GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 91, substitute for S. B. No. 10 under suspension of rules was placed on second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 12 was read the third time and placed on its final passage.

President Dillman called Senator Booth to the chair.

On motion of Senator Maw the bill was amended as follows:

Strike all of line 3 after the word "jointly" and remainder of page 1, all of page 2, and 3 and all of lines 1, 2, 3, 4, 5 and 6 of page 4 and substitute therefore," to acquire by purchase, lease or condemnation, airports and/or landing fields for the use of aircraft either within and/or without the geographic limits of such political subdivision; and to construct, equip, improve, maintain, operate and police the same according to law".

Page 4, line 7 after the word "sec." strike the numerals "10" and insert in lieu thereof the numeral "2".

On motion of Senator Musser the bill was amended as follows:

On page 1, line 1 strike the words "The local legislative bodies of" and capitalize the word "Counties".

On motion of Senator Jefferson the bill was amended as follows:

On line 1 of the title strike the following "counties, municipalities, or other political subdivisions" and insert in lieu thereof "any incorporated city or town".

On page 1, line 1 strike "counties, municipalities, or other political subdivisions" and insert in lieu thereof "any incorporated city or town".

On page 1, line 2 strike the word "are" and insert in lieu thereof the word "is".

On page 1, line 2 strike the "comma" after the word "authorized".

On page 1, line 3 strike the words "separately or jointly".

H. B. No. 12 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Knight, McCarthy, Owens.

H. B. No. 12 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Patterson S. B. No. 43 was made special order of business for Feb. 17 at 3 P. M.

S. B. No. 56 was read the second time.

The committee report was read.

On motion of Senator Dillman the bill was amended as follows:

On page 3 line 28 after the numerals "30" transpose the balance of the line and all of lines 29, 30 and 31 to page 5 line 1 after the numerals "51" and strike all the underscoring from the numerals "31" to "44" restoring these numerals to their original positions.

S. B. No. 56 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Musser.

Absent and not voting, Senators Knight, Maw, McCarthy, Owens.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. C. M. No. 4, by Mr. Hunt, entitled: "Be it resolved by the Nineteenth Session of the State of Utah, the governor concurring therein," the same is herewith returned for transmission to the governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. C. M. No. 4 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 59, by Mr. Dart, entitled: "An Act amending Section 3740, Compiled Laws of Utah, 1917, relating to the enforcement of liens."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

On motion of Senator Keyser the rules were suspended and H. C. M. No. 2, H. B. No. 4, S.

B. No. 66, S. B. No. 91, S. B. 25, S. B. No. 27, S. B. No. 45, S. B. No. 46, H. J. R. No. 2, H. B. No. 7, H. B. No. 6 and S. B. No. 65 were placed on the second reading calendar for immediate consideration.

CONSIDERATION OF BILLS ON SECOND READING

H. C. M. No. 2 was read the second time.

The committee report was read.

President Dillman resumed the chair.

H. C. M. No. 2 was then ordered read the third time on the following roll call:

Ayes, 9; Nays, 3; Absent, 8.

Those voting in the affirmative were: Senators Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Ryan, Smith, Mr. President.

Those voting in the negative were Senators Shields, Welling, Young.

Absent and not voting, Senators Booth, Griffin, Knight, Maw, McCarthy, Musser, Owens, Patterson.

On motion of Senator Ryan the Senate adjourned.

THIRTY-SEVENTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

The senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present except Senators Knight, McCarthy, and Owens, all were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have read the Journal for the Thirty-sixth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

JOHN E. BOOTH,
J. FRANCIS FOWLES.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred Senate Bill No. 50 by Mr. Smith (by request of the State Flood Control Commission) being "An Act to amend Sections 5571 and 5573, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, and Sections 5574, and 5583 of the Compiled Laws of Utah, 1917, as amended by Chapter 31, Session Laws of Utah, 1925, and Section 5574x of Chapter 31, Laws of Utah, 1925, changing the personnel of the state land board; providing for the salaries of the members of the state land board; defining their powers and duties; providing for the oath to be taken and bond to be given by members of said board and providing for the expenses incurred in carrying out the powers and duties of the said board," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 50 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred H. B. No. 43 by Mr. Neslen, entitled, "An Act to amend Section 3883, Compiled Laws of Utah, 1917, as amended by Chapter 4, Laws of Utah, 1929, relating to the borrowing power of the state armory board, and to increase such power," report the same back to the Senate for its further action, as we take the stand that it is not an appropriation.

Respectfully,

MALCOLM A. KEYSER,
Chairman.

Report filed.

H. B. No. 43 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 47, by Mr. Neslen, entitled: "An Act repealing Sections 3838, 3841, 3842, 3844, 3845, 3846, 3847, 3853, 3854, 3856, and Section 1, Chapter 78, Laws of Utah, 1921; and amending Sections 3826, 3827, 3829, 3830, 3831, 3833, 3836, 3840, 3849, 3852, 3856, 3858, 3863, 3865, 3866, 3871, 3873, and 3874, of the Compiled Laws of Utah, 1917, and Section 2, Chapter 75, Laws of Utah, 1919, amending Section

3857, Compiled Laws of Utah, 1917; and amending Section 1, Chapter 76, Laws of Utah, 1919, amending Section 3848, Compiled Laws of Utah, 1917; and amending Section 3, Chapter 75, Laws of Utah, 1919, amending Section 3868, Compiled Laws of Utah, 1917; and adding new Sections to be known as 3839x, 3839x1, 3839x2, 3839x3, 3839x4, 3852x1, 3860x1, 3872x1, 3872x2, 3872x3, and 3872x4, relating to the composition, organization, pay, service, control, government, authority, duty, location, qualification, appointment, rights, privileges, immunities and military offenses against or by, and training and disciplining of the state militia and of its officers and men, and providing for the care and preservation of military property belonging to the state and belonging to the United States in the possession of the state, and providing for the creation of military courts and boards of inquiry and defining the powers thereof and the procedure to be followed in such courts and boards," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 47 was read the first time and referred to Committee on State and Municipal Affairs.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day refused to concur in Senate amendments to H. B. No. 12, by Mr. Neslen, entitled: "An Act under which counties, municipalities, or other political subdivisions may establish, develop, operate, main-

tain, regulate, and police airports and landing fields," and requests the Senate to recede from its amendments.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Maw moved that the senate refuse to recede from its amendments to H. B. No. 12.

The motion carried.

On motion of Senator Maw a conference committee consisting of Senators Hunt, Maw and Young, was appointed by the President to confer with a like committee from the House on the Senate amendments to H. B. No. 12.

INTRODUCTION OF BILLS

S. B. No. 93. By Mr. Maw.

"An Act to amend Section 1506, Compiled Laws of Utah, 1917, relating to the receiving of and providing for prisoners by the county sheriff," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94. By Mr. Maw,
On request.

"An Act providing that sheriffs shall be ex-officio adult probation officers in the respective counties in which they were elected to office and for the supervision of adult probationers," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 95. By Mr. Patterson.

"An Act to amend Section 19, Chapter 36, Session Laws of Utah, 1923; and amending Sections 17 and 30, Chapter 36, Session Laws of Utah 1923, as amended by

Chapter 23, Session Laws of Utah 1925; and amending Section 18, Chapter 36, Session Laws of Utah 1923 as last amended by Chapter 31 Session Laws of Utah 1929; relative to fish and game: and amending Section 7, Chapter 36, Session Laws of Utah 1923, as last amended by Chapter 31 Session Laws of Utah 1927 to require a special license to hunt deer: and amending Section 28x, Chapter 31, Session Laws of Utah 1927 relating to powers of state game committee," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 96. By Mr. Jefferson, (by request)

"An Act empowering boards of county commissioners to levy taxes not to exceed four-tenths of one mill per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties," was read the first time and referred to the Committee on Revision and Enrolling.

At the request of Senator Jefferson S. B. No. 63 was withdrawn by unanimous consent of the Senate.

At the request of Senator Booth S. C. M. No. 2 was withdrawn by unanimous consent of the Senate.

SPECIAL ORDER

Action on House amendment to S. B. No. 1.

Senator Fowles moved that the Senate refuse to concur in the House amendment to S. B. No. 1.

The motion carried.

Senator Fowles moved that the Senate reconsider its action in refusing to concur in the House amendment

to S. B. No. 1, and that the House amendment to S. B. No. 1 be made special order of business for Feb. 18 at 2.30 P. M.

The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 56 was read the third time and placed on its final passage.

On motion of Senator Fowles the bill was amended as follows:

Strike the quotation marks from the title. On page 1, line 1 strike the words "that" and "hereby". On page 1, line 1, after the numeral "1" capitalize the word "Section".

President Dillman called Senator Smith to the chair.

S. B. No. 56 then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Musser, Patterson, Ryan, Shields, Smith, Welling, Young.

Absent and not voting, Senators Knight, Maw, McCarthy, Owens, Mr. President.

S. B. No. 56 was transmitted to the House.

H. C. M. No. 3 was read the third time and placed on its final passage.

H. C. M. No. 3 then passed on the following roll call:

Ayes, 14; Nays, 2; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Patterson, Shields.

Absent and not voting, Senators Fowles, Knight, McCarthy, Owens.

H. C. M. No. 3 was transmitted to the House.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 16, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State S. C. M. No. 4, by Mr. Hunt, without title, which approves the report and recommendations presented February 11, 1931, to the United States Senate Committee on Foreign Relations by its sub-committee on Trade Relations with China and the resolutions presented to the Senate by Chairman Pittman of said sub-committee.

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 4 was read the second time.

The committee report was read.

On motion of Senator Huggins, the bill was amended as follows:

On line 1 of the title strike the words "of" and "of the". On line 2 of the title after the word "Laws" strike the word "of" and insert a comma after the word

"Utah". On page 1, line 1 strike the words "of" and "of the". On page 1, line 2, strike the word "hereby". On page 1, line 3, strike the letters "tion" from the word "section" and insert a period after "sec". On page 1, line 14 strike the letters "tion" from the word "section" and insert a period after "sec".

On motion of Senator Musser the bill was amended as follows:

In the House amendment after the word "representative" strike the words "or state Senator".

On motion of Senator Musser further action was deferred and H. B. No. 4 was placed at the foot of the second reading calendar.

SPECIAL ORDER

S. B. No. 43 on second reading.

On motion of Senator Patterson the bill was amended as follows:

On page 1, line 1 after the numeral "1" strike the word "that". On page 2, line 6 strike the following "be and the same" and the word "hereby" on line 7. On page 2, line 33 underscore the word "remedial". On page 3, line 6 strike the word "or". On page 3, line 7 underscore the word "remedial". On page 3, line 16 after the word "transact" insert the word "the".

On page 3, strike all of line 22 and the first word in line 23. Insert the following in lieu thereof: "unless cancelled either by agreement between the industrial commission and the employer or in case of non-payment of premium by thirty days' notice by the insurance carrier to the industrial commission and employer".

On page 3, line 27 strike the following (act). On page 3, line 31 strike the word "the". On page 4, line 1 underscore the word "remedial". On page 4, line 22 after the word "purpose" add the letter "s". On page

4 line 32 underscore the words "and services". On page 4, line 33 strike the word "of" and insert in lieu thereof the word "by" and underscore the following "by licensed practitioners not using drugs or medicines". On page 5, line 4 underscore the word "remedial". On page 5, line 8 underscore the word "remedial". On page 5, line 18 underscore the word "remedial". On page 5, line 23 underscore the word "remedial". On page 6 line 1 strike the following "(". On page 6 line 7 strike the following ")". On page 6, line 10 underscore the word "physicial". On page 6 line 13 after the word "obstruct" add the letter "s". On page 7 line 31 underscore the words "remedial or". On page 8, line 4 after the word "fact" insert the word "so".

S. B. No. 43 was then ordered read the third time on the following roll call:

Ayes, 11; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Candland, Fowles, Griffin, Maw, Musser, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Hunt, Jefferson, Keyser, Smith.

Absent and not voting, Senators Booth, Knight, McCarthy, Owens.

President Dillman resumed the chair.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,
Salt Lake City, Utah, Feb. 17, 1931.

To the Senate:

Since the last regular session of the Senate I have made the following recess appointments to fill vacancies in the offices designated, and I hereby respectfully submit their names for your confirmation:

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

Pursuant to Section 2705, Compiled Laws of Utah, 1917. To fill the vacancy caused by the resignation of Scott P. Stewart, and to serve for the unexpired term ending December 31, 1935.

Richard A. Hart ..... Salt Lake City

To fill the vacancy caused by the resignation of Dr. C. E. McDermid, and to serve for the unexpired term ending December 31, 1933.

Dr. J. H. Peck ..... Tooele

To serve for a term of seven years from January 1, 1930.

John M. Wallace ..... Salt Lake City

FOR MEMBER UTAH WATER STORAGE COMMISSION:

Pursuant to Chapter 71, Laws of Utah, 1921, as amended by Chapter 54, Laws of Utah, 1925. To fill the vacancy caused by the death of W. R. Ballard, and to serve for the unexpired term ending April 1, 1931.

Byron O. Colton ..... Randlett

FOR MEMBER OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION:

Pursuant to Section 5347 and 5348, Compiled Laws of Utah, 1917. To fill the vacancy caused by the death of E. S. Hinckley, and to serve until April 1, 1931.

John M. Ritchie ..... Charleston

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL:

Pursuant to Section 5364, Compiled Laws of Utah, 1917. To fill the vacancy caused by the death of John K. Hardy, and to serve for the unexpired term ending April 1, 1931.

Arthur C. Sullivan.....Salt Lake City

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to Chapter 61, Laws of Utah, 1921. To serve for a term of six years from December 1, 1929.

Henry H. Blood.....Kaysville

FOR MEMBERS OF THE UTAH STATE BUILDING COMMISSION:

Pursuant to Chapter 101, Laws of Utah, 1929. To serve for a term of two years ending April 1, 1931.

W. J. Halloran.....Salt Lake City

James W. Funk.....Richmond

To serve for a term of four years ending April 1, 1933.

J. O. Elton.....Salt Lake City

O. P. Cherdron.....Salt Lake City

Richard B. Porter .....Ogden

FOR MEMBERS OF THE UTAH-COLORADO RIVER COMMISSION:

Pursuant to Chapter 98, Laws of Utah, 1929. To serve for a term of two years ending May 21, 1931.

W. R. Wallace.....Salt Lake City

To serve for a term of four years ending May 21, 1933.

W. D. Beers.....Salt Lake City

To serve for a term of six years ending May 21, 1935.

W. W. Ray.....Salt Lake City

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED

Pursuant to Section 3, Chapter 75, Laws of Utah, 1929. To serve for a term of one year ending May 6, 1931.

D. A. Skeen.....Salt Lake City

To serve for a term of two years ending May 6, 1932.

Mrs. Laura M. Thompson.....Salt Lake City

To serve for a term of three years ending May 6,

Dr. Sol G. Kahn.....Salt Lake City

To serve for a term of four years ending May 6, 1934.

John E. Booth.....Spanish Fork

To serve for a term of five years ending May 6, 1935.

Mrs. Amy Brown Lyman.....Salt Lake City

To serve for a term of six years ending May 6, 1936.

Dr. Guy S. Richards.....American Fork

To serve for a term of seven years ending May 6, 1937.

Roy D. Thatcher.....Ogden

Respectfully submitted,

GEO. H. DERN,

Governor.

Communication referred to a special committee appointed by President Dillman, consisting of Senators Candland, Keyser, Hunt, Fowles and Shields.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor begs leave to report that on Monday, the 16th day of February, 1931, at the instance of persons who said they were representing the unemployed of Weber and Salt Lake counties, we met with the committee of the House and with the Governor in the executive offices. Besides the committees there were present the following persons:

R. J. Dixon.....2932 Porter Ave., Ogden
J. W. Kelley .....324 23rd Street., Ogden
Arthur I. Johnson.....876 So. 2nd E., Salt Lake City
J. L. Graham.....363 W. 1st N., Salt Lake City
Duncan McPhie.....834 Edison St., Salt Lake City
Geo. H. Johnson .....932 Sullivan St., Ogden
Oscar W. Larson....2965 So. State St., Salt Lake City
R. M. Hawkins.....250 Archie Place, Salt Lake City
Earl Brunson.....140 West 2nd St., Ogden

The gentlemen from Ogden said they were representing the Weber County Relief Association. The gentlemen from Salt Lake said they represented the Workers' Unemployed Council of Salt Lake City. The spokesmen for the Salt Lake group stated that they were interested in the following three propositions: 1st—eight hour day; 2nd—state employment agencies; 3rd—unemployment insurance.

The first subject discussed was unemployment insurance. It was asserted that such a measure should provide for single men not working $10.00 per week, and married men not working $15.00 per week. It was readily apparent to all present that we could not inaugurate an unemployment insurance at this time so that the present unemployment situation could be met.

It was stated in the meeting that the work being conducted by the University of Utah would close down on Tuesday, the 17th and many men would be thrown out of work. Also that the funds of the mayor of Salt Lake had left in it only $2,000.00, and that relief associations were not functioning adequately either in Salt Lake County or in Weber County. Considerable criticism was directed at the delay in starting the building program of this state including the maintenance and repairing of highways.

The gentlemen who spoke respectfully suggested that the state establish unemployment agencies through the State Industrial Commission. We understand that that matter can be taken care of by merely appropriating to the State Industrial Commission a sum of money sufficient to permit that commission to function under the present law. We recommend that that be done.

Statements were made that contractors who are building roads for the State Road Commission pay common laborers $3.50 a day but that wages were not paid promptly when due. We recommend that the wages of laborers employed on all state work be paid weekly or not less often than semi-monthly.

Statements were also made that the contractors working for the state were working men longer than eight hours per day. If this be true we recommend that only eight hours work be required of these men and that so far as possible over time be not allowed to any laborer to the end that such work that is being done on overtime may be done by additional employees.

The gentlemen who appeared before the committee recommended that on state works, wages be classified so that persons with families receive greater compensation than persons without families, and, that in employing persons on public works, preference be given to first, men with families, second to unmarried men with dependents. We recommend that so far as possible in hiring men for public works, men with families be given the preference.

We firmly believe that the entire state should cooperate to the end that all public works be initiated immediately to the end that the persons now suffering because of lack of employment be given means by which they can support themselves and their dependents. With the possible exception of one speaker, it seemed to be the attitude of all of the representatives of unemployed, that the state should not indulge in a dole system but that it should cooperate as far as possible in the furnishing of employment. We recommend that that be done.

Respectfully submitted,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 81 by Mr. Shields by request, entitled, "An Act to amend Section 2553, Compiled Laws of Utah, 1917, relating to jury trial in the district court," reports the same back with the title amended to read as follows:

"An Act to amend Section 2553, Compiled Laws of Utah, 1917, relating to fees of jurors in the district court," together with a few other minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 81 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 84 by Mr. Booth, entitled, "An Act providing for 'trial visits' or 'paroles' of certain patients from the Utah State Hospital," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 84 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 85 by Mr. Booth, entitled, "An

Act amending Section 5385, Compiled Laws of Utah, 1917, relating to the board of insanity," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 85 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 86 by Mr. Booth, entitled, "An Act creating a pension for employees of the Utah State Hospital who have rendered certain continuous employment and have reached certain ages", reports the same back with the title amended to read as follows:

"An Act creating a pension for employees of the Utah State Hospital who have rendered continuous employment and have reached certain ages," and with a few minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 86 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 87 by Mr. Booth, entitled, "An Act amending Section 4413, Compiled Laws of Utah, 1917, as amended by Chapter 130, Laws of Utah, 1921, relating to renewal of registration of registered pharmacists and assistant pharmacists; and authorizing the collection of annual dues of members of the Utah Pharmaceutical Association," reports the same back with the title amended as follows:

"An Act amending Section 4413, Compiled Laws of Utah, 1917, as amended by Chapter 90, Laws of Utah, 1921, relating to renewal of registration of registered pharmacists and assistant pharmacists; and authorizing the collection of annual dues of members of the Utah Pharmaceutical Association," and with a few other minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 87 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 88, by Mr. Booth, entitled, "An

Act amending Section 6 of Chapter 130, Laws of Utah, 1921, pertaining to the department of registration; and authorizing the direct payment of all dues collected for the benefit of the Utah Pharmaceutical Association," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 88 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 89 by Mr. Patterson, entitled, "An Act amending Section 5275 of Compiled Laws of Utah, 1917, to prohibit colleges from dealing in farm products," reports the same back with the title amended to read as follows:

"An Act amending Section 5275, of Compiled Laws of Utah, 1917, prohibiting the board of trustees of the Utah Agricultural College from dealing in farm products," and with a few other minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 89 was ordered printed and referred to the Committee on Education.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 90 by request by the Committee on Public Institutions, Health and Labor, entitled, "An Act to amend Section 5444 of the Compiled Laws of Utah, 1917, relating to the state prison," reports the same back with the title amended to read as follows:

"An Act to amend Section 5444, Cmpiled Laws of Utah, 1917, relating to the state prison," and with a few other minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 90 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 92 by Mr. Ryan, entitled, "An Act amending Sections 170, 171, 173 and 174, Chapter 2, Laws of Utah, 1921, relating to the state board of agriculture," reports the same back with the title amended to read as follows:

"An Act amending Sections 170, 171, 173 and 174, Compiled Laws of Utah, 1917, as amended by Chapter 2, Laws of Utah, 1921, relating to the state board of agri-

culture,'' and with a few minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 92 was ordered printed and referred to the Committee on State and Municipal Affairs.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 66 was read the second time.

The committee report was read.

S. B. No. 66 was rejected on the following roll call:

Ayes, 7; Nays, 9; Absent, 4.

Those voting in the affirmative were: Senators Huggins, Maw, Musser, Patterson, Shields, Smith, Welling.

Those voting in the negative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Ryan, Young, Mr. President.

Absent and not voting, Senators Fowles, Knight, McCarthy, Owens.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. C. M. No. 3, by Mr. Callister, entitled: ''Memorializing the congress of the United States to pass and the

president to approve senator Thomas' (of Idaho) bill appropriating five million ($5,000,000.00) dollars to the reclamation fund," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. M. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day appointed, Representatives, Neslen, Burgon, and Dart, as a conference committee to act with a like committee from the Senate to confer on amendments to H. B. No. 12, by Mr. Neslen, entitled: "An Act under which any incorporated city or town may establish, develop, operate, maintain, regulate, and police airports and landing fields."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the House has this day passed as amended, H. B. No. 69, by Mr. Fugal, entitled: "An Act relating to trespassing by hunters upon inclosed lands and providing that warning signs be posted and consent from owner or tenant must be obtained before persons may enter upon such lands for the purpose stated in this section and providing a penalty for violating provisions of this act," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 69 was read the first time and referred to Committee on Fish and Game.

On motion of Senator Keyser the Senate adjourned.

THIRTY-EIGHTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

The senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present except Senators Knight, Owens and Young, Senators Knight and Owens were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have read the Journal for the

Thirty-seventh Day and find it correct with minor amendments noted on the final copy.

Respectfully,

JOHN E. BOOTH,
J. FRANCIS FOWLES.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 17, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed S. B. No. 40, by Mr. Shields, entitled: "An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 40 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. J. M. No. 1, by Mr. Hirschi and Mr. Esplin, entitled: "Memorial to the congress of the United States protesting against the withdrawal from entry and against preventing grazing

on public lands in northwestern Arizona," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. J. M. No. 1 was read first time and referred to Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 40, by Mr. Shields (by request), entitled, "An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 40 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on Public Institutions, Health and

Labor to which was referred House Bill No. 57 by Mr. Fuller being "An Act relating to the ownership of the name, trade name, or device of any person, firm or corporation manufacturing, preparing, selling, or distributing any article of food or commerce in containers or carriers bearing such name, trade name, or device; forbidding the use by other persons designated of such name, trade name, or device, and of the containers and carriers bearing or having impressed or produced thereon such name, trade name or device, providing for the transfer of the right to use such name, trade name, or device, defining conditions under which the title to containers and carriers shall not pass, and prescribing the penalty for violation thereof, and repealing Chapter 2 Title 109 and Sections 8451, 8452, 8453, 8454, 8455 and 8456 Compiled Laws of Utah, 1917," reports the same back without recommendation.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

H. B. No. 57 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred House Bill No. 46 by Mr. Neslen being "An Act authorizing the state board of corrections to deed a portion of state prison property to Salt Lake City for park and playground purposes," reports the same back without recommendation.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

H. B. No. 46 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on Banking and Commerce to which was referred House Bill No. 64 by Mr. Spencer, being "An Act to regulate the soliciting and writing of insurance, defining insurance brokers, requiring them to procure license, and prescribing penalties for violation of its provisions," reports the same back favorably and recommends its pasage with the following amendments:

On page 1, line 8, in the word Section strike the "tion" and put a period after "Sec." On page 1, line 12, in the word Section strike the "tion" and put a period after "Sec." On page 1, line 17, in the word Section strike the "tion" and put a period after "Sec." On page 1, line 23, in the word Section strike the "tion" and put a period after "Sec." On page 1, line 24, put the numerals "$100.00" in brackets and strike the brackets around the words "one hundred dollars." On page 2, line 2, in the word Section strike the "tion" and put a period after "Sec." On page 2, line 5, in the word Section strike the "tion" and put a period after "Sec."

Respectfully,

GEORGE JEFFERSON,
Chairman.

Report filed.

H. B. No. 64 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on Banking and Commerce to which

was referred House Bill No. 63 by Mr. Miller, being "An Act relating to insurance adjusters, and insurance adjusters agents; providing for their licensing and regulating their doing business in the State of Utah," reports the same back without recommendation with the following amendments:

On page 1, line 2, strike the word "either". On the same line strike the words "the insured or". On line 5, page 1, in the word Section strike the "tion" and put a period after "Sec." On page 1, line 14, in the word Section strike the "tion" and put a period after "Sec." On page 2, line 1, in the word Section strike the "tion" and put a period after "Sec." On page 2, line 7, in the word Section strike "tion" and put a period after "Sec." On page 2, line 10, in the word Section strike the "tion" and put a period after "Sec." On page 2, line 11, put the numerals "$10.00" in brackets and strike the brackets around the words "ten dollars". On page 2, line 13, in the word Section strike the "tion" and put a period after "Sec." On page 2, line 15, in the word Section strike the "tion" and put a period after "Sec."

Respectfully,

GEORGE JEFFERSON,

Chairman.

Report filed.

H. B. No. 63 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on Banking and Commerce to which was referred Senate Bill No. 67 by Mr. Welling, entitled "An Act to amend Section 3260, Compiled Laws of Utah,

1917, relating to county insurance companies," reports the same back without recommendation.

Respectfully,

GEORGE JEFFERSON,

Chairman.

Report filed.

S. B. No. 67 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 14 by Mr. Ryberg, entitled, "An Act to amend Chapter 4, Title 20, Compiled Laws of Utah, 1917, relating to the general powers of counties and county commissioners by adding new Sections to be known as Sections 1401x1, 1401x2, 1401x3, 1401x4, 1401x5, 1401x6 and 1401x7, authorizing boards of county commissioners to create and designate special improvement, sewer and sanitary districts outside of incorporated cities and towns and to provide for the cost of the construction of such special improvements, sewers, drains, and structures by taxes levied against the property benefited by such improvements," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

H. B. No. 14 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 73 by Committee on Public Buildings and Grounds, being a substitute for H. B. No. 21 by Mr. Burgon, entitled, "An Act to amend Section 1420, Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1919, and Sections 1421 and 1422, Compiled Laws of Utah, 1917, relating to the powers of the board of county commissioners," reports the same back and recommends that the same be not passed.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

H. B. No. 73, substitute for H. B. No. 21 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred H. B. No. 47, by Mr. Neslen, entitled, "An Act repealing Sections 3838, 3841, 3842, 3844, 3845, 3846, 3847, 3853, 3854, 3869, and Section 1, Chapter 78, Laws of Utah, 1921; and amending Sections 3826, 3827, 3829, 3830, 3831, 3833, 3836, 3840, 3849, 3852, 3856, 3858, 3863, 3865, 3866, 3871, 3873, and 3874, of the Compiled Laws of Utah, 1917, and Section 2, Chapter 75, Laws of Utah, 1919, amending Section 3837, Compiled Laws of Utah, 1917; and amending Section 1, Chapter 76, Laws of Utah, 1919, amending Section 3848, Com-

piled Laws of Utah, 1917; and amending Section 3, Chapter 75, Laws of Utah, 1919, amending Section 3868, Compiled Laws of Utah, 1917; and adding new Sections to be known as 3839x, 3839x1, 3839x2, 3839x3, 3839x4, 3852x1, 3860x1, 3872x1, 3872x2, 3872x3, and 3872x4, relating to the composition, organization, pay, service, control, government, authority, duty, location, qualification, appointment, rights, privileges, immunities and military offenses against or by, and training and disciplining of the state militia and of its officers and men, and providing for the care and preservation of military property belonging to the state and belonging to the United States in the possession of the state, and providing for the creation of military courts and boards of inquiry and defining the powers thereof and the procedure to be followed in such courts and boards," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

H. B. No. 47 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 81 by Mr. Shields (by request) being "An Act to amend Section 2553, Compiled Laws of Utah, 1917, relating to fees of jurors in the district court," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 81 was placed on the second reading calendar.

REPORTS OF SPECIAL COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 16, 1931.

Mr. President:

Your Committee appointed to confer on House Bill No. 50 by Mr. Cates, reports the following:

On line 4, page 1, the $300.00 amended by the Senate to be $100.00 shall be $150.00.

That in lieu of House amendment on line 9, after the word "year" add the following: *Provided that any member living more than 75 miles from the place of meeting may receive not to exceed $200.00 per annum for traveling expenses, and each Board member shall be required to submit an itemized account of traveling expenses sworn to by such member, which statement shall be approved by the board.*

The conference committee agrees to the committee striking out the word "A" on line 16 and all of line 17 and all of line 18 of the bill.

The conference committee agrees to the amendment proposed by the Senate except in the following particulars: After the word "punished" strike out the words "by imprisonment in the county jail not to exceed 30 days or" and after the numerals $100.00 strike out the words "or both such fine or imprisonment" so that the Senate amendment will read as follows: "any person violating the provisions of this act shall be deemed guilty of a mis-

demeanor, and upon conviction shall be punished by a fine of $100.00 and shall forfeit his office."

Respectfully,

House Members,

WM. HORSLEY,
ERNEST MADSEN,
W. C. CATES.

Senate Members,

GEORGE JEFFERSON,
B. W. MUSSER.

Report filed.

Senators Jefferson moved that the Senate concur in the conference report and adopt the amendments proposed. The motion carried.

H. B. No. 50 as amended then passed on the following roll call:

. Ayes, 13; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Patterson, Ryan, Smith.

Those voting in the negative were: Senators McCarthy, Welling, Mr. President.

Absent and not voting, Senators Knight, Owens, Shields, Young.

H. B. No. 50 with the conference committee report was transmitted to the House.

SPECIAL ORDER

S. B. No. 1.

Senator Fowles moved that the Senate concur in the House amendments to S. B. No. 1.

The motion carried.

S. B. No. 1 as amended by the House then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Patterson, Ryan, Smith, Welling, Mr. President.

Absent and not voting Senators Knight, Musser, Owens, Shields, Young.

S. B. No. 1 was referred to the committee on Revision and Enrolling to be Engrossed.

INTRODUCTION OF BILLS

S. B. No. 97. By Committee on Public Institutions, Health and Labor. By request.

"An Act creating a commission to select a new site for the state prison; and to establish a prison farm," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 98. By Mr. Booth.

"An Act authorizing cities and towns to levy a tax for the maintenance or employment of a band for musical purposes," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99. By Mr. Maw.

"An Act amending Section 5691, Compiled Laws of Utah, 1917, as amended by Chapter 37, Laws of Utah, 1923, creating the bureau of the budget; creating the office of director of budget under the governor as chief budget officer; providing for the furnishing of reports and estimates to such bureau by each department, office

and institution; providing for the preparation and submission by the governor of a state budget; defining the duties and powers of the director of budget; defining the duties of each department, office and institution with relation to the furnishing of reports and estimates; providing for standard classification for appropriations, estimates and expenditures and the duties of the state auditor with relation thereto; providing for the restriction of the time of use of appropriations; providing the manner of transfer from one item of appropriation to another; providing that the state board of examiners may reduce appropriations made by the legislature after hearing; providing for legislative hearings and preparation of appropriation bills; providing for precedence of appropriation bills," was read the first time and referred to the Committee on Revision and Enrolling.

Senator Candland requested unanimous consent to introduce S. B. No. 100 as a substitute for S. B. No. 6. Request granted.

S. B. No. 100,
Substitute for S. B. No. 6.

By Mr. Candland,
Chairman, Committee
on Revenue and Taxation.

"An Act providing for the levying, collecting, and paying of an income tax on individuals, and providing penalties for the violation thereof."

Senator Griffin moved that the rules be suspended and S. B. No. 100, substitute for S. B. No. 6 be printed and placed on the second reading calendar.

The motion carried.

Senator Candland moved that the rules be suspended and S. B. No. 100, substitute for S. B. No. 6 be made special order of business for Feb. 23rd, at 2 P. M.

The motion carried.

S. C. M. No. 5. By Mr. Booth and Mr. Ryan, by request.

"Be it resolved by the legislature of the State of Utah, the governor concurring therein," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 43 was read the third time and placed on its final passage.

On motion of Senator Patterson the bill was amended as follows:

Throughout the bill strike the following *"licensed practitioners not using drugs or medicines"* and insert in lieu thereof in each case the word "chiropractors" and underscore the same.

S. B. No. 43 then passed on the following roll call:

Ayes, 12; Nays, 5; Absent, 3.

Those voting in the affirmative were: Senators Candland, Fowles, Griffin, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Those voting in the negative were: Senators Booth, Huggins, Hunt, Jefferson, Keyser.

Absent and not voting, Senators Knight, Owens, Young.

S. B. No. 43 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the

presence of the House, S. B. No. 40, by Mr. Shields, entitled: "An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 40 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, under suspension of rules, H. C. R. No. 2, by Mr. Callister, entitled: "A resolution memorializing the congress of the United States to pass and the president to approve Senate Bill 4123, providing for refinancing drainage districts," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. R. No. 2 was read first time and referred to Committee on Agriculture and Irrigation.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the Governor has this day approved and filed with the Secretary of State, H. C. M. No. 3, by Mr. Callister, entitled: "Memorializing the congress of the United States to pass and the president to approve Senator Thomas' (of Idaho) bill appropriating five million ($5,000,000.00) dollars to the reclamation fund."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

President Dillman called Senator Booth to the chair.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 91, substitute for S. B. No. 10, was read the second time.

The committee report was read.

Senator Booth called Senator Maw to the chair.

On motion of Senator Ryan the committee report was adopted.

On motion of Senator Shields the bill was amended as follows:

On page 1, line 2, strike the word "governor" and on line 3, strike the following "state superintendent of public instruction,"

On motion of Senator Candland the bill was amended as follows:

On page 2, line 24, strike the word "six" and insert in lieu thereof the word "four".

On motion of Senator Patterson the Senate adjourned.

THIRTY-NINTH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have read the Journal for the Thirty-eighth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

JOHN E. BOOTH,
J. FRANCIS FOWLES.

The President appointed Senators Candland and McCarthy as members of the committee on Revising the Journal for the next five days.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 39, by Mrs. Lowe, entitled: "An Act to amend Section 1, Chapter 59, Laws of Utah 1923 and providing for the

licensing of all persons other than the parents placing children," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 39 was read first time and referred to Committee on Judiciary.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 93, by Mr. Brimley, entitled: "An Act authorizing the board of regents of the University of Utah to sell and convey to the United States of America certain land, now included within the university campus, on which to construct a metallurgical laboratory," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 93 was read first time and referred to Committee on Public Institutions, Health and Labor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended H. B. No. 62, by Mr. Brimley, entitled: "An Act to amend Section 1171,

Compiled Laws of Utah, 1917, relating to suicide, making it a defense under certain types of insurance policies," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 62 was read first time and referred to Committee on Judiciary.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, H. C. R. No. 1, by Mr. Black, entitled: "A concurrent resolution memorializing the congress of the United States not to create any additional Indian Reservations nor to enlarge any existing Indian Reservations, nor to permit such action to be taken by executive order, except by and with the consent of the state affected by such action," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. R. No. 1 was read first time and referred to Committee on Agriculture and Irrigation.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 56,

by Mr. A. S. Tingey, entitled: "An Act relating to the powers and duties of the department of registration," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 56 was read first time and referred to Committee on State and Municipal Affairs.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 18, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed as amended by the House, S. B. No. 20, by Mr. Musser, entitled: "An Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan fire insurance companies," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Musser moved that the Senate concur in the House amendment to S. B. No. 20.

The motion carried.

S. B. No. 20 as amended then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Key-

ser, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Huggins, Maw, Welling.

S. B. No. 20 was referred to the Committee on Revision and Enrolling to be Engrossed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 1, by Mr. Fowles entitled, "An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled, 'An Act authorizing the governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation', and providing for the conveyance of lands to the State of Utah by Ogden City," and the same is properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 1 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 20, by Mr. Musser, entitled, "An

Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan fire insurance companies," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 20 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. J. R. No. 3, by Senators McCarthy, Maw, Candland, Musser, Fowles; entitled, "A joint resolution proposing to commend the efforts of the American Legislators' Association and of the Inter-state Legislative Reference Bureau for their efforts to procure promptly for all inquiring State Legislators, whatever information or advice they desire in connection with legislative problems, to conduct a systematic study of legislative matters, and to publish for the benefit of all state legislators, the magazine called the 'State Government,'" reports the same favorably.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

S. J. R. No. 3 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 15 by Mr. Ryan and Mr. Hunt, entitled, "An Act creating a state geological survey and making an appropriation therefor," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 15 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 44, by Mr. Musser, entitled, "An Act establishing a mineral survey of the State of Utah; providing for its control and management, the appointment of a director, and fixing his qualifications, defining the objects, duties and purposes of said mineral survey, and providing for an annual appropriation for the support and maintenance thereof," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 44 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 53, by Mr. McCarthy, entitled, "An Act amending Section 780x6, Compiled Laws of Utah, 1917, relating to the powers of the boards of trustees of towns," reports the same back favorably and recommends the following amendment:

On line 6 change the "y" in the word "Grocery" to "s" and add a comma.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 53 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 77, by Mr. Booth, entitled, "An Act to amend Sec. 5575 Compiled Laws of Utah, 1917, as amended by Chapter 107, Laws of Utah, 1919, as amended by Chapter 118, Laws of Utah, 1921, as amended by Chapter 120, Laws of Utah, 1921, as amended by Chapter 31, Laws of Utah, 1925, relating to the control, and sale, of State Lands," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 77 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 85, by Mr. Booth, entitled, "An Act amending Section 5385, Compiled Laws of Utah, 1917, relating to the board of insanity," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 85 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 95 by Mr. Patterson, entitled, "An Act to amend Section 19, Chapter 36, Session Laws of Utah, 1923; and amending Sections 17 and 30, Chapter 36, Session Laws of Utah 1923; as amended by Chapter 23, Session Laws of Utah 1925; and amending Section 18, Chapter 36, Session Laws of Utah 1923, as last amended by Chapter 31 Session Laws of Utah 1929; relating to fish and game: and amending Section 7, Chapter 36, Session Laws of Utah 1923, as last amended by Chapter 31 Session Laws of Utah 1927 to require a special license to hunt deer: and amending Section 28x, Chapter 31, Session Laws of Utah 1927, relating to powers of state game committee," report the same back with the title amended to read as follows:

"An Act amending Section 19, Chapter 36, Laws of Utah, 1923; and Sections 17 and 30, Chapter 23, Laws of Utah, 1925; and Section 18, Chapter 36, Laws of Utah, 1923, as amended by Chapter 31, Laws of Utah, 1929; and Section 7, Chapter 36, Laws of Utah, 1923, as amended by Chapter 31, Laws of Utah, 1927, and Section 28x, Chapter 31, Session Lews of Utah, 1927 relating to fish and game," and with a few other minor changes recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to the title ordered.

S. B. No. 95 was ordered printed and referred to the Committee on Fish and Game.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 93 by Mr. Maw, entitled: "An Act to amend Section 1506, Compiled Laws of Utah, 1917, relating to the receiving of and providing for prisoners by the county sheriff," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 93 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

INTRODUCTION OF BILLS

S. B. No. 101. By Mr. McCarthy.

"An Act providing for the review of proposed bond issues of cities, towns, counties, school districts, and dainage or irrigation districts by the state tax commission," was read the first time and referred to the Committee on Revision and Enrolling.

At the request of Senator McCarthy S. B. No. 101 was withdrawn by unanimous consent of the Senate.

S. B. No. 102. By Mr. Fowles.

"An Act providing for a shrine for the original draft of the Utah State Constitution and appropriating two thousand dollars therefor," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 103. By Mr. Maw,
On Request.

"An Act amending Sections 10, 11 and 15, and repealing subdivision (c) of Section 4, Chapter 59, Laws of Utah, 1925, regulating the practice of optometry," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104. By Mr. Fowles.

"An Act to amend Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check," was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 4. By Mr. Welling.

"A joint resolution urging Utah State Congressional Delegation to formulate, prepare, and urge measures calculated to prevent escape from the provisions of the tariff law by the foreign producers of wheat," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 91, substitute for S. B. No. 10 on second reading.

On motion of Senator McCarthy, S. B. No. 91 was recommitted to the Judiciary Committee.

SPECIAL ORDER

S. B. No. 32 on second reading.

Senator Patterson moved that action on S. B. No. 32 be deferred and made special order of business to follow special order on S. B. No. 100, substitute for S. B. No. 6 on Monday Feb. 23.

The motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 27 was read the second time.

The committee report was read.

On motion of Senator Huggins the bill was amended as follows:

On page 1, line 3, before the numerals "676" add the word "Sec."

On motion of Senator McCarthy, the bill was amended as follows:

On page 1, line 15, strike the word "twelve" and insert in lieu thereof the word "ten". On page 2, lines 10, 13 and 31, strike the word "twelve" and in each case insert the word "ten".

On motion of Senator Welling the bill was amended as follows:

On page 1, line 1, strike the word "that".

S. B. No. 27 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Keyser.

S. B. No. 25 was read the second time.

The committee report was read.

On motion of Senator Welling, the bill was amended as follows:

On page 1, line 1, strike the words "that" and "hereby".

S. B. No. 25 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Ryan.

S. B. No. 45 was read the second time.

The committee report was read.

On motion of Senator Welling, the bill was amended as follows:

On page 1, line 1, strike the words "have been" and insert in lieu thereof the words "hereafter be".

On motion of Senator Musser the bill was amended as follows:

On page 1, line 2, after the word "the" insert the word "longest".

S. B. No. 45 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 3; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Owens, Patterson, Ryan Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senators Fowles, Maw, Smith.

Absent and not voting, Senator Musser.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 1, by Mr. Fowles, entitled: "An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled 'An Act authorizing the governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation,' and providing for the conveyance of lands to the State of Utah by Ogden City," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 1 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 20, by Mr. Musser, entitled: "An Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan fire insurance companies," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 20 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 55, by Mr. A. S. Tingey, entitled: "An Act to amend Section 3736, Compiled Laws of Utah, 1917, relating to the manner of filing notice of lien and recording thereof, and to extend such time."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the

Secretary of State, H. B. No. 17, by Allan S. Tingey, entitled: "An Act to amend Sections 3776 and 3777, Compiled Laws of Utah, 1917, providing for lessors' liens."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 46 was read the second time.

The committee report was read.

On motion of Senator Booth, the bill was amended as follows:

On page 1, line 18, after the word "delinquent" insert the word "general".

S. B. No. 46 was then ordered read the third time on the following roll call:

Ayes, 10; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Hunt, Jefferson, Keyser, Knight, Musser, Patterson, Welling, Young.

Those voting in the negative were: Senators Candland, Huggins, Maw, McCarthy, Owens, Ryan, Shields, Mr. President.

Absent and not voting, Senators Griffin, Smith.

S. B. No. 79 was read the second time.

The committee report was read.

Senator Ryan moved that the committee report be adopted, amending the bill on page 1, line 2, by striking the word "April" and inserting in lieu thereof the word "October".

The motion carried.

Senator Keyser moved to strike the enacting clause of S. B. No. 79.

The motion carried.

President Dillman served notice that on the next legislative day he would move a reconsideration of the vote by which S. B. No. 79 was rejected.

H. J. R. No. 2 was read the second time.

The committee report was read.

Senator Musser moved to strike the enacting clause of H. J. R. No. 2.

The motion carried.

H. B. No. 7 was read the second time.

The committee report was read.

H. B. No. 7 was rejected on the following roll call:

Ayes, 9; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Huggins, McCarthy, Owens, Ryan, Shields, Smith, Young.

Those voting in the negative were: Senators Griffin, Hunt, Jefferson, Keyser, Knight, Maw, Musser, Patterson, Welling, Mr. President.

Absent and not voting, Senator Fowles.

H. B. No. 6 was read the second time.

The committee report was read.

H. B. No. 6 was rejected on the following roll call:

Ayes, 5; Nays, 14; Absent, 1.

Those voting in the affirmative were: Senators Candland, McCarthy, Owens, Young, Mr. President.

Those voting in the negative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, Musser, Patterson, Shields, Smith, Welling.

Absent and not voting, Senator Ryan.

S. B. No. 65 was read the second time.

The committee report was read.

On motion of Senator Huggins the bill was amended as follows:

On page 1, line 1, strike the word "that". On page 2, line 15, before the numerals "6962" insert the word "Sec."

S. B. No. 65 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senators Candland, Griffin, McCarthy, Musser, Owens.

Absent and not voting, Senators Patterson, Welling.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 50, by Mr. Cates, entitled: "An Act amending Section 4609, Compiled Laws of Utah, 1917, relating to compensation of members of boards of education and

adding a new Section to be known as Section 4609x prohibiting members from receiving additional compensation or being interested in contracts with board," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 50 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 104 (Substitute for H. B. No. 35), by Committees on Livestock and Agriculture, entitled: "An Act providing for the assessment of livestock ranged, grazed or fed in this state for only a portion of the time each year and livestock on feed for slaughter within the state for only a portion of the time each year and repealing Section 5905 Compiled Laws of Utah 1917 and Sections 5905x and 5905x1 Chapter 7, Laws of Utah 1923, and all acts and parts of acts in conflict herewith," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 104, substitute for H. B. No. 35 was read first time and referred to Committee on Agriculture and Irrigation.

On motion of Senator Musser the Senate adjourned.

FORTIETH DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll Call showed all Senators present except Senators Jefferson and McCarthy.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Thirty-ninth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

W. D. CANDLAND,
WILSON McCARTHY.

PRESENTATION OF PETITIONS

A petition was presented signed by approximately 1000 people protesting the passage of S. B. No. 105 by Mr. Hunt.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 67,

by Mr. Nelsen, entitled: "An Act amending Section 556, Compiled Laws of Utah, 1917, as amended by Chapter 8, Laws of Utah, 1919, relating to passage of ordinance by cities or towns and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring, and other similar work by reference to printed codes on such subject, provided that not less than three printed copies of such code or codes in book form have been filed with the city recorder," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 67 was read first time and referred to Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 96 by Mr. Jefferson by request, entitled, "An Act empowering boards of county commissioners to levy taxes not to exceed four-tenths of one mill per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties," report the same back with a few

minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 98 by Mr. Booth, entitled, "An Act authorizing cities and towns to levy a tax for the maintenance or employment of a band for musical purposes," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. C. M. No. 5 by Mr. Booth and Mr. Ryan, report the same back with a title added as follows:

"Senate concurrent resolution relating to importation of refined and crude oil into the United States,"

We recommend that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendment to title ordered.

S. C. M. No. 5 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 94 by Mr. Maw, by request, entitled, "An Act providing that sheriffs shall be ex-officio adult probation officers in the respective counties in which they were elected to office and for the supervision of adult," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 94 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 73, by W. D. Candland,

Chairman Committee on Revenue and Taxation, entitled, "An Act providing for the review of proposed bond issues of cities, towns, counties, school districts, and drainage or irrigation districts by the state tax commission," respectfully reports that it has considered the bill and recommends that it does not pass.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 73 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 74, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled "An Act providing for the state tax commission to revise the tax levies and budgets of local governmental units under such regulations, in such cases, and within such limitations as are herein provided," respectfully reports that it has considered the bill, and recommends that it does not pass.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 74 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Highways to which was referred Senate Bill No. 33, by Mr. Hunt (by request of Com-

mittee on Highways) being "An Act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce rules and regulations regarding the matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to create a fund to be known as the highway improvement fund; providing penalties for the violations of this act; and repealing Sections 3975, 3976, 3977, 3979, 3982, 3984 and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; and Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, and by Chapter 47, Laws of Utah, 1925, and Sections 3992, 3993, 3994, 3995 and 3996, New Sections which were added by Chapter 82, Laws of Utah, 1921," reports the same back favorably and recommends that it be passed.

Respectfully,

P. H. HUNT,
Chairman.

Report filed.

S. B. No. 33 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 62 by Mr. Brimley being, "An Act to amend Section 1171, Compiled Laws of Utah, 1917, relating to suicide, making it a defense under certain types of insurance policies," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 62 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 83 by Mr. Ryan being "An Act to amend Section 6024, Compiled Laws of Utah, 1917, relating to the redemption of real estate sold to a county for delinquent taxes," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 83 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 82 by Mr. Ryan being "An Act to amend Chapter 8, Title 106, Compiled Laws of Utah, 1917, relating to re-purchasing on the installment plan of real estate sold to a county for delinquent taxes," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 82 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee on Education reports back S. B. No. 89, by Mr. Patterson, entitled, "An Act amending Section 5275, of Compiled Laws of Utah, 1917, prohibiting the board of trustees of the Utah Agricultural College from dealing in farm products," with the following amendments, consented to by the author:

On line 4, of the bill strike the word "said" and add the word "the".

On line 4, add "s" to the word "station" and insert the following: "of the Utah Agricultural College", then add the underscored matter.

And recommends that the bill be passed.

Respectfully submitted,

CLIFFORD E. YOUNG,
Chairman.

Report filed.

S. B. No. 89 was placed on the second reading calendar.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 19, 1931

Mr. President:

Your Conference Committee on House Bill No. 12, by Mr. Neslen being "An Act under which any incorporated city or town may establish, develop, operate, maintain, regulate, and police airports and landing fields," agreed with the House Conference Committee on this bill on the amendments passed by the Senate with the following exceptions:

That in the Title of the Bill we do incorporate the words "counties or" which are the fifth and sixth words of the title, also "counties" in Section 1 of the Bill and to insert the word "grant", following the word "purchase" in the first line of the Senate Amendment, also, on page 2, line 22, strike the numeral "3" and insert the numeral "1", also, change the section from section five of the original bill to section 2, and incorporate said section 2 in the amended H. B. No. 12. and make sec. 2 read sec. 3.

Respectfully submitted,

House Members:	Senate Members:
C. C. NESLEN,	P. H. HUNT,
E. L. BURGON,	HERBERT B. MAW,
B. L. DART	CLIFFORD E. YOUNG.

Report filed.

Senator Hunt moved that the Senate concur in the conference report and adopt the proposed amendments.

The motion carried.

H. B. No. 12 as amended then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth. Candland, Griffin, Hunt, Keyser, Knight, Maw, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Fowles, Huggins, Jefferson, McCarthy, Welling.

H. B. No. 12 with the conference committe report was transmitted to the House.

Senator Young moved that when the Senate adjourn it be until Monday at 10 A. M.

The motion carried.

President Dillman called Senator Huggins to the chair.

On motion of Senator Dillman the Senate's action on S. B. No. 79 was reconsidered.

President Dillman resumed the chair.

At the instance of Senator Maw and five other Senators the Senate reconsideration of the vote on S. B. No. 79 was taken by roll call.

The enacting clause of S. B. No. 79 was stricken on the following roll call:

Ayes, 10; Nays, 6; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Hunt, Keyser, Knight, Maw, Musser, Owens, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Patterson, Ryan, Shields, Smith, Welling.

Absent and not voting, Senators Fowles, Griffin, Jefferson, McCarthy.

INTRODUCTION OF BILLS

S. B. No. 105. By Mr. Hunt.

"An Act repealing Chapter 76 Laws of Utah, 1929," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106. By Mr. Hunt.

"An Act to amend Section 5993, Compiled Laws of Utah, 1917, as amended by Chapter 69, Laws of Utah, 1929, relating to tax rate for county purposes," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 107. By Mr. Ryan.

"An Act to amend Section 5975, Compiled Laws of Utah, 1917, relating to the powers of the board of county commissioners as a board of equalization, and requiring publication of a list of assessments of real property," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108. By Mr. Smith, by request of the Flood Control Commission

"An Act providing for organizing flood control districts: designating the boards of supervisors and the manner of their appointment, and defining their duties; providing a tax on the lands within the district for carrying out the purposes of the act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109. By Mr. Fowles.

"An Act amending Sections 3 and 4 of Chapter 50, Laws of Utah, 1927, relating to the state board of supplies and purchase," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110. By Mr. Booth.

"An Act to amend Section 4717 Compiled Laws of Utah, 1917, relating to interest and sinking funds and redemption of school bonds," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 111. By Mr. Candland.

"An Act establishing state schools at Ephraim City and at Ogden City, placing the same under the management and control of the state board of education, providing the course of study and entrance requirements therein and providing a method of approving claims against said schools," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112. By Mr. Fowles.

"An Act appropriating the sum of $1,000 for an oil painting of Governor George H. Dern," was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 5. By Mr. Musser.

"A joint resolution proposing an amendment to Section 5 of Article 11 of the constitution of the State of Utah, relating to municipal corporations," was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 6. By Mr. Welling,
Substitute for S. J. R. No. 4.

"A joint resolution urging the Utah Congressional Delegation at Washington to support measures designed to affect necessary restraints upon imports into the United States of foreign-produced grains so as to protect the interests of domestic producers," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,
Salt Lake City, Utah, Feb. 21, 1931.

To the Senate:

At pages 30 to 33 of the House Journal of the Special Session of the Thirteenth Legislature in 1919 appears an opinion rendered to the House of Representatives by Attorney General Dan B. Shields to the effect that it was the intention of the framers of the Constitution of the State of Utah that no person who was a legislator should hold any office of profit or of trust under authority of the state government, other than that of legislator; and that when a person accepts membership in the

Legislature he is presumed to have resigned any other position which he may have held.

Last year I appointed Hon. John E. Booth a member of the Board of Trustees of the Utah State Training School for the Feeble-Minded. When he qualified as a member of the State Senate he came to my office and discussed with me the question as to his membership on the Board of Trustees of the Utah State Training School. After consulting the opinion referred to above he informed me that he desired me to consider that he had resigned as a member of the Board of Trustees of the Utah State Training School for the Feeble Minded.

In preparing the list of recess appointments submitted to you for confirmation a few days ago, Senator Booth's name was inadvertently included. Inasmuch as his tenure in that position has therefore terminated, it is not necessary to have his appointment confirmed, and I respectfully request that his name be removed from the list.

Very respectfully,

GEO. H. DERN,
Governor.

Communication filed.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 20, 1931.

Mr. President:

Your Committee to which was referred the names for confirmation for vacancies in the various offices or departments of the State of Utah, reports the same back as follows:

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

Pursuant to Section 2705, Compiled Laws of Utah, 1917. To fill the vacancy caused by the resignation

of Scott P. Stewart, and to serve for the unexpired term ending December 31, 1935.

Richard A. Hart.....Salt Lake City

To fill the vacancy caused by the resignation of Dr. C. E. McDermid, and to serve for the unexpired term ending December 31, 1933.

Dr. J. H. Peck.....Tooele

To serve for a term of seven years from January 1, 1930.

John M. Wallace.....Salt Lake City

FOR MEMBER UTAH WATER STORAGE COMMISSION:

Pursuant to Chapter 71, Laws of Utah, 1921, as amended by Chapter 54, Laws of Utah, 1925. To fill the vacancy caused by the death of W. R. Ballard, and to serve for the unexpired term ending April 1, 1931.

Byron O. Colton.....Randlett

FOR MEMBER OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION:

Pursuant to Sections 5347 and 5348, Compiled Laws of Utah, 1917. To fill the vacancy caused by the death of E. S. Hinckley, and to serve until April 1, 1931.

John M. Ritchie.....Charleston

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL:

Pursuant to Section 5364, Compiled Laws of Utah, 1917. To fill the vacancy caused by the death of John K. Hardy, and to serve for the unexpired term ending April 1, 1931.

Arthur C. Sullivan.....Salt Lake City

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to Chapter 61, Laws of Utah, 1921. To serve for a term of six years from December 1, 1929.

Henry H. Blood.....Keysville

FOR MEMBERS OF THE UTAH STATE BUILDING COMMISSION:

Pursuant to Chapter 101, Laws of Utah, 1929. To serve for a term of two years ending April 1, 1931.

W. J. Halloran.....Salt Lake City
James W. Funk.....Richmond

To serve for a term of four years ending April 1, 1933.

J. O. Elton.....Salt Lake City
O. P. Cherdron.....Salt Lake City
Richard B. Porter.....Ogden

FOR MEMBERS OF THE UTAH-COLORADO RIVER COMMISSION:

Purusant to Chapter 98, Laws of Utah, 1929. To serve for a term of two years ending May 21, 1931.

W. R. Wallace.....Salt Lake City

To serve for a term of four years ending May 21, 1933.

W. D. Beers.....Salt Lake City

To serve for a term of six years ending May 21, 1935.

W. W. Ray.....Salt Lake City

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

Pursuant to Section 3, Chapter 75, Laws of Utah, 1929. To serve for a term of one year ending May 6, 1931.

D. A. Skeen.....Salt Lake City

To serve for a term of two years ending May 6, 1932.

Mrs. Laura M. Thompson.....Salt Lake City

To serve for a term of three years ending May 6, 1933.

Dr. Sol G. Kahn.....Salt Lake City

To serve for a term of five years ending May 6, 1935.

Mrs. Amy Brown Lyman.....Salt Lake City

To serve for a term of six years ending May 6, 1936.

Dr. Guy S. Richards.....American Fork

To serve for a term of seven years ending May 6, 1937.

Roy D. Thatcher.....Ogden

Respectfully,
W. D. CANDLAND,
M. A. KEYSER,
P. H. HUNT,
J. FRANCIS FOWLES,
DAN B. SHIELDS.
Committee.

Report filed.

On motion of Senator Candland the Senate went into executive session.

The Senate resumed regular session.

On motion of Senator Musser the Senate advised and consented to the following appointments made by the Governor.

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

Pursuant to Section 2705, Compiled Laws of Utah, 1917. To fill the vacancy caused by the resignation

of Scott P. Stewart, and to serve for the unexpired term ending December 31, 1935.

Richard A. Hart.....Salt Lake City

To fill the vacancy caused by the resignation of Dr. C. E. McDermid, and to serve for the unexpired term ending December 31, 1933.

Dr. J. H. Peck.....Tooele

To serve for a term of seven years from January 1, 1930.

John M. Wallace.....Salt Lake City

FOR MEMBER UTAH WATER STORAGE COMMISSION:

Pursuant to Chapter 71, Laws of Utah, 1921, as amended by Chapter 54, Laws of Utah, 1925. To fill the vacancy caused by the death of W. R. Ballard and to serve for the unexpired term ending April 1, 1931.

Byron O. Colton.....Randlett

FOR MEMBER OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION:

Pursuant to Sections 5347 and 5348, Compiled Laws of Utah, 1917. To fill the vacancy caused by the death of E. S. Hinckley, and to serve until April 1, 1931.

John M. Ritchie.....Charleston

FOR MEMBER OF THE BOARD OF TRUSTEES OF OF THE STATE INDUSTRIAL SCHOOL:

Pursuant to Section 5364, Compiled Laws of Utah, 1917. To fill the vacancy caused by the death of John K. Hardy, and to serve for the unexpired term ending April 1, 1931.

Arthur C. Sullivan.....Salt Lake City

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to Chapter 61, Laws of Utah, 1921. To serve for a term of six years from December 1, 1929.

Henry H. Blood.....Kaysville

FOR MEMBERS OF THE UTAH STATE BUILDING COMMISSION:

Pursuant to Chapter 101, Laws of Utah, 1929. To serve for a term of two years ending April 1, 1931.

W. J. Halloran.....Salt Lake City
James W. Funk.....Richmond

To serve for a term of four years ending April 1, 1933.

J. O. Elton.....Salt Lake City
O. P. Cherdron.....Salt Lake City
Richard B. Porter.....Ogden

FOR MEMBERS OF THE UTAH-COLORADO RIVER COMMISSION:

Pursuant to Chapter 98, Laws of Utah, 1929. To serve for a term of two years ending May 21, 1931.

W .R. Wallace.....Salt Lake City

To serve for a term of four years ending May 21, 1933.

W. D. Beers.....Salt Lake City

To serve for a term of six years ending May 21, 1935.

W. W. Ray.....Salt Lake City

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

Pursuant to Section 3, Chapter 75, Laws of Utah,

1929. To serve for a term of one year ending May 6, 1931.

D. A. Skeen.....Salt Lake City

To serve for a term of two years ending May 6, 1932.

Mrs. Laura M. Thompson.....Salt Lake City

To serve for a term of three years ending May 6, 1933.

Dr. Sol G. Kahn.....Salt Lake City

To serve for a term of five years ending May 6, 1935.

Mrs. Amy Brown Lyman.....Salt Lake City

To serve for a term of six years ending May 6, 1936.

Dr. Guy S. Richards.....American Fork

To serve for a term of seven years ending May 6, 1937.

Roy D. Thatcher.....Ogden

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 27 was read the third time and placed on its final passage.

On motion of Senator Ryan the bill was amended as follows:

On page 3, line 1, strike the comma after the word "impaired" and insert the word "and".

Senator Huggins moved that action on S. B. No. 27 be deferred and that S. B. No. 27 be placed at the bottom of the third reading calendar.

The motion carried.

S. B. No. 25 was read the third time and placed on its final passage.

S. B. No. 25 then passed on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, Owens, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Jefferson, McCarthy,Musser, Patterson, Shields.

S. B. No. 25 was transmitted to the House.

S. B. No. 45 was read the third time and placed on its final passage.

S. B. No. 45 then passed on the following roll call:

Ayes, 13; Nays, 2; Absent, 5.

Those voting in the affirmative were: Senators Booth, Griffin, Huggins, Hunt, Keyser, Knight, Musser, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Maw, Owens.

Absent and not voting, Senators Candland, Fowles, Jefferson, McCarthy, Patterson.

S. B. No. 45 was transmitted to the House.

S. B. No. 46 was read the third time and placed on its final passage.

S. B. No. 46 was rejected on the following roll call:

Ayes, 9; Nays, 7; Absent, 4.

Those voting in the affirmative were: Senators Booth, Huggins, Hunt, Keyser, Knight, Musser, Ryan, Welling, Young.

Those voting in the negative were: Senators Candland, Fowles, Griffin, Maw, Owens, Smith, Mr. President.

Absent and not voting, Senators Jefferson, McCarthy, Patterson, Shields.

S. B. No. 65 was read the third time and placed on its final passage.

Senator Musser moved that action on S. B. No. 65 be deferred and continued on Feb. 24th.

The motion carried.

Senator Fowles served notice that on the next legislative day he would move a reconsideration of the vote by which S. B. No. 46 was rejected.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 50 was read the second time.

The committee report was read.

On motion of Senator Ryan S. B. No. 50 was made special order of business for Feb. 23rd at 10:30 A. M.

Senator Booth moved that the President appoint a committee on program to arrange a Washington Birthday program of not to exceed 30 minutes the afternoon of Feb. 23.

The motion carried.

The President appointed a program committee consisting of Senators Booth and Maw.

On motion of Senator Maw the Senate adjourned.

FORTY-THIRD DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

The Senate met at 10 A. M., President Dillman in the chair.

Roll call showed all Senators present except Senator McCarthy who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fortieth Day and find it correct with minor amendments noted on the final copy.

Respectfully,
W. D. CANDLAND,
WILSON McCARTHY.

REPORT OF SPECIAL COMMITTEE

Senator Booth reported for the Washington Birthday program committee, and said that the committee had arranged for the Senate to meet with the House in joint session at 4 P. M. this afternoon, at which time a Washington Birthday program will be given as arranged by a House committee.

Senator Booths report was adopted and it was decided that such would be the order of business.

SPECIAL ORDER

S. B. No. 50 on second reading.

President Dillman called Senator Patterson to the chair.

On motion of Senator Musser the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 23, 1931.

The Senate met at 2 P. M., President Dillman in the chair.

Roll call showed all Senators present.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES.
State Capitol,
Salt Lake City, Utah, Feb. 21, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 54, by Mr. Neslen, entitled: "An Act to amend Section 8040, Compiled Laws of Utah, 1917, relating to kidnapping," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 54 was read first time and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred House Bill No. 56 by Mr. A. S. Tingey being "An Act relating to the powers and duties

of the department of registration," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

H. B. No. 56 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 21, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred House Bill No. 8 by Mr. Jorgensen being "An Act amending Section 62, Chapter 67, Laws of Utah, 1919, as amended by Chapter 100, Laws of Utah, 1925, relating to the appointment of water commissioners for the distribution of water; levying assessment to pay compensation and expenses; enforcing collection of assessments," reports the same back favorably.

Respectfully,

W. T. OWENS, Jr.
Chairman.

Report filed.

H. B. No. 8 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred House Concurrent Resolution No. 2, by Mr. Callister being "A Resolution memorializing the congress of the United States to pass and the president

to approve Senate Bill 4123, providing for refinancing drainage districts," reports the same back favorably.

Respectfully,

W. T. OWENS, Jr.
Chairman.

Report filed.

H. C. M. No. 2 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred House Joint Memorial No. 1 by Mr. Hirschi and Mr. Esplin, being "Memorial to the congress of the United States protesting against the withdrawal from entry and against preventing grazing on public lands in northwestern Arizona," reports the same back favorably.

Respectfully,

W. T. OWENS, Jr.
Chairman.

Report filed.

H. J. M. No. 1 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred House Bill No. 9 by Mr. Esplin being "An Act amending Section 191, Compiled Laws of Utah, 1917, as amended by Chapter 2, Session Laws of Utah, 1921, and adding Sections 191x, 191x1, 191x2, 191x3 and

191x4, Providing for the inspection of hides and of neat animals before being sold, purchased, transported or slaughtered, and providing for enforcement, and making it unlawful to mutilate, alter or deface any marks or brands or to conceal hides for the purpose of preventing identification of animals," reports the same back favorably.

Respectfully,

W. T. OWENS, Jr.
Chairman.

Report filed.

H. B. No. 9 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Highways Committee to which was referred Senate Bill No. 12 by Mr. Hunt by request of all members of Highways Committee, being "An Act providing for licensing motor vehicle operators and chauffeurs; providing for examination of applicants for licenses, and prescribing their qualifications; providing for suspending and revoking such licenses; requiring every person to have a license or permit to drive a motor vehicle upon a highway; fixing fees, fixing the liability of certain persons for negligence of licensed operators and chauffeurs in the operation of motor vehicles upon a highway; providing for a state highway patrol system; prescribing penalties for violations of the provisions of this act," reports the same back favorably.

Respectfully,

PAUL H. HUNT,
Chairman.

Report filed.

S. B. No. 12 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Highways Committee to which was referred Senate Bill No. 13 by Mr. Hunt by request of all members of Highways Committee being "An Act to require the registration of motor vehicles, trailers and semi-trailers and to require the payment of fees thereupon and to require report to be made of any accident involving a vehicle and to impose certain duties and obligations upon the owners of motor vehicles rented without drivers, and to prevent the taking, transfer of or injury to any vehicle without the consent of the owner; to provide for the office of vehicle commissioner and a department of motor vehicles and their powers and duties hereunder; to regulate court procedure in certain civil actions arising under this act; to provide penalties for violations of this act and to make uniform the law relating to the subject matter of this act," reports the same back favorably.

Respectfully,

PAUL H. HUNT,
Chairman.

Report filed.

S. B. No. 13 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Highways Committee to which was referred Senate Bill No. 14 by Mr. Hunt by request of all members of Highways Committee being "An Act to require certificates of title for registered motor vehicles; to facilitate the recovery of stolen or unlawfully taken motor vehicles: to provide for the licensing of dealers in used motor vehicles, trailers or semi-trailers; to provide the pow-

ers and duties of the vehicle department; to impose certain fees to carry out the purpose of this act; to impose penalties for violations of this act and to make uniform the law relating to the subject matter of this act," reports the same back favorably.

Respectfully,

PAUL H. HUNT,

Chairman.

Report filed.

S. B. No. 14 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred Senate Bill No. 93 by Mr. Maw, being "An Act to amend Section 1506, Compiled Laws of Utah, 1917, relating to the receiving of and providing for prisoners by the county sheriff," reports the same back favorably.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 93 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred Senate Bill No. 84 by Mr. Booth being "An Act providing for 'trial visits' or 'par-

oles' of certain patients from the Utah State Hospital," reports the same back favorably.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 84 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred Senate Bill No. 86 by Mr. Booth being "An Act creating a pension for employees of the Utah State Hospital who have rendered continuous employment and have reached certain ages," reports the same back without recommendation.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 86 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred Senate Bill No. 90 by Committee on Public Institutions, Health and Labor (by request) being "An Act to amend Section 5444, Compiled

Laws of Utah, 1917, relating to the state prison," reports the same back favorably.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 90 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor, to which was referred House Bill No. 93 by Mr. Brimley being "An Act authorizing the board of regents of the University of Utah to sell and convey to the United States of America certain land, now included within the University Campus, on which to construct a metallurgical laboratory," reports the same back favorably.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

H. B. No. 93 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. C. M. No. 3, by Mr. Smith, entitled, "Memorializing the congress of the United State to pass the necessary legislation to extend the provisions of the act to consolidate national forest lands to other lands in

the State of Utah," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. C. M. No. 3 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. J. R. No. 5, by Mr. Musser, entitled, "A Joint Resolution proposing an amendment to Section 5 of Article XI of the Constitution of the State of Utah, relating to municipal corporations," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. J. R. No. 5 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. J. R. No. 6, by Mr. Welling entitled, "A Joint Resolution urging the Utah Congressional Delegation at Washington to support measures designed to affect

necessary restraints upon imports into the United States of foreign-produced grains so as to protect the interests of domestic producers," reports the same back with the title amended to read as follows:

"A Joint Resolution urging the Utah Congressional delegation at Washington to support measures designed to effect necessary restraints upon imports into the United States of foreign-produced grains so as to protect the interests of domestic producers," and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. J. R. No. 6 was ordered printed and referred to the Committee on Agriculture and Irrigation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 102, by Mr. Fowles, entitled, "Act providing for a shrine for the original draft of the Utah State Constitution and appropriating two thousand dollars therefor," reports the same back with the title amended to read as follows:

"An Act providing for a shrine for the original draft of the Utah State Constitution," and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 102 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 103, by Mr. Maw (by request) entitled, "An Act amending Sections 10, 11 and 15, and repealing subdivision (c) of Section 4, Chapter 59, Laws of Utah, 1925, regulating the practice of optometry," reports the same back with the title amended to read as follows:

"An Act amending Sections 10, 11 and 15, Laws of Utah, 1925, regulating the practice of optometry," and with a few other minor changes recommends that the same be printed.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 103 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 104, by Mr. Fowles, entitled, "An Act to amend Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check," reports the same

back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 104 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 107, by Mr. Ryan, entitled, "An Act to amend Section 5975, Compiled Laws of Utah, 1917, relating to the powers of the board of county commissioners as a board of equalization, and requiring publication of a list of assessments of real property," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 107 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 112, by Mr. Fowles, entitled, "An Act appropriating the sum of $1,000 for an oil painting of Governor George H. Dern," reports the same back

with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 112 was ordered printed and referred to the Committee on Appropriations.

On motion of Senator Fowles the Senate's action on S. B. No. 46 was reconsidered.

On motion of Senator Fowles S. B. No. 46 was placed at the foot of the third reading calendar.

Representatives Mrs. Cahoon, Mr. Neslen and Mr. Dart appeared on the floor of the Senate and invited the Senate members to meet in joint session with the House for a program in honor of the Birthday of George Washington.

On motion of Senator Maw the invitation was accepted.

S. B. No. 50 on second reading.

S. B. No. 50 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 3; Absent, 0.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Knight, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Candland, Keyser, Owens.

Senator Patterson moved that S. B. No. 89 be recommitted to the Committee on Education.

The motion carried.

SPECIAL ORDER

S. B. No. 100, substitute for S. B. No. 6 on second reading.

Senator Musser moved that action on S. B. No. 100, substitute for S. B. No. 6 be deferred until Wednesday.

At the instance of Senator Candland and five other Senators the vote on Senator Mussers motion was taken by roll call.

Senator Mussers motion to defer action on S. B. No. 100, substitute for S. B. No. 6 then lost on the following roll call:

Ayes, 8; Nays, 12; Absent, 0.

Those voting in the affirmative were: Senators Fowles, Hunt, Jefferson, Keyser, Knight, Musser, Patterson, Shields.

Those voting in the negative were, Senators Booth, Candland, Griffin, Huggins, Maw, McCarthy, Owens, Ryan, Smith, Welling, Young, Mr. President.

On motion of Senator Musser S. B. No. 100, substitute for S. B. No. 6 was made special order of business for Feb. 24th at 2 P. M.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, Senate Bill No. 22, by Mr. Shields, entitled "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial office of the State of Utah: (or any district, county or city government) and pro-

viding a penalty for the violation thereof,'' and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Shields moved that the Senate do not concur in the House amendments to S. B. No. 22 and the Secretary be directed to ask the House to recede from its amendments.

The motion carried.

SPECIAL ORDER

S. B. No. 32 on second reading.

Senator Musser moved that action on S. B. No. 32 be deferred and made special order of business to follow special order on S. B. No. 100, substitute for S. B. No. 6.

The motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 43 was read the second time.

The committee report was read.

Senator Musser moved that when the Senate adjourn it be until tomorrow at 10 A. M.

The motion carried.

Senator Booth moved that the Senate recess and go to the House for the Washington Birthday Program, and that after the program there the Senate stand adjourned until tomorrow.

The motion carried.

FORTY-FOURTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present except Senators Huggins, Knight and Young, Senator Knight was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Forty-third Day and find it correct with minor amendments noted on the final copy.

Respectfully,

W. D. CANDLAND,
WILSON McCARTHY.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 23, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 101,

by Mr. P. C. Peterson, entitled "An Act establishing state schools at Ephraim City and at Ogden City, placing the same under the management and control of the state board of education, providing the course of study and entrance requirements therein, and providing a method of approving claims against said schools," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 101 was read first time and referred to Committee on Education.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 65 was read the third time and placed on its final passage.

On motion of Senator Fowles action on S. B. No. 65 was deferred until later.

S. B. No. 46 on third reading and final passage.

On motion of Senator Booth the bill was amended as follows:

On page 2, line 5, after the word "sale" insert the following "and recording of certificate of sale with county recorder of county in which property is situated".

S. B. No. 46 was rejected on the following roll call:

Ayes, 9; Nays, 8; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Hunt, Jefferson, Keyser, Patterson, Ryan, Smith.

Those voting in the negative were: Senators Cand-

land, Maw, McCarthy, Musser, Owens, Shields, Welling, Mr. President.

Absent and not voting, Senators Huggins, Knight, Young.

Senator Musser served notice that on the next legislative day he would move a reconsideration of the vote by which S. B. No. 46 was rejected.

S. B. No. 50 was read the third time and placed on its final passage.

On motion of Senator Smith the bill was amended as follows:

On page 1, line 8, after the word "Governor" strike the following "within thirty days after this act goes into effect" and insert the following "by and with the the consent of the Senate, and whose term of office shall commence April 1, 1931".

On page 2, line 11, after the word "board" insert the word "members". On the same line after the word "oath" insert the following "The board shall organize by electing one of its members chairman". On line 3, of the title after the numerals "1921" strike the comma and insert a semi-colon and add the letter "s" to the word "section". On page 1, line 1, after the numeral "1" strike the word "that". On line 3, strike the word "section" and after the word "chapter" insert the numeral "3". On line 4, after the numerals "1925" strike the comma and insert a semi-colon. On line 5, strike the word "hereby".

Capitalize the words "state land board" wherever they appear in the bill. On page 2, line 28 change the word "subscribed" to "prescribed". On page 2, line 30 change the word "confirmed" to "conferred".

On page 2, line 31, strike the letter "d" from the word "devolved". On the same line strike the word "are" and insert in lieu thereof the word "and". On

page 2, line 32, capitalize the following "state board of land commissioners". On page 3, line 3, before the underscored matter insert "( )". On page 3, line 1, strike the letter "d" from the word "devolved". On page 2, line 1, underscore the words "state land board" and "his". On page 4, line 11, strike the following "Sec. 5602. *Provided that"* and capitalize the word "the". On page 4, line 15, after the word "Sec." strike the numerals "74" and insert in lieu thereof the numerals "55". On page 4, line 18 underscore the word "and". On page 4, line 22 after the word "certified" insert the word "to" and on line 23, strike the underscoring from the word "secretary". On page 2, line 31, capitalize the words "state land commissioners".

On page 1, line 4, strike the word "sessions". On page 3, line 25, after the word "may" insert the following "exist or hereafter". On page 4, line 19, after the word "officers" insert a comma and on line 20 after the word "Chapter" insert a comma and on line 21 after the word "purpose" insert a comma.

Senator Candland moved, that further action on S. B. No. 50 be deferred and made special order of business for Feb. 26th at 3 P. M.

The motion carried.

On motion of Senator Keyser the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

Your Committee on Banking and Commerce to which was referred S. C. M. No. 5 by Mr. Booth and Mr. Ryan (by request) being "Senate Concurrent Resolution relating to importation of refined and crude oil into the United States," reports the same back without recommendation.

Respectfully,

GEORGE JEFFERSON,
Chairman.

Report filed.

S. C. M. No. 5 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 110 by Mr. Booth, entitled, "An Act to amend Section 4717 Compiled Laws of Utah, 1917, relating to interest and sinking funds and redemption of school bonds," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 110 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 111 by Mr. Candland, entitled, "An Act establishing state schools, at Ephraim City and at Ogden City, placing the same under the management and control of the state board of education, providing the course of study and entrance requirements therein and providing a method of approving claims against said schools," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 111 was ordered printed and referred to the Committee on Education.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 108 by Mr. Smith, by request of the Flood Control Commission, entitled, "An Act providing for organizing flood control districts; designating the board of supervisors and the manner of their appointment, and defining their duties; providing a tax on the lands within the district for carrying out the purposes of the act," reports the same back with the title amended to read as follows:

"An Act providing for organizing flood control districts; providing for a board of supervisors and the man-

ner of their appointment, and defining their duties; providing a tax on the lands within the district for carrying out the purposes of the act," and with a few minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 108 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 97 by Committee on Public Institutions, Health and Labor by request, entitled, "An Act creating a commission to select a new site for the state prison; and to establish a prison farm," is hereby reported back with the title amended to read as follows:

"An Act creating a commission to select a new site for the state prison; and to establish a prison farm; and to authorize the building commission to carry out the program for the purchase of a prison farm and construction of building," together with a few other minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 97 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

COMMUNICATION

To the Members of the Nineteenth Legislature of the State of Utah:

The personal income tax bill which was presented to you for your consideration by the tax commission was based upon the New York Act, which has been in successful operation more than ten years. It has as its background the rulings of the New York Tax Commission and the decisions of the Supreme Court over that period of years. It was for these reasons that the commission determined upon using it as a basis for the proposed personal income tax act in this state.

During the considerations of this measure by the joint committee on revenue and taxation many amendments were proposed and approved which changed several provisions of the act from the New York basis to the Federal Act of 1928. When these amendments were all amalgamated in the measure it become apparent that the bill in its amended form was a mixture of the New York Act and the 1928 Federal Act and that the provisions of these two acts had been so combined as to make uncertain several provisions of administration. After securing the advice of counsel on the matter the commission determined that it would be advisable to follow one basic act consistently

The proposed excise tax act has many provisions from the Federal Act of 1928, and it appeared, therefore, that the personal income tax could very well be correlated with the Federal Act of 1928 and that any necessary correlation on the part of the excise tax act could also be made so that these measures will be consistent with each other and with the Federal Act of 1928.

We therefore went to work immediately and with the assistance of counsel correlated the personal income tax act with the provisions of the Federal Act where they could be followed for purposes of a state personal in-

come tax law. It should be noted that this correlation is concerned almost entirely with the mechanics of the bill. With very few minor exceptions the policy of the measure remains unchanged. The fundamental questions of rates and exemptions remain as they were in the original proposal.

We respectfully submit this measure to you for your consideration.

STATE TAX COMMISSION,

E. H. SNOW,

Chairman.

Communication filed.

By unanimous consent of the Senate S. B. No. 113 substitute for S. B. No. 100 was introduced by Mr. Candland, Chairman of Committee on Revenue and Taxation.

"An Act providing for the levying, collecting, and paying of an income tax on individuals, and providing penalties for the violation thereof".

S. B. No. 113, substitute for S. B. No. 100 was read the first time, and on motion of Senator Candland the rules were suspended and S. B. No. 113, substitute for S. B. No. 100 was ordered printed and placed at the head of the second reading calendar.

On motion of Senator Candland the rules were suspended and S. B. No. 113, substitute for S. B. No. 100 was read the second time.

On motion of Senator McCarthy the Senate recessed for five minutes.

The Senate resumed session at 3:50 P. M.

Senator Candland moved that 600 copies of S. B. No. 113, substitute for S. B. No. 100 be printed instead of 400 copies as now provided by the Senate rules.

The motion carried.

Senator Musser moved that when the Senate adjourn it be until 10 A. M. tomorrow.

The motion carried.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 12, by Mr. Neslen, entitled: "An Act under which any county, incorporated city or town may establish, develop, operate, maintain, regulate, and police airports and landing fields," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 12 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed as amended, H. B. No. 42, by Seth Allen, entitled: "An Act relating to the public health; enacting a basic plumbing standard and authorizing towns, cities and counties to establish rules governing plumbing; and repealing all acts or parts of acts in conflict therewith," and the same is herewith transmitted for your action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 42 was read first time and referred to Committee on Public Institutions, Health and Labor.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 1, by Mr. Fowles, entitled, "An Act to amend Chapter 120, Session Laws of Utah for 1925, entitled "An Act authorizing the governor of the State of Utah, to convey certain lands in Weber County to Ogden City, a municipal corporation," and providing for the conveyance of lands to the State of Utah by Ogden City."

Very respectfully yours,

GEO. H. DERN,
Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, this day refuses to recede from its amendments to S. B. No. 22, by Mr. Shields, (by request), entitled: "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial office of the State of Utah, (or any district, county or city government) and providing a penalty for the violation thereof," and the Speaker has this day appointed a conference committee consisting of Representatives, Callister, Hoyt and Horsley, to meet with a like committee from the Senate.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

On motion of Senator Shields the President appointed a conference committee consisting of Senators Shields, Booth and McCarthy to confer with a like committee from the House on the House amendments to S. B. No. 22.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 91 (substitute for S. B. No. 10) by Mr. Booth, being "An Act to codify, amend and revise the laws relating to the juvenile courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of children's aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9, Title 21 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of Title 21 of the Compiled Laws of Utah, 1917; and all other Laws in conflict herewith," reports the same back favorably and recommends that the same be placed at the head of the second reading calendar and the following amendments be incorporated:

In line 20, page 2, strike "one or more" and strike the "s" from "judges".

In line 26, page 2 after the word "commission" strike the period and add "with a maximum of $3600.00 and not less than $300.00 annually".

In line 30, page 2, following the word "assigned" change period to a comma and add the following "and shall pay such clerk a salary not to exceed $1800.00 annually".

In line 4, page 3, after the word "age" strike balance of line and first word on line 5, and insert in lieu thereof the following "except in felony cases as hereinafter provided".

In line 23, page 3, after the word "have" and before the word "jurisdiction", insert the word "concurrent". After the word "jurisdiction" and before the word "either", insert the following: "with the district court. In such cases the juvenile court shall". After the word "either" strike the word "to".

In line 24 page 3, after the word "or" and before the word "bind", strike the word "to" and insert the word "shall".

In line 8, page 4, strike the first two letters in the word "dependency".

In line 9, page 4, after the word "court" strike the balance of the line and the first word on line 10 and insert in lieu thereof the following: "except felony cases brought before the district courts".

Between lines 5 and 6, page 4, insert the following additional subsection:

"(e) Any district court before whom a juvenile is charged with the commission of a felony, shall first sit as a committing magistrate, and when it appears that a felony has been committed and that there is reasonable cause to believe the juvenile defendant guilty, such court shall bind the juvenile defendant over for prosecution before the district court having jurisdiction of the of-

fense; provided, however, that if in the judgment of said district court, such prosecution would be harmful to the best interest of the juvenile, he may order the case transferred to the jurisdiction of the juvenile court as provided in section 5 of this act".

In line 30, page 4, following the word "compensation" add "not more than $2400.00 and not less than $60.00 per year".

In line 10, page 10, strike the first four words and insert in lieu thereof: "as directed by".

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 91, substitute for S. B. No. 10 was placed on the second reading calendar.

On motion of Senator Patterson the Senate adjourned.

FORTY-FIFTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Forty-fourth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

W. D. CANDLAND,

WILSON McCARTHY.

On motion of Senator Fowles the rules were suspended and S. C. M. No. 6 by Mr. Fowles, entiled, "Memorializing Congress to amend tariff act relating to sugar, eliminating uncertainty as to rates on liquid sugar," was introduced and read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 113 substitute for S. B. No. 100 on second reading was taken up under suspension of the rules for further consideration.

President Dillman called Senator Jefferson to the Chair.

On motion of Senator Patterson the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 96 by Mr. Jefferson, (by request) entitled, "An Act empowering boards of county commissioners to levy taxes not to exceed four tenths of one mill per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties," reports the same back favorably with the following amendment:

After the words in first line "Mr. Jefferson" strike the "(By Request)".

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 96 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. C. M. No. 3, by Mr. Smith, entitled, "Memorializing the congress of the United States to pass the necessary legislation to extend the provisions of the

act to consolidate national forest lands to other lands in the State of Utah," reports the same back favorably.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. C. M. No. 3 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 98 by Mr. Booth, entitled, "An Act authorizing cities and towns to levy a tax for the maintenance or employment of a band for musical purposes," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 98 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred H. B. No. 67 by Mr. Neslen, entitled "An Act amending Section 556, Compiled Laws of Utah, 1917, as amended by Chapter 8, Laws of Utah, 1919, relating to passage of ordinance by cities or towns and authorizing cities to adopt ordinances relating to build-

ing construction, plumbing or electric wiring, and other similar work by reference to printed codes on such subject, provided that not less than three printed copies of such code or codes in book form have been filed with the city recorder,'' reports the same back favorably.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

H. B. No. 67 was placed on the second reading calendar.

S. B. No. 113, substitute for S. B. No. 100 on second reading.

Senator Hunt moved to amend the bill as follows.

On page 2, line 32, and on page 3 lines 1, 3, 5 and 7 strike the word ''one'' and insert in lieu thereof the word ''two''.

On page 3, strike all of lines 9, 10, 11, 12, 13 and 14 and on line 15 strike the letter ''K'' in the ''( )'' and insert in lieu thereof the letter ''f''. On the same line strike the word ''five'' and insert the words ''three and one half''.

Senator Hunt moved to amend the amendment as follows:

On page 2, line 32 and on page 3, lines 1, 3, 5, and 7 strike the words ''two thousand'' and in each case insert in lieu thereof the words ''fifteen hundred''.

At the instance of Senator Candland and five other Senators the vote on Senator Hunts motion to amend was taken by roll call.

Senator Hunts motion to amend carried on the following roll call:

Ayes, 13; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Patterson, Shields, Welling.

Those voting in the negative were: Senators Candland, Griffin, Owens, Ryan, Smith, Young, Mr. President.

The chair ruled that the amendment to the amendment amended the bill.

Senator Maw appealed from the decision of the chair.

The appeal was sustained.

At the instance of Senator Ryan and four other Senators a roll call was ordered on the amendments as amended and passed on the following roll call:

Ayes, 11; Nays, 9; Absent, 0.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Patterson, Shields.

Those voting in the negative were: Senators Candland, Griffin, Maw, Owens, Ryan, Smith, Welling, Young, Mr. President.

President Dillman called Senator Musser to the Chair.

Senator Musser called Senator Young to the Chair.

On motion of Senator Musser the bill was amended as follows:

On page 35, strike all of lines 11 to 24 inclusive.

On motion of Senator Shields the bill was amended as follows.

On page 9, line 25, strike the word "eighteen" and insert in lieu thereof the words "twenty-one".

On motion of Senator McCarthy, the bill was amended as follows:

On page 3, following sub-section (f) insert a new sub-section as follows: "(g) a taxpayer, subject to the tax herein provided for, shall receive an offset against said tax in the amount of taxes paid upon his real and personal property in the State of Utah during the taxable year, but the amount of such offset shall not exceed 50% of the tax herein provided, and shall not apply against any filing fee herein provided".

On motion of Senator Musser the Senate recessed for five minutes.

The Senate resumed session at 4:20 P. M.

President Dillman resumed the Chair.

On motion of Senator Musser the bill was amended as follows:

On page 32, line 14, strike the words "five hundred" and insert in lieu thereof the words "twenty-five".

COMMUNICATIONS FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 24, 1931.

To The Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 40, by Mr. Shields, entitled, "An Act amending Section 570x38, Compiled Laws of Utah, 1917, relating to the general powers of boards of city commissioners and city councilors."

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

To the Senate:

I have received from the Secretary of State of Idaho a certified copy of Senate Joint Memorial No. 7, which I have transmitted to Hon. Milton H. Welling, Secretary of State, as legal custodian of such documents.

The Memorial reads as follows:

LEGISLATURE OF THE STATE OF IDAHO
TWENTY-FIRST SESSION

IN THE SENATE
SENATE JOINT MEMORIAL NO. 7
BY IRRIGATION AND WATER RESOURCES COMMITTEE

A JOINT MEMORIAL

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

Your Memorialist, the Legislature of the State of Idaho Respectfully Represent:

THAT WHEREAS, There is not now available in the federal reclamation fund an adequate amount to carry on the construction and betterment on many reclamation projects approved by Congress and now in process of construction; and

WHEREAS, Such lack of funds necessitates the discontinuance of work thereon until such time as said reclamation fund may be augmented by the different sources of income thereto; and

WHEREAS, The prevaling economic depression throughout the nation may cause considerable time to elapse before the income to said reclamation fund will

be adequate to permit the continuance of work on the various reclamation projects; and

WHEREAS, Said delay in the continuation of construction on such projects will add considerable to the cost of those projects now under construction, loss to settlers now on the projects awaiting an initial or additional water supply, and tend to add to the general economic depression in many localities in our western states; Now, therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF IDAHO, THE HOUSE OF REPRESENTATIVES CONCURRING, That we most respectfully urge the Congress of the United States of America to make an emergency appropriation of Five Million ($5,000,000) Dollars as a loan to the reclamation fund; and

BE IT FURTHER RESOLVED, That the Secretary of State of the State of Idaho is hereby instructed to forward this memorial to the Senate and House of Representatives of the United States of America, and that copies hereof be sent to the Senators and Representatives in Congress from this state, and to the States of Oregon, Washington, California, Utah, Nevada, Arizona, Colorado and Montana.

Very respectfully,

GEO. H. DERN,
Governor,

Communication filed.

Executive Office,
State Capitol,
Salt Lake City, Utah, Feb. 25, 1931.

To the Senate:

I am returning herewith Senate Bill No. 20, by Mr. Musser, entitled, "An Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan of fire insurance companies."

I have withheld my approval of this bill in order to enable you to correct an error that was apparently made in engrossing. Reference to the statute shows that on line 9 of page 2 of the bill, between the words "become" and "same" the following should be inserted: "a lien upon such property of like force and effect as a mortgage against". With this phrase left out the effect of the section is impaired. I shall be glad to approve the bill after the foregoing correction is made.

However, in the opinion of the Attorney General there is a conflict between Section 1180 as amended and Section 1181 of the Compiled Laws of 1917, in this: That under the amendment Section 1180 fixes a limited liability of not more than five times the cash premium expressed in the policy, whereas Section 1181 requires an unlimited liability. The Attorney General's office is of the opinion that if Section 1180 is amended as contemplated by this bill, Section 1181 should be likewise amended in order to harmonize.

I have consulted several attorneys on this point and find a difference of opinion among them. However, I feel it my duty to call your attention to the opinion of the Attorney General so as to give you this opportunity to amend Section 1181 if you think necessary. I do not insist upon it as a prerequisite to my approval.

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

Senator Musser moved that the Secretary be instructed to correct the engrossed bill S. B. No. 20 to conform with S. B. No. 20 as passed by the Senate and the House and to return the bill to the Governor for his action.

The motion carried.

Senator Musser moved that the Rules and contingent expense committee be instructed to employ a proofreader to assist the Secretary.

The motion carried.

Senator Booth moved that when the Senate adjourn it be until tomorrow at 10 A. M.

The motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

Mr. President:

Your committee on Highways, to which was referred S. B. No. 42, by Mr. Booth, entitled, "An Act to amend Section 6, Chapter 38,Laws of Utah, 1923, as amended by Chapter 40, Laws of Utah, 1925, and Chapter 41, Laws of Utah, 1927, relating to the excise tax on motor vehicle fuels," reports the same back without recommendation.

Respectfully,

P. H. HUNT,
Chairman.

Report filed.

S. B. No. 42 was placed on the second reading calendar.

On motion of Senator Musser the Senate adjourned.

FORTY-SIXTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931.

The Senate met at 10 A. M., President Dillman in the chair.

Roll call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 26, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Forty-fifth Day and find the same correct with a few minor amendments noted on the final copy.

Respectfully,

W. D. CANDLAND,

WILSON McCARTHY.

PRESENTATION OF PETITIONS

A petition was received by the Senate signed by Richard R. Lyman and nineteen others praying for the immediate passage of S. B. No. 76 and H. B. No. 116.

By unanimous consent of the Senate S. B. No. 114, substitute for S. B. No. 57 was introduced by Mr. Candland, chairman of committee on Revenue and Taxation.

"An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state."

S. B. No. 114, substitute for S. B. No. 57 was read the first time, and on motion of Senator Candland the rules were suspended and S. B. No. 114, substitute for S. B. No. 57 was ordered printed and placed on the second reading calendar.

Senator Musser moved that the rules be suspended and that the Senate take up S. B. No. 113, substitute for S. B. No. 100 on second reading for further consideration.

The motion carried.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 20, by Mr. Musser, entitled, "An Act to amend Section 1180, Compiled Laws of Utah, 1917, relating to mutual plan of fire insurance companies."

Very Respectfully,

GEO. H. DERN,

Governor.

Communication filed.

Executive Office,
State Capitol,

Salt Lake City, Utah, Feb. 25, 1931.

To the Senate:

I have this day nominated the following persons for the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE UTAH STATE BUILDING COMMISSION:

To serve for a term of four years, pursuant to Section 1, Chapter 101, Laws of Utah, 1929.

W. J. Halloran.....Salt Lake City
James W. Funk.....Richmond

FOR STATE CHEMIST:

To serve for a term of four years, pursuant to Section 5757, Compiled Laws of Utah, 1917.

Herman Harms.....Salt Lake City

FOR MEMBER OF THE UTAH-COLORADO RIVER COMMISSION:

To serve for a term of six years, pursuant to Section 1, Chapter 98, Laws of Utah, 1929.

W. R. Wallace.....Salt Lake City

FOR MEMBERS OF THE STATE BOARD OF EDUCATION:

To serve for a term of six years, pursuant to Chapter 75, Laws of Utah, 1925.

Dr. M. J. Macfarlane.....Cedar City
George A. Eaton.....Salt Lake City

FOR STATE FISH AND GAME COMMISSIONER:

To serve for a term of four years, pursuant to Chapter 36, Laws of Utah, 1923.

Newell B. Cook.....Morgan

FOR MEMBER OF THE INDUSTRIAL COMMISSION OF UTAH:

To serve for a term of six years, pursuant to Section 3061, Compiled Laws of Utah, 1917.

William M. Knerr.....Salt Lake City

FOR DIRECTOR OF REGISTRATION:

To serve for a term of four years, pursuant to Section 5, Chapter 49, Laws of Utah, 1923.

Sebron W. Golding.....Price

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

To serve for a term of seven years, pursuant to Section 3, Chapter 75, Laws of Utah, 1929.

D. A. Skeen.....Salt Lake City

FOR MEMBERS OF THE UTAH BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES:

To serve for a term of two years, pursuant to Section 6180, Compiled Laws of Utah, 1917.

Charles R. Hollingsworth.....Ogden
William H. Leary.....Salt Lake City
Calvin W. Rawlings.....Salt Lake City

FOR MEMBER OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

To serve for a term of seven years, pursuant to Section 2705, Compiled Laws of Utah, 1917.

Dr. Joseph Morrell.....Ogden

Respectfully submitted,

GEO. H. DERN,
Governor.

Communication referred to a special committee appointed by President Dillman, consisting of Senators Knight, Jefferson, Ryan, Smith and Patterson.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 26, 1931.

Mr. President:

Your Committee on Education, to which was referred H. B. No. 101 by Mr. P. C. Peterson, Jr., entitled,

"An Act establishing state schools at Ephraim City and at Ogden City, placing the same under the management and control of the state board of education, providing the course of study and entrance requirements therein and providing a method of approving claims against said school," reports the same back favorably.

Respectfully,

CLIFFORD E. YOUNG,
Chairman.

Report filed.

On motion of Senator McCarthy the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

PRESENTATION OF PETITIONS

A petition was received from the women's legislative council of Utah, protesting the establishment of Junior Colleges in the State of Utah.

By unanimous consent of the Senate S. B. No. 115, substitute for S. B. No. 24 and S. B. No. 72 was introduced by Mr. Candland, Chairman of Committee on Revenue and Taxation.

"An Act providing for the appointment of the members of the State Tax Commission, prescribing their terms of office, qualifications, and salaries, and defining the powers and duties of said commission."

S. B. No. 115, substitute for S. B. No. 24 and S. B. No. 72 was read the first time, and on motion of Senator Candland the rules were suspended and S. B. No. 115, substitute for S. B. No. 24 and S. B. No. 72 was ordered printed and placed on the second reading calendar to follow S. B. No. 114, substitute for S. B. No.57.

Senator Musser asked for unanimous consent of the Senate to introduce a bill. Unanimous consent of the Senate was given.

S. B. No. 116. By Mr. Musser.

"An Act to amend Section 1627, Compiled Laws of Utah, 1917, relating to constables," was read the first time and referred to the Committee on Revision and Enrolling.

Senator Shields moved that the Senate hold evening sessions starting on the evening of March 2nd, and at these evening sessions the Senate consider the second reading calendar.

The motion carried.

S. B. No. 113, substitute for S. B. No. 100 on second reading.

On motion of Senator McCarthy the bill was amended as follows:

On third line of the title strike "and providing" and insert in lieu thereof the word "fixing".

After "thereof" in title, change the period to a comma and add "and providing for the manner of filing returns of income and the fee to be paid therefor".

On page 1, line 6, after the word "estate" insert the following: "required to make a return or".

On page 19, line 24 after the numeral "17" put "(a)".

On page 20 following the end of Section 17a add a new section to be known as Section 17b, as follows, viz: "17b. Every resident of the age of 21 years or over whose net income if single is less than $1,000.00, or if married is less than $2,000.00, and every person whose income is included in a joint return made by his or her husband or wife, as hereinabove provided. shall make a return stating the amount of his or her gross income, together with such itemization thereof and such other information as the state tax commission may from time to time by general regulations require."

On page 20, line 3, after the word "commission" insert the following "each accompanied by a filing fee of $2.00."

On page 20, line 5, change the period to a comma and insert the word "or" immediately thereafter; change the capital "I" in "If" to a small "i"; strike on lines 5 and 6 the words "it shall be made."

On page 20, line 10, strike the period at the end of the line, insert a semi-colon and the following language; "provided that no extension of time for filing shall be granted until the filing fee herein provided for has been paid; and provided further, that the tax commission may, in its descretion, and under rules and regulations to be prescribed by it, remit or abate the said filing fee for good cause shown, and, no insane, idiotic, infirm or indigent person, nor any ward of the State confined against his will, nor any student regularly enrolled and in good standing in any school or institution of learning of this State, shall be required to pay said filing fee; but such remission, abatement or exception shall not be construed in any case to relieve such person, ward or student from filing a return of his or her income, if otherwise required so to do under this act."

S. B. No. 113, substitute for S. B. No. 100 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Fowles.

SPECIAL ORDER

S. B. No. 32 on second reading.

Senator McCarthy moved that action on S. B. No. 32 be deferred and made special order of business to follow the final determination of S. B. No. 113 and S. B. No. 115.

The motion carried.

SPECIAL ORDER

S. B. No. 50 on third reading and final passage.

Senator Ryan moved to amend the bill as follows:

Strike the title and insert the following "an Act providing for additional duties of the State Land Board in relation to flood control".

Strike on page 1 all of Sec. 1, all of Sec. 5571 and all of page 2 down to and including line 29.

At the instance of Senator Maw and four other Senators the vote on Senator Ryans motion to amend was taken by roll call.

Senator Ryans motion to amend then lost on the following roll call:

Ayes, 8; Nays, 11; Absent 1.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Owens, Ryan.

Those voting in the negative were: Senators Huggins, Knight, Maw, McCarthy, Musser, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Fowles.

Senator Ryan moved to amend the bill as follows:

Strike all of the title. Strike all of Sec. 1, page, 1, all of Sec. 5571, page 1, Sec. 5574, page 2, and the first two lines of page 3 and the words "said board." On page 4, together with the "( )". Strike all of Sec. 5573 page 2 and 5583 page 4.

On pages 3 and 4 substitute for the "State Land Board" the "State Flood Control Commission" in lines 3, 10, 12, 17 and 30, on page 3 and on lines 1, 2, and 4 on page 4. Also on line 3 page 3 strike the word "further", and in lieu thereof insert the following:

"An Act creating a state flood control commission and defining its powers and duties."

Be it enacted by the Legislature of the State of Utah.

Section 1. There is hereby created the Utah State Flood Control Commission consisting of four members who shall be appointed by the Governor. The term of office of said commission shall be for a period of two years beginning April 1, 1931.

Sec. 2. The members of the State Flood Control Commission shall meet and organize within thirty days from the date of their appointment and elect one of its members as Chairman and may appoint a secretary. The members of said commission shall take the constitutional oath and shall give a bond to the state in the sum of $25,000.00 and the secretary shall give a bond in the sum of $5000.00 the same to be approved in each case by the State Board of Examiners and filed in the office of the secretary of State.

The members of said commission shall receive $10.00 per diem for its actual service on the State Flood Control Commission and have in addition thereto their necessary travel and hotel expense while thus employed. The

commission shall fix the salary of its Secretary which shall not exceed $150.00 per month.

At the instance of Senator Welling and four other Senators the vote on Senator Ryans motion to amend was taken by roll call.

Senator Ryans motion to amend then lost on the following roll call:

Ayes, 8; Nays, 11; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Owens, Ryan.

Those voting in the negative were: Senators Huggins, Knight, Maw, McCarthy, Musser, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting Senator Fowles.

S. B. No. 50 then passed on the following roll call:

Ayes, 11; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Huggins, Knight, Maw, McCarthy, Musser, Patterson. Ryan, Shields, Smith, Welling, Young.

Those voting in the negative were: Senators Candland, Griffin, Hunt, Keyser, Owens, Mr. President.

Absent and not voting, Senators Booth, Fowles, Jeff erson.

S. B. No. 50 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 65 was read the third time and placed on its final passage.

S. B. No. 65 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Candland, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Owens.

Absent and not voting, Senators Booth, Fowles, Jefferson.

S. B. No. 65 was transmitted to the House.

Senator Ryan moved that S. B. No. 91, substitute for S. B. No. 10 be made special order of business for Feb. 26th at 3 P. M.

The motion carried.

CONSIDERATION OF BILLS ON SECOND READING

Senator Candland moved that the rules be suspended and that S. B. No. 114 substitute for S. B. No. 57 be placed at the head of the second reading calendar for immediate consideration.

The motion carried.

President Dillman called Senator Huggins to the Chair.

S. B. No. 114, substitute for S. B. No. 57 was read the second time.

Senator Musser moved that when the Senate adjourn it be until tomorrow at 10 A. M.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931.

Mr. President:

Your Judiciary Committee to which was referred House Bill No. 39 by Mrs. Lowe being "An Act to amend

Section 1, Chapter 59, Laws of Utah, 1923; and providing for the licensing of all persons other than the parents placing children," reports the same back with the following amendment:

In line 1 after the word "degree" insert "of consanguinity".

And recommend that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 39 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931.

Mr. President:

Your Judiciary Committee to which was referred S. B. No. 94 by Mr. Maw (by request) being "An Act providing that sheriffs shall be ex-officio adult probation officers in the respective counties in which they were elected to office and for the supervision of adult probationers," reports the same back without recommendation

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 94 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931.

Mr. President:

Your Judiciary Committee to which was referred S. B. No. 104 by Mr. Fowles being "An Act to amend

Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check," reports the same back favorably with the following amendments:

In line 12 after "a" insert "misdemeanor for a first offense and upon conviction of the second offense shall be guilty of a felony punishable." In line 12 strike the words "felony and is punishable."

Strike the last word in line 13 and insert in lieu thereof the word "three".

Strike all the matter between lines 15 to 19 inclusive.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

S. B. No. 104 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Feb. 26, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 54 by Mr. Neslen being "An Act to amend Section 8040, Compiled Laws of Utah, 1917, relating to kidnapping," reports the same back without recommendation.

Respectfully,

GEO. H. RYAN,

Chairman.

Report filed.

H. B. No. 54 was placed on the second reading calendar.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day day approved and filed with the Secreary of State H. B. No. 50, by Mr. Cates, entitled: "An Act amending Section 4609, Compiled Laws of Utah, 1917, relating to compensation of members of boards of education and adding a new section to be known as Section 4609x prohibiting members from receiving additional compensation or being interested in contracts with board."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

On motion of Senator Musser the Senate adjourned.

FORTY-SEVENTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight, who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Forty-sixth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

W. D. CANDLAND,

WILSON McCARTHY.

The president appointed Senators Griffin and Shields as members of the committee on revising the Journal for the next five days.

On motion of Senator Musser H. B. No. 63 and H. B. No. 64 were made special order of business for 11 A. M. today.

SPECIAL ORDER

H. B. No. 64 on second reading.

H. B. No. 64 was read the second time.

The committee report was read.

On motion of Senator Keyser the bill was amended as follows:

On page 1, line 8, in the word "section" strike the "tion" and put a period after "Sec." On page 1, line 12, in the word "section" strike the "tion" and put a period after "sec.". On page 1, line 17, in the word "section" strike the "tion" and put a period after "sec." On page 1, line 23, in the word "section" strike the "tion" and put a period after "sec." On page 1, line 24, put the numerals "$100.00" in brackets and strike the brackets around the words "one hundred dollars". On

page 2, line 2 in the word "section" strike the "tion" and put a period after "sec.". On page 2, line 5 in the word "section" strike the "tion" and put a period after "sec."

President Dillman called Senator Ryan to the Chair.

H. B. No. 64 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Absent and not voting, Senators Fowles, Knight, Mr. President.

H. B. No. 63 on second reading.

H. B. No. 63 was read the second time.

The committee report was read.

On motion of Senator Jefferson the bill was amended as follows:

On page 1, line 2, strike the word "either". On the same line strike the words "the insured or". On line 5, page 1, in the word "section" strike the "tion" and put a period after "sec.". On page 1, line 14, in the word "section" strike the "tion" and put a period after"sec." On page 2, line 1 in the word "section" strike the "tion" and put a period after "sec." On page 2, line 7 in the word "section" strike the "tion" and put a period after "sec." On page 2, line 10 in the word "section" strike the "tion" and put a period after "sec." On page 2, line 11 put the numerals "$10.00" in brackets and strike the brackets around the words "ten dollars". On page 2, line 13 in the word "section" strike the "tion" and put a period after "sec". On page 2, line 15, in the word "section" strike the "tion" and put a period after "sec."

President Dillman resumed the Chair.

H. B. No. 63 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting Senators Fowles, Knight.

On motion of Senator Candland the rules were suspended and S. B. No 115, substitute for S. B. No. 24 and S. B. No. 72 on second reading calendar was taken up for immediate consideration.

S. B. No. 115, substitute for S .B. No. 24 and S. B. No. 72 was read the second time.

On motion of Senator Candland the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred S. B. No. 41 by Mr. Booth, entitled,

"An Act to amend Section 9, Chapter 67, Laws of Utah, 1919, as amended by Chapter 72, Laws of Utah, 1921, relating to water and water rights," report the same back favorably.

Respectfully,

W. T. OWENS, Jr.

Report filed. Chairman.

S. B. No. 41 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 104 (Substitute for H. B. No. 35) by Committee on Livestock and Agriculture entitled, "An Act providing for the assessment of livestock ranged, grazed or fed in this state for only a portion of the time each year and livestock on feed for slaughter within the state for only a portion of the time each year and repealing Section 5905 Compiled Laws of Utah, 1917, and Section 5905x and 5905x1 Chapter 7, Laws of Utah 1923, and all acts and parts of acts in conflict herewith," reports the same back without recommendation.

Respectfully,
W. T. OWENS, Jr.
Chairman.

Report filed.

H. B. No. 104, substitute for H. B. No. 35 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to

which was referred S. B. No. 36, by Mr. Booth, entitled, "An Act providing for the regulating, planting, care and control of shade trees and shrubbery upon the public streets, avenues and ways; authorizing the creation of shade tree departments; the appointment of shade tree commission; and continuance of existing shade tree commissions; prescribing their powers and duties; making certain expenses a lien on abutting real property and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act," reports the same back favorably with the following amendments:

Amend the title by striking out the following language:

"Making certain expenses a lien on abutting real property."

Amend Section 3 on page 2, lines 26, 27 and 28, as follows: By putting a semi-colon after the word "street" on line 26, and striking out the following language appearing thereafter "at the expense of the owner of such tree, or of the owner of the property abutting the street where such tree stands."

Amend by striking out all of section 6 appearing on Pages 3 and 4.

Amend by striking out all of Section 8 appearing on pages 4 and 5.

On page 5 amend Section 9 by striking out the following appearing in lines 11 and 12: "after having been planted."

Strike all of the last paragraph of Section 9.

Respectfully,

W. T. OWENS, Jr.

Chairman.

Report filed.

S. B. No. 36 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred S. J. R. No. 6 (substitute for S. J. R. No. 4) by Mr. Welling, entitled, "A Joint Resolution urging the Utah Congressional Delegation at Washington to support measures designed to effect necessary restraints upon imports into the United States of foreign-produced grains so as to protect the interests of producers," reports the same back favorably.

Respectfully,

W. T. OWENS, Jr.

Chairman.

Report filed.

S. J. R. No. 6 substitute for S. J. R. No. 4 was placed on the Second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred Senate Bill No. 97 by Committee on Public Institutions, Health and Labor (by request) being "An Act creating a commission to select a new site for the state prison; and to establish a prison farm; and to authorize the building commission to carry out the program for the purchase of a prison farm and construction of building," reports the same back without recommendation.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 97 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Public Institutions, Health and Labor to which was referred House Bill No. 42 by Seth Allen being "An Act relating to the public health; enacting a basic plumbing standard and authorizing towns, cities, and counties to establish rules governing plumbing; and repealing all acts or parts of acts in conflict therewith," reports the same back without recommendation.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

H. B. No. 42 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 27, 1931.

Mr. President:

Your Committee on Revison and Enrolling to which was referred Senate Bill No. 116 by Mr. Musser being "An Act to amend Section 1627, Compiled Laws of Utah, 1917, relating to constables," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 116 was ordered printed and referred to the Committee on Judiciary.

Senator Candland moved that the rules be suspended and the Senate take up S. B. No. 114, substitute for S. B. No. 57 on second reading for immediate consideration.

The motion carried.

On motion of Senator Musser the bill was amended as follows:

On page 38, line 33, after the word "sec." strike the numerals "67" and insert the numerals "68". On page 38 strike all of lines 20 to 32 inclusive.

Strike out all of present Section 5 and substitute in place thereof the following:

Sec. 5. Every bank or other corporation subject to the tax provided for under Section 3 or 4 hereof shall receive an offset or credit against said tax in the amount of the taxes paid by it during the taxable year upon (a) its tangible personal property and (b) its real estate located within the State of Utah, but such offset or credit shall not exceed fifty per centum of the tax computed and payable under this act.

President Dillman called Senator McCarthy to the Chair.

On motion of Senator Musser the bill was amended as follows:

On page 7, line 14 strike the word "taxable" and insert the following "included in gross income".

SPECIAL ORDER

S. B. No. 91, substitute for S. B. No. 10 on second reading.

President Dillman resumed the Chair.

On motion of Senator Ryan the bill was amended as follows:

In line 20, page 2, strike "one or more" and strike the "s" from "judges".

In line 26, after the word "commission" strike the period and add "with a maximum of $3600.00 and not less than $300.00 annually".

In line 30, page 2, following the word "assigned" change period to a comma and add the following "and shall pay such clerk a salary not to exceed $1800.00 annually".

In line 4, page 3, after the word "age" strike balance of line and first word on line 5 and insert in lieu thereof the following: "except in felony cases as hereinafter provided."

In line 23 page 3, after the word "have" and before the word "jurisdiction" insert the word "concurrent". After the word "jurisdiction" and before the word "either", insert the following: "with the district court. In such cases the juvenile court shall". After the word "either" strike the word "to."

In line 24, page 3, after the word "or" and before the word "bind" strike the word "to" and insert the word "shall."

In line 8, page 4, strike the first two letters in the word dependency".

In line 9, page 4, after the word "court" strike the balance of the line and the first word in line 10 and insert in lieu thereof the following: "except felony cases brought before the district courts."

Between lines 5 and 6, page 4, insert the following additional subsection:

"(e) Any district court before whom a juvenile is charged with the commission of a felony, shall first sit as

a committing magistrate, and when it appears that a felony has been committed and that there is reasonable cause to believe the juvenile defendant guilty, such court shall bind the juvenile defendant over for prosecution before the district court having jurisdiction of the offense; provided, however, that if in the judgment of said district court, such prosecution would be harmful to the best interest of the juvenile, he may order the case transferred to the jurisdiction of the juvenile court as provided in section 5 of this act."

In line 30, page 4, following the word "compensation" add "not more than $2400.00 and not less than $60.00 per year."

In line 10, page 10, strike the first four words and insert in lieu thereof: "as directed by."

On page 11, line 32, after the word "by" insert the word "search" and on line 33 after the word "section" insert the following: "serve upon his parent or guardian or on the custodian of the premises."

S. B. No. 91, substitute for S. B. No. 10 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Patterson.

On motion of Senator Ryan the rules were supended and S. B. No. 91, substitute for S. B. No. 10 was read the third time and placed on its final passage.

S. B. No. 91, substitute for S. B. No. 10 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Patterson.

S. B. No. 91, substitute for S. B. No. 10 was transmitted to the House.

On motion of Senator Ryan the Senate recessed for ten minutes.

The Senate resumed session at 3:45 P. M.

Senator Maw moved that unless otherwise ordered it be the regular order of business for the Senate to meet daily at 10 A. M. and 2 P. M.

The motion carried.

Senator Welling moved that the rules be suspended and that the Senate take up S. B. No. 67 on second reading calendar for immediate consideration.

The motion carried.

S. B. No. 67 was read the second time.

The committee report was read.

On motion of Senator Welling the bill was amended as follows:

On page 1, line 14 strike the word "total". On line 15 strike the word "exceed" and insert in lieu thereof the words "be less than one nor more than" and on line 15 strike the word "charged" and insert the following: "as expressed in the policy."

S. B. No. 67 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators

Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Patterson, Young.

On motion of Senator Welling the rules were suspended and S. B. No. 67 was read the third time and placed on its final passage.

S. B. No. 67 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Patterson, Young.

S. B. No. 67 was transmitted to the House.

Senator Booth moved that the rules be suspended and that S. B. No. 27 on third reading calendar be taken up for immediate consideration.

The motion carried.

S. B. No. 27 was read the third time and placed on its final passage.

On motion of Senator Booth the bill was amended as follows:

On page 3, line 1, strike the words "and shall exist and" and on line 2 strike the words "be exercised."

S. B. No. 27 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Mr. President.

Those voting in the negative were: Senator Candland.

Absent and not voting, Senators Patterson, Welling, Young.

S. B. No. 27 was transmitted to the House.

Senator Musser moved that the rules be suspended and that the Senate take up H. B. No. 57 on second reading calendar for immediate consideration.

The motion carried.

H. B. No. 57 was read the second time.

The committee report was read.

H. B. No. 57 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Shields, Welling.

Those voting in the negative were: Senators Jefferson, Smith, Mr. President.

Absent and not voting, Senators Candland, Patterson, Young.

On motion of Senator Jefferson, the Senate adjourned.

FORTY-EIGHTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Forty-seventh Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. H. GRIFFIN, Jr.
DAN B. SHIELDS.

Senator Ryan moved that the rules be suspended and the Senate take up S. B. No. 114, substitute for S. B. No. 57 on second reading.

The motion carried.

S. B. No. 114, substitute for S. B. No. 57 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Those voting in the negative were: Senators Jefferson, Musser.

Absent and not voting, Senator Young.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 113, substitute for S. B. No. 100 was read the third time and placed on its final passage.

Senator Musser moved to amend the bill as follows:

Strike all of Sec. 63 (a) and substitute the following:

"Sec. 63. (a) All revenue except receipts from filing fees, collected or received by the tax commission under this Act shall be deposited daily with the state treasurer. Five per centum of the revenue so collected shall be retained by the state treasurer as a reserve fund for the payment of refunds to which taxpayers shall be entitled under the provisions of this Act. The balance shall be allocated as follows: seventy-five per centum to the State District School Fund and twenty-five per centum to the State General Fund.

Refunds due to taxpayers under this Act shall be paid out of said reserve fund. If at the end of any state fiscal year there is in said reserve fund a sum in excess of $25,000.00, such excess shall be allocated as follows: seventy-five per centum to the State District School Fund and twenty-five per centum to the State General Fund. The levy for State District School purposes and for State General Fund purposes shall be reduced accordingly in proportion to the revenues received from the income tax. Receipts from filing fees shall be allocated to the State General Fund."

Senator Candland moved to amend the amendment as follows: On the first line of the amendment strike the word "except" and insert in lieu thereof the word "including". Strike the following: "Receipts from filing fees shall be allocated to the state General Fund".

At the instance of Senator Huggins and four other Senators the vote on Senator Candlands amendment to the amendment was taken by roll call.

Senator Candlands amendment to the amendment then lost on the following roll call:

Ayes, 8; Nays, 12; Absent, 0.

Those voting in the affirmative were: Senators Candland, Griffin, Huggins, Owens, Ryan, Smith, Welling, Young.

Those voting in the negative were: Senators Booth, Fowles, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Patterson, Shields, Mr. Persident.

Senator Mussers amendment then carried and the bill was ordered so amended.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day approved the conference committee report, on S. B. No. 22, by Mr. Shields, entitled: "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial officer of the State of Utah, or any district, county or city government and providing a penalty for the violation thereof," and passed the same together with the conference committee report, and return herewith for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 26, 1931.

Mr. President:
Mr. Speaker:

We, your conference committee appointed by the Senate and House to confer upon Senate Bill No. 22 by Mr. Shields (by request) being "An Act to prohibit the

employment of certain persons by any executive, legislative, ministerial or judicial office of the State of Utah, or any district, county or city government and providing a penalty for the violation thereof,'' begs leave to report as follows: We recommend the passage of Senate Bill No. 22 with the following amendments:

Add the letter ''R'' to the word ''Office'' in third line of title.

In line 2 strike the word ''in'' and insert in lieu thereof the word ''of'', and after ''Utah'' insert ''or any of its political subdivisions'' and after ''to'' insert ''retain in employment or to''.

In line 3 after ''his'' insert ''or her''; after ''mother'' insert ''husband, wife''.

In line 5 strike the word ''or'' and after ''sister-in-law'' insert ''son-in-law or daughter-in-law,''.

In line 9 after the word ''mother'' insert ''husband, wife,''.

In line 11 strike the word ''or'' and after ''sister-in-law,'' insert ''son-in-law or daughter-in-law''.

In line 15 strike the balance of the line after ''demeanor'' and all lines 16 and 17.

Add the following as Section 4: ''Sec. 4. In towns this act shall not apply to the employment of uncles, aunts, nephews, nieces or cousins.''

Respectfully submitted,

House Members:

WILL P. HOYT.

Senate Members:

DAN B. SHIELDS,
JOHN E. BOOTH,
WILSON McCARTHY.

Report filed.

Senator Shields moved that the Senate concur in the conference report and adopt the amendments proposed.

The motion carried.

S. B. No. 22 as amended then passed on the following roll call:

Ayes, 20; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

S. B. No. 22 was referred to the Committee on Revision and Enrolling to be Engrossed.

On motion of Senator Musser the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Smith.

S. B. No. 113, substitute for S. B. No. 100 on third reading and final pasage.

President Dillman called Senator Shields to the Chair.

Senator Maw moved to amend the bill as follows:

On page 3 strike line 15 and insert the following: "3½% of the next 2500 of such excess amount,

(g) 4% on next 10,000 of such excess amount,

(h) 5% of remainder of such excess amount".

At the instance of Senator Maw and four other Senators the vote on Senator Maws amendment was taken by roll call.

Senator Maws amendment then lost on the following roll call:

Ayes, 5; Nays, 14; Absent 1.

Those voting in the affirmative were: Senators Candland, Huggins, Maw, Owens, Welling.

Those voting in the negative were: Senators Booth, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Patterson, Ryan, Shields, Young, Mr. President.

Absent and not voting, Senator Smith.

President Dillman resumed the Chair.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 22, by Mr. Shields, (by request), entitled, "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial officer of the State of Utah, or any district, county or city government and providing a penalty for the violation thereof," properly engrossed and enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 22 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

Your Committee on Banking and Commerce to which was referred Senate Bill No. 80 by Mr. Shields being "An Act amending Section 4388, Compiled Laws of Utah, 1917, relating to the business of making small loans," reports the same back with the following amendments without recommendation.

On line 3 strike the ( ) and following the word "banks" add "duly licensed and bonded pawnbrokers *making loans on the security of actually hypothecated collateral and chattels"*. On line 6 strike the () and following the word "banks" add "duly licensed and bonded pawnbrokers *making loans on the security of actually hypothecated collateral and chattels."* On line 8 strike the () and following the word "banks" add "duly licensed and bonded pawnbrokers *making loans on the security of actually hypothecated collateral and chattels."* On line 11 strike the () and following the word "banks" add *"duly licensed and bonded pawnbrokers making loans on the security of actually hypothecated collateral and chattels."*

Respectfully,

GEORGE JEFFERSON,

Chairman.

Report filed.

S. B. No. 80 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred S. B. No. 105, by Mr. Hunt, entitled, "An Act repealing Chapter 76, Laws of Utah 1929," reports the same back with the title amended as follows:

"An Act repealing Chapter 76, Laws of Utah, 1929, relating to old age pensions," together with a few minor amendments with the consent of the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report adopted and amendments to title ordered.

S. B. No. 105 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred S. B. No. 109, by Mr. Fowles, entitled, "An Act amending Sections 3 and 4, of Chapter 80, Laws of Utah, 1927, relating to the State Board of Supplies and Purchase," reports the same back with the title amended to read as follows:

"An Act amending Sections 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the State Board of Sup-

plies and Purchase," and with a few other minor changes recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 109 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred S. B. No. 106, by Mr. Hunt, entitled, "An Act to amend Section 5993, Compiled Laws of Utah, 1917, as amended by Chapter 69, Laws of Utah, 1929, relating to tax rate for county purposes," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 106 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

Your Committee on Education to which was recommitted S. B. No. 89, by Mr. Patterson, entitled, "An Act amend-

ing Section 5275, of Compiled Laws of Utah, 1917, prohibiting the board of trustees of the Utah Agricultural College from dealing in farm products," reports the same back with the following amendments with the consent of the author:

On line 4, of the bill strike the word "said" and add the word "the".

On line 4, add "s" to the word "station" and the following: "of the Utah Agricultural College".

On line 13, strike the period and substitute a semicolon therefor and insert the following: *"provided further, however, that nothing in this bill shall be so construed as to prevent the institution from carrying on experimental work or the practical training of its students"*, and reports the same back without recommendation.

Respectfully,

CLIFFORD E. YOUNG,
Chairman.

Report filed.

S. B. No. 89 was placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 12, by Mr. Neslen, entitled: "An Act under which any county, incorporated city or town may establish, develop, operate, maintain, regulate, and police airports and landing fields."

Respectfully,

E. L. CROPPER,
Chief Clerk

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, Feb. 28, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker, has this day signed in open session in the presence of the House, S. B. No. 22, by Mr. Shields (by request) entitled: "An Act to prohibit the employment of certain persons by any executive, legislative, ministerial or judicial officer of the State of Utah, or any district, county or city government and providing a penalty for the violation thereof," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 22 was transmitted to the Governor.

S. B. No. 113, substitute for S. B. No. 100 on third reading and final passage.

S. B. No. 113, substitute for S. B. No. 100 then passed on the following roll call:

Ayes, 16; Nays, 3; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Knight, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senators Jefferson, Keyser, Musser.

Absent and not voting, Senator Smith.

S. B. No. 113 substitute for S. B. No. 100 was transmitted to the House.

H. B. No. 64 was read the third time and placed on its final passage.

On motion of Senator Fowles, the bill was amended as follows: On page 1, line 24, strike the numerals "$100.00" and after the word "dollars" insert the numerals '$100.00".

H. B. No. 64 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Smith.

H. B. No. 64 was transmitted to the House.

H. B. No. 63 was read the third time and placed on its final passage.

On motion of Senator Fowles the bill was amended as follows: On page 1, line 2 at the beginning of the line insert the word "either" and insert the words "the insured or" after the word "for".

H. B. No. 63 then passed on the following roll call:

Ayes, 12; Nays, 5; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Hunt, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young.

Those voting in the negative were: Senators Huggins, Jefferson, Keyser, Knight, Mr. President.

Absent and not voting, Senators Candland, Griffin, Smith.

H. B. No. 63 was transmitted to the House.

H. B. No. 57 was read the third time and placed on its final passage.

H. B. No. 57 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young.

Those voting in the negative were: Mr. President.

Absent and not voting, Senators Griffin, Maw, Smith.

H. B. No. 57 was transmitted to the House.

Senator Keyser moved that the rules be suspended and that the Senate take up H. B. No. 46 on second reading calendar for immediate consideration.

The motion carried.

H. B. No. 46 was read the second time.

The committtee report was read.

H. B. No. 46 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Absent and not voting, Senator Smith.

Senator Fowles moved that the Senate go into executive session.

The motion carried.

The senate resumed regular session.

Senator Candland moved that action on the com-

mittee report on the Governor's appointments be postponed until Wednesday, at 11 A. M.

The motion carried.

On motion of Senator Fowles the Senate adjourned.

FIFTIETH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Forty-Eighth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. H. GRIFFIN, Jr.
DAN B. SHIELDS.

PRESETATION OF PETITIONS

A petition was received from the Hurricane Chamber of Commerce praying for the passage of H. B. No. 65, S. B. No. 113 and H. B. No. 166.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 114, substitute for S. B. No. 57 was read the third time and placed on its final passage.

President Dillman called Senator Keyser to the Chair.

On motion of Senator Welling the bill was amended as follows: On page 2, line 33 strike the words "two and one-half" and insert in lieu thereof the word "three". On page 3 lines 8 and 9 strike the words "two and one-half" and insert in lieu thereof the word "three".

President Dillman resumed the Chair.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 63, by Mr. Geo. M. Miller, entitled: "An Act relating to insurance adjusters, and insurance adjusters agents; providing for their licensing and regulating their doing business in the State of Utah," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 63 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 64, by Mr. Spencer, entitled: "An Act to regulate the soliciting and writing of insurance, defining insurance brokers, requiring them to procure license, and prescribing penalties for violation of its provisions," has been signed in open session, in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 64 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Banking and Commerce to which was referred Senate Bill No. 110 by Mr. Booth, being "An Act to amend Section 4717, Compiled Laws of Utah, 1917, relating to interest and sinking funds and redemption of school bonds," reports the same back favorably.

Respectfully,

GEORGE JEFFERSON,
Chairman.

Report filed.

S. B. No. 110 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 107 by Mr. Ryan, being "An Act to amend Section 5975, Compiled Laws of Utah, 1917, relating to the powers of the board of county commissioners as a board of equalization, and requiring publication of a list of assessments of real property," reports the same back favorably and recommends that the same be passed.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 107 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 76 by Mr. Candland, Chairman Committee on Revenue and Taxation, being "An Act to carry out the provisions of Sections 2 and 3, Article XIII, of the Constitution of Utah as amended and relating to the exemption from taxation of portions of power plants used for pumping water for irrigation purposes and to prorating the benefits to users of such power," reports back favorably and recommends that the same be passed.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 76 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 69 by Mr. Maw, being "An Act to amend Sections 6023 and 6024, Compiled Laws of Utah, 1917, relating to property bought by county to be sold at private sale and the manner of redemption from tax sale," reports back favorably and recommends that the same be passed.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 69 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 71 by Mr. Candland, Chairman Committee on Revenue and Taxation, being "An Act providing for the assessment of public utilities and the allocation of such assessment to the counties in which they are located or through which they operate," reports back favorably and recommends that the same be passed.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 71 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 70 by Mr. Candland, Chairman Committee on Revenue and Taxation, being "An Act providing for the assessment of mines, mining claims, and mining property and the allocation of such property to the counties wherein it is located," reports back favorably and recommends that the same be passed.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 70 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 75 by Mr. Candland, Chairman Committee on Revenue and Taxation, being "An Act exempting from taxation a maximum amount of real and tangible personal property owned by resident disabled persons who served in the military service of the United States or of the State of Utah," reports back favorably and recommends that the same be passed.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 75 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 57 by Mr. Candland, Chairman Committee on Revenue and Taxation being "An Act imposing a tax on national banks and a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income, and providing for a minimum tax based upon the fair value of the capital stock of such corporation," reports that

Senate Bill No. 114 by Mr. Candland, Chairman Committee on Revenue and Taxation being "An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state," was substituted therefore.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred Senate Bill No. 6 by Committee on Revenue

and Taxation by request of the Utah State Tax Commission being "An Act providing for the levying, collecting and paying of an income tax on individuals and providing penalties for the violation thereof," reports that Senate Bill No. 113 by Mr. Candland, Chairman Committee on Revenue and Taxation, being "An Act providing for the levying, collecting and paying of an income tax on individuals, and providing penalties for the violation thereof," was substituted therefor.

Respectfully,

W. D. CANDLAND,

Chairman.

Report filed.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred House Bill No. 20 by Mr. Fuller, being "An Act to amend Section 6060x, Compiled Laws of Utah, 1917, as amended by Chapter 123 Laws of Utah, 1919, as amended by Section 1, Chapter 18, Laws of Utah, passed at Special Session of the 13th Legislature, 1919, relating to the collection of taxes on personal property," reports back favorably and recommends that the same be passed.

Respectfully,

W. D. CANDLAND,

Chairman.

Report filed.

H. B. No. 20 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revenue and Taxation to which was referred House Bill No. 23 by Mr. Cardon, being "An Act amending Section 674, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes and repealing all acts and parts of acts in conflict therewith," reports back favorably and recommends that the same be passed

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed.

H. B. No. 23 was placed on the second reading calendar.

On motion of Senator Maw the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 2, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Smith who was excused.

COMMUNICATION FROM THE SECRETARY OF STATE

Salt Lake City, Utah, March 2, 1931.

Hon. Ray E. Dillman,
President, Utah Senate,
Building.

My dear Mr. President:

Complying with Section 3, Chapter 37, Laws of Utah

1929, I have the honor to transmit to you herewith a report filed with me on this date entitled "Proposed Revision of the Utah Statutes, 1931," with "Comment by the Code Commission on the Proposed Revision of the Utah Statutes."

Very respectfully,

M. H. WELLING,
Secretary of State.

Communication filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 99 by Mr. Maw, entitled, "An Act amending Section 5691, Compiled Laws of Utah, 1917, as amended by Chapter 37, Laws of Utah, 1923, creating the bureau of the budget; creating the office of director of budget under the Governor as chief budget officer; providing for the furnishing of reports and estimates to such bureau by each department, office and institution; providing for the preparation and submission by the Governor of a state budget; defining the duties and powers of the director of budget; defining the duties of each department, office and institution with relation to the furnishing of reports and estimates; providing for a standard classification for appropriations, estimates and expenditures and the duties of the State Auditor with relation thereto; providing for the restriction of the time of use of appropriations; providing the manner of transfer from one item of appropriation to another; providing that the state board of examiners may reduce appropriations made by the legislature after hearing; providing for legislative hearings and preparation of appropriation bills; providing for precedent of

appropriation bills," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 99 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Judiciary Committee to which was referred Senate Bill No. 116 by Mr. Musser being "An Act to amend Section 1627, Compiled Laws of Utah, 1917, relating to constables," reports the same back without recommendations.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

S. B. No. 116 was placed on the second reading calendar.

S. B. No. 114 substitute for S. B. No. 57 on third reading and final passage.

On motion of Senator Musser the bill was amended as follows:

Strike out all of Section 4 after the word "year" on line 10, page 3, and insert the following: "Provided that every such bank or other corporation for said privilege shall pay a minimum tax, but not less than ten dol-

lars, measured by the fair value during the taxable year of its tangible property within this state, which tax shall be at the rate of one-twentieth of one per centum of the fair value during such taxable year of such property. The said minimum tax shall inure to the State General Fund."

On page 5, line 5 after the word "to" insert the word "real".

On motion of Senator Keyser the bill was amended as follows:

On page 29, line 18 strike the word "his" and insert in lieu thereof the word "its".

On motion of Senator Maw the bill was amended as follows:

On page 5, line 5 after the word "to" strike the word "real" inserted by amendment of Senator Musser.

On motion of Senator Hunt the bill was amended as follows:

On page 33, line 30 strike the word "five" and insert in lieu thereof the word "one".

Senator Candland moved that further action on S. B. No. 114, substitute for S. B. No. 57 be deferred and made special order of business for March 3rd at 10 A. M.

The motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 57, by Mr. Fuller, entitled: "An Act relating to the ownership of the name, trade name, or device of any

person, firm or corporation manufacturing, preparing, selling, or distributing any article of food or commerce in containers or carriers bearing such name, trade name, or device; forbidding the use by other persons designated of such name, trade name, or device, and of the containers and carriers bearing or having impressed or produced thereon such name, trade name or device, providing for the transfer of the right to use such name, trade name, or device, defining conditions under which the title to containers and carriers shall not pass, and prescribing the penalty for violation thereof, and repealing Chapter 2 Title 109 and Sections 8451, 8452, 8453, 8454, 8455 and 8456 Compiled Laws of Utah, 1917," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 57 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

Senator Candland moved that the rules be suspended and that the Senate take up S. B. No. 115, substitute for S. B. No. 24 and S. B. No. 72 on second reading for immediate consideration.

The motion carried.

Senator McCarthy moved that when the Senate recess it be until 7:30 P. M. tonight.

The motion carried.

S. B. No. 115 substitute for S. B. No. 24 and S. B. No. 72 on second reading.

On motion of Senator Candland the bill was amended as follows:

On page 1, line 7 strike the word "one" and insert in lieu thereof the word "two". On line 8 after the numerals "1933" insert the following "not more than one of whom shall belong to the same political party" following the numerals "1933" strike the word "one" and insert in lieu thereof the word "two" and after the numerals "1935" insert the following "not more than one of whom shall belong to the same political party" and strike the balance of the sentence after the numerals "1935" as contained in the original bill.

On page 1, line 10 strike the word "eight" and insert in lieu thereof the word "four".

On page 2, line 9 after the sign "$" insert the numerals "5000.00".

On motion of Senator Candland the senate recessed.

EVENING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 2, 1931.

The Senate met at 7:30 P. M., President Dillman in the Chair

Roll call showed all Senators present except Senator Knight who was excused.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 43 on second reading.

H. B. No. 43 was then ordered read the third time on the following roll call:

Ayes, 10; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Jefferson, Musser, Owens, Ryan, Welling, Mr. President.

Those voting in the negative were Senators: Hunt, Keyser, Maw, McCarthy, Patterson, Shields, Smith, Young.

Absent and not voting, Senators Fowles, Knight.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 103 by Mr. Maw, (by request) entitled, "An Act amending Sections 10, 11 and 15, Laws of Utah, 1925, regulating the practice of optometry," reports the same back without recommendations.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 103 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 92 by Mr. Ryan, entitled, "An Act amending Sections 170, 171, 173, and 174, Compiled Laws of Utah, as amended by Chapter 2, Laws of Utah, 1921, relating to the State Board of Agriculture," reports the same back without recommendations.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 92 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 109 by Mr. Fowles, entitled, "An Act amending Sections 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the State Board of Supplies and Purchase," reports the same back without recommendations.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 109 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. J. R. No. 5, by Mr. Musser, entitled, "A Joint Resolution proposing an amendment to Section 5 of Article XI of the Constitution of the State of Utah, relating to Municipal Corporations," reports the same back without recommendations with the following amendment:

On line 29, page 3, after the numerals "19" insert the numerals "33".

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. J. R. No. 5 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on State and Municipal Affairs to which was referred S. B. No. 108 by Mr. Smith, (by request of the Flood Control Commission) entitled, "An Act providing for organizing flood control districts; providing for a board of supervisors and the manner of their appointment, and defining their duties; providing a tax on the lands within the district for carrying out the purposes of the act," reports the same back without recommendations.

Respectfully,

JOHN E. BOOTH,
Chairman.

Report filed.

S. B. No. 108 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 2, 1931.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred S. C. M. No. 6, by Mr. Fowles, entitled, "Memorializing Congress to amend tarriff act relating to sugar, eliminating uncertainty as to rates on liquid sugar," reports the same back with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. C. M. No. 6 was ordered printed and referred to the Committee on Banking and Commerce.

Senator Griffin asked for unanimous consent of the Senate to introduce a bill.

Unanimous consent was given.

INTRODUCTION OF BILL

S. B. No. 117. By Mr. Griffin.

"An Act amending Section 42, Chapter 68, Session Laws of Utah, 1919, as amended by Chapter 73, Session Laws of Utah, 1921, and Section 43, Chapter 68, Session Laws of Utah, 1919, relating to Irrigation or Water Conservation Districts, and the exclusion of lands therefrom," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 4 on second reading.

H. B. No. 4 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 2; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senators Candland, Hunt.

Absent and not voting, Senators Knight, Welling.

H. B. No. 14, on second reading.

The committee report was read.

Senator Candland moved that further consideration

on H. B. No. 14 be deferred and made special order of business for March 5th at 8 P. M.

The motion carried.

H. B. No. 73, substitute for H. B. No. 21 on second reading.

H. B. No. 73 substitute for H. B. No. 21 was rejected on the following roll call:

Ayes, 6; Nays, 13; Absent, 1.

Those voting in the affirmative were: Senators Candland, Keyser, Ryan, Shields, Young, Mr. President.

Those voting in the negative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Maw, McCarthy, Musser, Owens, Patterson, Smith, Welling.

Absent and not voting, Senator Knight.

Senator Maw moved that the rules be suspended and that H. B. No. 56 on second reading calendar be placed at the head of the second reading calendar for immediate consideration.

The motion carried.

H. B. No. 56 was read the second time.

The committee report was read.

H. B. No. 56 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Keyser, Knight.

On motion of Senator Booth the Senate adjourned.

FIFTY-FIRST DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 3, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Young.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 3, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fiftieth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. H. GRIFFIN, Jr.
DAN B. SHIELDS.

Senator Candland moved that the Senate continue evening sessions the balance of the week, and starting March 9th meet at 9 A. M. and hold only morning and afternoon sessions.

The motion carried.

SPECIAL ORDER

S. B. No. 114, substitute for S. B. No. 57 on third reading and final passage.

On motion of Senator Musser action on S. B. No. 114, substitute for S. B. No. 57 was deferred until later.

Senator Candland moved that the rules be suspended and the Senate take up S. B. No. 115, substitute for S. B. No. 24 and S. B. No. 72 on second reading for immediate consideration.

The motion carried.

On motion of Senator Candland the bill was amended as follows:

On page 1, line 4, after the word "Senate" strike the balance of the line, all of lines 4, 5 and 6 and line 7 down to and including the word "Senate".

On motion of Senator Musser, the bill was amended as follows:

On page 2, line 5, after the word "any" insert the word "other" and after the word "profit" insert the word "nor". On line 6, after the word "occupation" strike the balance of the line and all of line 7.

On page 3, line 4 strike the word "and" at the end of the line, strike all of lines 5 and 6 and the first four words on line 7.

On page 3, line 7 after the word "applicants" strike the balance of the line and all of lines 8 and 9.

On page 2 line 17 after the word "place" insert the words "in this state".

On motion of Senator Maw the bill was amended as follows:

On page 3, line 17, strike the following: "establish systems of public accounting".

On page 4, line 2 before the word "to" at the beginning of the line insert the following: "to establish systems of public accounting in all taxing units and" and change the capital "T" in the word "to" to a small "t".

On motion of Senator Candland the bill was amended as follows:

On page 3, line 18, strike the following: "and revise the".

On motion of Senator Welling the bill was amended as follows:

On page 10, line 19 strike the word "and" at the end of the line and the word "other" on line 20.

On page 9, line 7, strike the letters "er" from the word "commissioner".

On motion of Senator Musser S. B. No. 115, substitute for S. B. No. 24 and S. B. No. 72 was recommitted to the committee on Revenue and Taxation.

On motion of Senator Fowles the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 3, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

Senator Musser moved that a communication be directed to the code commission asking the commission to advise the Senate as to the number of acts or parts of acts that should be repealed at this time, and asking them to prepare and submit a bill that would repeal these parts of the laws.

The motion carried

Senator Musser moved that a committee of three be

appointed by the president to whom the code commissions report should be referred.

The motion carried.

The president appointed Senators Ryan, McCarthy and Musser.

Senator Musser moved that a communication be directed to the code commission asking them to furnish the Senate with the acts and parts of acts that have been changed by them in their report.

The motion carried.

Senator Musser moved that a communication be directed to the State Bar Association by the President of the Senate asking that their assistance be given to the Senate in the matter of the code commissions report.

The motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 3, 1931.

Mr. President:

Your Committee on Revision and Enrolling to which was referred S. B. No. 117 by Mr. Griffin, entitled, "An Act amending Section 42, Chapter 68, Session Laws of Utah, 1919, as amended by Chapter 73, Session Laws of Utah, 1921, and Section 43, Chapter 68, Session Laws of Utah, 1919, relating to irrigation or water conservation districts, and the exclusion of lands therefrom," reports the same back with the title amended as follows:

"An Act amending Section 42, Chapter 68, Laws of Utah, 1919, as amended by Chapter 73, Laws of Utah, 1921, and Section 43, Chapter 68, Laws of Utah, 1919. relating to irrigation or water conservation districts, and the exclusion of lands therefrom," together with a few

minor changes consented to by the author recommends that the same be printed.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report adopted and amendments to title ordered.

S. B. No. 117 was ordered printed and referred to the Committee on Agriculture and Irrigation.

COMMUNICATION
UTAH STATE CONFERENCE OF THE DAUGHTERS of the AMERICAN REVOLUTION

Salt Lake City, Utah, March 2, 1931.

Mr. Ray E. Dillman,
President of Utah State Senate.

Dear Sir:

Will you kindly extend to the Officers and Members of your organization a cordial invitation to attend the meeting to be held at the Hotel Utah Ballroom, March 13 at 8 O'clock, under the auspices of the Utah State Conference, National Society, Daughters of the American Revolution, when the president general, Mrs. Lowell Fletcher Hobart, will give an address.

Sincerely,

(MRS. W. B.) LOUISE K. DODS,
State Corresponding Secretary.

Communication filed.

SPECIAL ORDER

S. B. No. 114, substitute for S. B. No. 57 on third reading and final passage.

President Dillman called Senator Jefferson to the Chair.

On motion of Senator Musser the bill was amended as follows:

On page 21, line 19 before the word "interest" insert "rents". Insert a comma after "rents", change the captital "I" in "interest" to a small "i".

On line 19 after "state" insert "less related expenses".

On line 21 before the word "interest" insert "rents" insert a comma after "rents", change the capital "I" to a small "i".

On line 22 between the word "state" and the word "shall" insert "less related expenses".

Strike out all of subsection (c) substituting the following:

"(c) Gains from the sale or exchange of capital assets consisting of real or tangible personal property situated outside this state less losses from the sale or exchange of such assets situated outside this state shall not be allocated to this state. Gains from the sale or exchange of capital assets consisting of real or tangible personal property situated within this state less losses from the sale or exchange of such assets situated in this state shall be allocated to this state."

On line 10, page 23, after the words "the foregoing rules" insert the following: "contained in sub-paragraphs (d) to (f) inclusive".

On motion of Senator Booth the bill was amended as follows:

On line 26, page 25, Section 28 strike all of subdivision (a) after Sec. 28 and insert in lieu thereof: "The amount of tax imposed by this Act shall be paid when the return is filed, or in four equal installments as follows:

The first installment shall be paid on or before March 15, the second installment on or before June 15,

the third installment on or before September 15 and the fourth installment on or before December 15 following the close of the calendar year or if the return should be made on the basis of a fiscal year, then on or before the 15th day of the third month following the close of the fiscal year or in four equal installments payable three months thereafter, six months thereafter, nine months thereafter and twelve months thereafter, following the close of the fiscal year.

If any installment is not paid on the date fixed for its payment, the whole amount of the tax unpaid shall be paid, upon notice and demand of the state tax commission."

Senator Welling moved that the rules be suspended and that H. B. No. 43 and H. B. No. 46 be placed at the foot of the third reading calendar to remain there until final determination of H. B. No. 147 at which time they should be considered.

The motion carried.

On motion of Senator Huggins the Senate recessed for five minutes.

The senate resumed session at 2:55 P. M., President Dillman resumed the Chair.

S. B. No. 114, substitute for S. B. No. 57 on third reading and final passage.

On motion of Senator Musser the bill was amended as follows:

On page 38 line 33 after the word "sec." strike the numerals "68" and insert in lieu thereof the numerals "69".

Insert as Sec. 68 on page 38 the following:

"The taxes imposed by this Act shall be in lieu of the taxes imposed by Chapter 89, Laws of Utah, 1929, for the privilege of doing business in this State for any

part of the calendar year 1932 or subsequent years. In the case of a taxpayer who has paid a tax computed under the provisions of Chapter 89, Laws of Utah, 1929, for the privilege of doing business in this State for the year expiring November 15, 1932, such taxpayer shall be entitled to a credit of 21/24th of the amount so paid upon the tax payable by it under this Act during the year 1932, and if said credit shall exceed the amount of the said tax upon which it is credited, the excess shall be refunded to the taxpayer in the same manner as other refunds provided for in this Act".

S. B. No. 114, substitute for S. B. No. 57 then passed on the following roll call:

Ayes, 14; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Knight, Maw, McCarthy, Owens, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Jefferson, Keyser, Musser, Patterson, Ryan, Shields.

S. B. No. 114, substitute for S. B. No. 57 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 3, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the report of the Code Commission was referred to the House Judiciary Committee, which will act with your Committee to which said report was referred.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 4 was read the third time and placed on its final passage.

On motion of Senator Young H. B. No. 4 was recommitted to the Committee on State and Municipal Affairs.

H. B. No. 56 was read the third time and placed on its final passage.

H. B. No. 56 then passed on the following roll call:

Ayes, 14; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Hunt, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Those voting in the negative were: Senators Huggins, Jefferson, Keyser, Mr. President.

Absent and not voting, Senators Griffin, Knight.

H. B. No. 56 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Welling H. B. No. 47 was made special order of business for March 4th at 2 P. M.

President Dillman called Senator Maw to the Chair.

S. B. No. 81 was read the second time.

The committee report was read.

S. B. No. 81 was rejected on the following roll call:

Ayes, 7; Nays, 8; Absent, 5.

Those voting in the affirmative were: Senators Candland, Fowles, Hunt, Jefferson, Keyser, Shields, Young.

Those voting in the negative were: Senators Booth, Griffin, Huggins, Knight, Maw, Owens, Patterson, Smith.

Absent and not voting, Senators McCarthy, Musser, Ryan, Welling, Mr. President.

Senator Candland moved that the rules be suspended and that S. B. No. 70, S. B. No. 71, S. B. No. 75 and S. B. No. 76 be placed at the head of the second reading calendar and made special order of business for March 4 at 10 A. M.

The motion carried.

On motion of Senator Ryan the Senate recessed until 7:30 P. M.

EVENING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 3, 1931.

The Senate met at 7:30 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 3 was read the second time.

The committee report was read.

Senator Candland moved that the Journal show that S. J. R. No. 3 has been read the second and third times and placed on its final passage.

Motion carried.

S. J. R. No. 3 then passed on the following roll call:

Ayes, 13; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Maw, McCarthy, Owens, Ryan, Smith, Young, Mr. President.

Those voting in the negative were: Senators Jefferson, Keyser, Musser, Shields, Welling.

Absent and not voting, Senators Knight, Patterson.

S. J. R. No. 3 was transmitted to the House.

S. B. No. 15 was read the second time.

The committee report was read.

On motion of Senator Fowles S. B. No. 15 and S. B. No. 44 were made special order of business for March 4th at 7:30 P. M.

S. B. No. 53 was read the second time.

The committee report was read.

On motion of Senator McCarthy the bill was amended as follows:

On page 1, line 6 strike the "y" from the word "grocery" and insert in lieu thereof the letter "s" and add a comma after the word "grocers".

On line 8, strike the following "and drivers of other passenger vehicles".

On line 9, strike the underscoring from the words "corporations and companies".

S. B. No. 53 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Fowles, Knight, Welling.

On motion of Senator McCarthy the rules were suspended and S. B. No. 53 was read the third time and placed on its final passage.

S. B. No. 53 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Fowles, Knight.

S. B. No. 53 was transmitted to the House.

S. B. No. 77 was read the second time.

The committee report was read.

On motion of Senator Ryan the bill was amended as follows:

On page 1, line 18, strike the word "than" and insert the word "that".

S. B. No. 53 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Shields, Welling, Young, Mr. President.

Absent and not voting, Senators Fowles, Knight, Ryan, Smith.

S. B. No. 85 was read the second time.

The committee report was read.

On motion of Senator Booth the bill was amended as follows:

On line 5 after the word "women" strike the comma and add the following: "and at least two regularly licensed physicians".

On line 14 after the word "his" insert the words "or her".

On motion of Senator Maw the bill was amended as follows:

On line 4, after the word "members" insert the following: "who shall serve without pay, and".

On motion of Senator Jefferson the bill was amended as follows:

After the word "office", on line 12, strike the balance of the line all of line 13 and line 14 down to and including the word "bond" and insert the word "which" before the word "shall".

S. B. No. 85 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Booth, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young.

Those voting in the negative were: Senators Candland, Griffin, Mr. President.

Absent and not voting, Senators Fowles, Knight, Smith.

On motion of Senator Ryan the Senate adjourned.

FIFTY-SECOND DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll Call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-first Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. H. GRIFFIN, Jr.
DAN B. SHIELDS.

SPECIAL ORDER

S. B. No. 70 on second reading calendar.

S. B. No. 70 was read the second time.

The committee report was read.

Senator Candland moved that further consideration of S. B. No. 70 and S. B. No. 71 be deferred until tomorrow, and that the Senate now take up S. B. No. 75 and S. B. No. 76 on second reading calendar for immediate consideration.

The motion carried.

S. B. No. 75 was read the second time.

The committee report was read.

On motion of Senator Patterson the bill was amended as follows:

On line 4, before the word "minor" insert the word "or". On line 15, before the word "minor" insert the word "or".

On motion of Senator Ryan the bill was amended as follows:

On line 7, strike the letters "tion" from the word "section" and insert a period after the word "sec." On line 23, strike the letters "tion" from the word "section" and insert a period after the word "sec."

On motion of Senator Booth the bill was amended as follows:

On line 13 after the word "state" insert the following: "or affidavit from not less than three disinterested persons".

S. B. No. 75 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senator Maw.

Absent and not voting, Senators Griffin, Smith.

On motion of Senator Candland the rules were suspended and S. B. No. 75 was read the third time and placed on its final passage.

S. B. No. 75 then passed on the following roll call:

Ayes, 17; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Those voting in the negative were: Senator Maw.

Absent and not voting, Senators Griffin, Smith.

S. B. No. 75 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 3, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 56, by Mr. A. S. Tingey, entitled: "An Act relating to the powers and duties of the department of registration," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 56 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 4, 1931.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred S. B. No. 99 by Mr. Maw, entitled,

"An Act amending Section 5691, Compiled Laws of Utah, 1917, as amended by Chapter 37, Laws of Utah, 1923, creating the bureau of the budget; creating the office of director of budget under the governor as chief budget officer; providing for the furnishing of reports and estimates to such bureau by each department, office and institution; providing for the preparation and submission by the governor of a state budget; defining the duties and powers of the director of budget; defining the duties of each department, office and institution with relation to the furnishing of reports and estimates; providing for a standard classification for appropriations; estimates and expenditures and the duties of the State Auditor with relation thereto; providing for the restriction of the time of use of appropriations; providing the manner of transfer from one item of appropriation to another; providing that the State Board of Examiners may reduce appropriations made by the legislature after hearing; providing for legislative hearings and preparation of appropriation bills; providing for precedence of appropriation bills," reports the same back without recommendation.

Respectfully,

JOHN E. BOOTH,

Chairman.

Report filed.

S. B. No. 99 was placed on the second reading calendar.

On motion of Senator Candland the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 4, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

On motion of Senator Knight the Senate went into executive session.

The Senate resumed regular session.

On motion of Senator Knight the senate advised and consented to the following appointments made by the Governor.

FOR MEMBERS OF THE UTAH STATE BUILDING COMMISSION:

To serve for a term of four years, pursuant to Section 1, Chapter 101, Laws of Utah, 1929.

W. J. Halloran.....Salt Lake City

James W. Funk.....Richmond

FOR STATE CHEMIST:

To serve for a term of four years, pursuant to Section 5757, Compiled Laws of Utah, 1917.

Herman Harms.....Salt Lake City

FOR MEMBER OF THE UTAH-COLORADO RIVER COMMISSION:

To serve for a term of six years, pursuant to Section 1, Chapter 98, Laws of Utah, 1929.

W. R. Wallace.....Salt Lake City

FOR MEMBERS OF THE STATE BOARD OF EDUCATION:

To serve for a term of six years, pursuant to Chapter 75, Laws of Utah, 1925.

Dr. M. J. Macfarlane.....Cedar City

George A. Eaton.....Salt Lake City

FOR STATE FISH AND GAME COMMISSIONER:

To serve for a term of four years, pursuant to Chapter 36, Laws of Utah, 1923.

Newell B. Cook.....Morgan

FOR MEMBER OF THE INDUSTRIAL COMMISSION OF UTAH:

To serve for a term of six years, pursuant to Section 3061, Compiled Laws of Utah, 1917.

William M. Knerr..... Salt Lake City

FOR DIRECTOR OF REGISTRATION:

To serve for a term of four years, pursuant to Section 5, Chapter 49, Laws of Utah, 1923.

Sebron W. Golding.....Price

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

To serve for a term of seven years, pursuant to Section 3, Chapter 75, Laws of Utah, 1929.

D. A. Skeen.....Salt Lake City

FOR MEMBERS OF THE UTAH BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES:

To serve for a term of two years, pursuant to Section 6180, Compiled Laws of Utah, 1917.

Charles R. Hollingsworth.....Ogden

William H. Leary..... .....Salt Lake City

Calvin W. Rawlings.....Salt Lake City

FOR MEMBER OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

To serve for a term of seven years, pursuant to Section 2705, Compiled Laws of Utah, 1917.

Dr. Joseph Morrell.....Ogden

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,
Salt Lake City, Utah, March 4, 1931.

To the Senate:

I have this day nominated the following persons for the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE AGRICULTURAL COLLEGE OF UTAH:

To serve for a term of four years, beginning April 1, 1931, pursuant to Section 5235, Laws of Utah, 1917.

A. W. Ivins.....Salt Lake City
Mrs. Lee Charles Miller.....Salt Lake City
C. G. Adney.....Corinne
Weston Vernon.....Logan
Clarence E. Wright.....Salt Lake City
Fred M. Nye.....Ogden

FOR MEMBERS OF THE STATE BOARD OF AGRICULTURE:

To serve for a term of four years, pursuant to Chapter 2, Laws of Utah, 1921.

Henry Moss.....Woods Cross
Elmo Irons.....Moroni
Richard Strigham.....Bountiful

Mr. Stringham was appointed to this Board two years ago, and through an error his appointment was made for four years. The result is that the records now show that the terms of office of two members expire on April 1, 1931, and of five members on April 1, 1933. The law requires that the terms of three members shall expire at one time and that the terms of the remaining four members shall expire two years later. In order to correct the error and to make these appointments in accordance with the law, I am now nominating Mr. Stringham to serve for four years from April 1, 1931.

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE SCHOOL FOR THE DEAF AND THE BLIND:

To serve for a term of four years, pursuant to Section 5327, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah, 1925.

Dr. Robert R. Hampton.....Salt Lake City

Mrs. A. B. Coray.....Ogden

C. Clarence Neslen.....Salt Lake City

Representative C. Clarence Neslen has filed with me his resignation as a member of the House of Representatives effective April 1, 1931, in order that he may be legally qualified for membership on this board.

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL:

To serve for a term of four years, pursuant to Section 5364, Compiled Laws of Utah, 1917:

Joseph Chez.....Ogden

Walter N. Farr.....Ogden

Arthur C. Sullivan.....Salt Lake City

FOR MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH:

To serve for a term of four years from July 1, 1931, pursuant to Section 5523, Compiled Laws of Utah, 1917.

John E. Carver.....Ogden
J. W. Robinson.....Provo
James W. Wade.....Salt Lake City
Mrs. Dan B. Shields.....Salt Lake City
D. H. Christensen.....Salt Lake City
Dr. Clarence Snow.....Salt Lake City

Respectfully submitted,

GEO. H. DERN,

Governor.

Communication filed and referred to a special Committee consisting of Senators Booth, Griffin, Young, Welling and Maw.

SPECIAL ORDER

H. B. No. 47 on second reading.

Senator Welling moved that action on H. B. No. 47 be deferred and made special order of business for Mar. 5th at 2 P. M.

The motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 3, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed, as amended by the House,

S. B. No. 113, Substitute for S. B. No. 100, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act providing for the levying, collecting, and paying of an income tax on individuals, and providing penalties for the violation thereof," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

Senator Candland moved that the Senate refuse to concur in the House amendments to S. B. No. 113, substitute for S. B. No. 100 and that the House be asked to recede from its amendments.

The motion carried.

SPECIAL ORDER

S. B. No. 76 on second reading calendar.

S. B. No. 76 was read the second time.

The committee report was read.

On motion of Senator Candland the bill was amended as follows:

On page 1, line 8, strike the letters "tion" from the word "section" and insert a period after "sec.". On page 2, lines 2, 7 and 12 strike the letters "tion" from the word "section" and insert a period after "sec."

S. B. No. 76 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Booth, Fowles, Knight, Musser, Welling.

On motion of Senator Candland the rules were suspended and S. B. No. 76 was read the third time and placed on its final passage.

S. B. No. 76 then passed on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Ryan.

Absent and not voting, Senators Booth, Fowles, Knight, Musser.

S. B. No. 76 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 73 was read the second time.

The committee report was read.

On motion of Senator Candland S. B. No. 73 was recommitted to the Committee on Revenue and Taxation.

On motion of Senator Shields S. B. No. 74 was recommitted to the committee on Revenue and Taxation.

Senator Booth moved that the Senate consider Bills on the third reading calendar.

The motion carried.

COMMUNICATION FROM CODE COMMISSION

Salt Lake City, Utah, March 4, 1931

Hon. Ray E. Dillman,
President State Senate,
Building.

Dear Mr. President:

In response to your letter of today, requesting a list of all proposed changes in the proposed revision, we beg

to say no such list has ever been prepared. Such a list could not be made in less than forty-five days by ourselves and our four assistants. The list would have to be made up from a detailed comparison, section by section, of the 920 pages of the proposed revision, with probably 6,000 pages of work sheets.

The work sheets are all here and are available for inspection.

Reference to section 2 of chapter 16, Laws of 1927, will disclose that a great many duties of different kinds are devolved upon the Code Commission. In the nature of things, these duties were not to be performed contemporaneously. The duties to a large extent, divide into those that would precede adoption of the revision and those that would follow the adoption.

Revision would naturally precede cross-referencing, annotating and indexing.

Of course, to an extent there would be done, before adoption, considerable work contemplated to be completed after adoption.

It will be noticed that the Commission was charged with the dities to "revise, codify and edit", as well as to "compile" the laws.

The Commission was charged with the duties to "change the phraseology and improve, systematize and harmonize the laws."

In the performance of these manifold duties, necessarily the changes run into the thousands.

To have combined in one work the old with the new, indicating what was old and what was new, would have entailed an immense amount of labor and would have required the continuous services of several more employees. We consider that had we done so, we would have produced something that, because of its extent, would not have been usable, and that we would have been

subject to much just criticism for the expenditures thereby entailed.

Very respectfully,

T. D. LEWIS,
E. A. WALTON.

Members Code Commission.

Communication filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 77 was read the third time and placed on its final passage.

On motion of Senator McCarthy the bill was amended as follows:

On page 1 after the enacting clause insert the following:

"Section 1. That Section 5575 Compiled Laws of Utah, 1917, as amended by Chapter 107, Laws of Utah, 1919, as amended by Chapter 118, Laws of Utah, 1921, as amended by Chapter 120, Laws of Utah, 1921, as amended by Chapter 31, Laws of Utah, 1925, is hereby amended to read as follows:"

On page 1, line 10 after the word "sold" insert the following:

"except to promote a material public or quasi public use or service and then only in such quantity as may be reasonably necessary to promote such public or quasi public use or service and provided that such use shall not unreasonably interfere with navigation, such land to be sold at a cash price of not less than $25.00 *per acre under the provisions of the state law relating to the sale of state lands, and"*

On page 1, line 11 strike the following: *"or intend to make"*.

On page 1, line 14 strike the numerals "2.50" and insert "25.00".

On page 1, line 16 strike the underscoring from the following: "are contemplated or".

On page 2, line 4 after the word "sale" insert the following:

"In no case shall the State Land Board sell such submerged lands unless and until the purchaser has furnished a bond to the State of Utah, with surety or sureties satisfactory to said Land Board, in double the amount of the purchase, and conditioned on such public purpose or reclamation taking place within five years from the date of such sale."

On moiton of Senator Ryan the Senate recessed for five minutes.

The Senate resumed session at 4 P. M.

S. B. No. 77 on third reading and final passage.

S. B. No. 77 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, McCarthy, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Knight, Maw, Musser.

S. B. No. 77 was transmitted to the House.

S. B. No. 85 was read the third time and placed on its final passage.

S. B. No. 85 then passed on the following roll call:

Ayes, 14; Nays, 2; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Mc-

Carthy, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Those voting in the negative were: Senators Candland, Mr. President.

Absent and not voting, Senators Griffin, Knight, Maw, Musser.

S. B. No. 85 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

President Dillman called Senator Hunt to the Chair.

S. B. No. 33 was read the second time.

On motion of Senator Candland the Senate recessed until 7:30 P. M.

EVENING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

The Senate met at 7:30 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senators Candland, Griffin, Knight, and Young, Senator Knight was excused.

Senator Patterson moved that the Senate do not meet for Evening Sessions March 6th or 7th.

The motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the House has this day passed as amended H. B. No. 145 by Mr. Neslen, entitled: "An Act to repeal Chapter 2 of Title 100, Compiled Laws of Utah, 1917, and to provide for the distribution of twenty-eight percent of the uncollected taxes on real and personal property levied prior to December 31, 1930, to the University of Utah, the Agricultural College of Utah, and the branch of the Agricultural College of Utah," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER.

Chief Clerk.

Communication filed.

H. B. No. 145 was read the first time.

Senator Fowles moved that the rules be suspended and that H. B. No. 145 be not referred to a committee, but be placed at the head of the second reading calendar and made special order of business for immediate consideration

The motion carried.

SPECIAL ORDER

H. B. No. 145 on second reading.

H. B. No. 145 was read the second time.

On motion of Senator Keyser the bill was amended as follows:

Strike lines 3 to 18 inclusive. On line 19 after the word 'sec." strike the numeral "4" and insert the numeral "2".

H. B. No. 145 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Shields, Smith, Welling, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting, Senators Candland, Griffin, Knight, Young.

SPECIAL ORDER

S. B. No. 15 on second reading.

On motion of Senator Hunt the bill was amended as follows:

Strike the last word of line 1 of the title and all of line 2. On line 1 of the title after the word "geological" insert "and mineralogical".

On page 2, line 10 after the numeral "4" strike the balance of the line, all of lines 11 and 12 and line 13 down to and including the word "and" and capitalize the word "any".

On page 2, line 15 strike the word "said" and insert in lieu thereof the words "a fund known as the".

On page 2, line 17 strike the words "hereby appropriated".

On page 1, line 1 after "geological" insert "and mineralogical".

On line 2 after "geological" insert "and mineralogical" .

On line 15 strike the word "study" and insert the word "survey".

On page 2, line 5 after word "survey" insert sentence "The collection and establishment of exhibits of the mineral resources of Utah, one to be set up permanently at

the headquarters of the State Geological Survey, others to be set up temporarily at State fairs and at national and international expositions, provided all expenditures therefor are covered by a special appropriation".

On line 6 strike the word "state" and on line 7 the word "geologist" and substitute "director, who shall be a graduate of a recognized university and trained in the science of geology".

On line 15 after the period following the word "fund" insert sentence "The survey Board may receive and spend funds donated to the general survey fund by corporations or organizations for the general purposes of the work carried on under the Survey Board".

On line 17 after "geological" insert "and mineralogical".

On line 20 after "geological" insert "and mineralogical".

On line 25 after "geological" insert "and mineralogical".

S. B. No. 15 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Mr. President.

Those voting in the negative were: Senator Welling.

Absent and not voting, Senators Candland, Griffin, Knight, Young.

On motion of Senator Ryan the rules were suspended and S. B. No. 15 was read the third time and placed on its final passage.

S. B. No. 15 then passed on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Mr. President.

Those voting in the negative were: Senator Welling.

Absent and not voting, Senators Candland, Griffin, Knight, Young.

S. B. No. 15 was transmitted to the House.

Senator Musser asked for unanimous consent of the Senate to withdraw S. B. No. 44.

Unanimous consent was given and S. B. No. 44 was withdrawn.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

Mr. President:

Your committee on Banking and Commerce to which was referred S. C. M. No. 6 by Mr. Fowles entitled "Memorializing congress to amend tariff act relating to sugar, eliminating uncertainty as to rates on liquid sugar," reports the same back favorably .

Respectfully,

GEORGE JEFFERSON,

Chairman.

Report filed.

On motion of Senator Fowles the rules were suspended and S. C. M. No. 6 was placed at the head of the second reading calendar for immediate consideration.

S. C. M. No. 6 was read the second time.

The committee report was read.

S. C. M. No. 6 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Candland, Griffin, Knight, Young.

On motion of Senator Fowles the rules were suspended and S. C. M. No. 6 was read the third time and placed on its final passage.

S. C. M. No. 6 then passed on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Candland, Griffin, Knight, Young.

S. C. M. No. 6 was transmitted to the House.

On motion of Senator Booth the senate adjourned.

FIFTY-THIRD DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

The Senate met at 10 A. M. President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-second Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. H. GRIFFIN, Jr.

DAN B. SHIELDS.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H .B. No. 92, by Mr. Dart, entitled: "An Act to amend Section 8406 Compiled Laws of Utah 1917, relating to malicious mischief, providing that said Section as amended shall apply to and include all territory within the limits of the state of Utah," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 92 was read first time and referred to Committee on Judiciary.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 3, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 102 by Mr. Woodruff, entitled: "An Act to amend Section 980, Compiled Laws of Utah 1917, as amended by Laws of Utah, 1925, and Section 1020x1 of Chapter 38 Laws of Utah, 1923, relating to banking corporations and banks," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 102 was read first time and referred to Committee on Banking and Commerce.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed as amended, H. B. No. 38, by Mr. A. S. Tingey, entitled: "An Act providing for the creation of a board of commissioners of the Utah State Bar; providing for the election of such commissioners; defining who may practice law in this state; classifying the membership of the Utah State Bar; defining the authority granted to such board of commissioners; providing for systematic study of science of jurisprudence; providing for license fees to be paid by attorneys admitted to practice in the state, and the disbursement of the fund

so created; determining penalty for non-payment of license fee; granting power to the board of commissioners to establish rules governing the procedure to disipline attorneys; granting power to such board of commissioners to subpoena witnesses; providing for the rights and procedure of any accused member of the State Bar; providing for annual meeting for the State Bar of Utah; defining what is unlawful practice of law in the state, and providing penalty for such; amending Sec. 324 Compiled Laws of Utah 1917 and repealing Sections 316, 317, 318, 319, 320, 321, 331, 333, 334, 335, 336, 337, 338, 339, 340, 341, and 342 Compiled Laws of Utah, 1917," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 38 was read first time and referred to Committee on Judiciary.

PRESENTATION OF RESOLUTIONS, MOTIONS AND NOTICES

Senator Maw moved that a calendar committee be appointed to have full charge of the calendar

The motion carried

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 4, 1931.

Mr. President:

Your Committee on Highways to which was referred Senate Bill No. 61 by Mr. Huggins entitled, "An Act

repealing Chapter 77, Session Laws of Utah, 1927, relating to paving by street railway companies," reports the same back without recommendation.

Respectfully,

P. H. HUNT,
Chairman.

Report filed.

S. B No. 61 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred S. B. No. 117, by Mr. Griffin, entitled "An Act amending Section 42, Chapter 68, Laws of Utah, 1919, as amended by Chapter 73, Laws of Utah, 1921, and Section 43; Chapter 68, Laws of Utah, 1919, relating to irrigation or water conservation districts, and the exclusion of lands therefrom," reports the same back favorably and recommends that the same be passed.

Respectfully,

W. T. OWENS, Jr.

Chairman.

Report filed.

S. B. No. 117 was placed on the second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 145 was read the third time and placed on its final passage.

On motion of Senator Maw the bill was amended as follows:

On line 1, of the title strike "Chapter 2 of Title 100" and insert the following: "Sections 5214, 5215, 5216, 5217, 5218, 5219, 5220, 5221". On line 2 of the title strike the comma after the numerals "1917" and insert a period. On line two after the numerals "1917" strike the balance of the title.

On page 1, line 1 strike "Chapter 2 of Title 100". and insert the following "Sections 5214, 5215, 5216, 5217, 5218, 5219, 5220, 5221" strike the word "is" at the end of the line, and insert in lieu thereof the word "are".

H. B. No. 145 then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Sentors Candland, Hunt, Knight, Patterson, Shields.

H. B. No. 145 was transmitted to the House.

Senator Keyser moved that the rules be suspended and the Senate take up S. B. No. 33 on second reading for immediate consideration.

The motion carried.

S. B. No. 33 on second reading.

The committee report was read.

On motion of Senator Hunt the bill was amended as follows

On line 17 of the title strike the numeral "5" and insert the numeral "3".

At the end of the title add the following: "and repealing Sec. 3988 Compiled Laws of Utah, 1917, as

amended by Chapter 125, Laws of Utah,1925 and all Laws in conflict with this act".

On page 3, line 21 strike the word "Broadway" and insert in lieu thereof the word "Roadway".

On page 4, line 24 after the third word strike the balance of the line and all of line 25 and insert the following: "of the Secretary of State of the State of Utah".

On page 4, line 26 after the word "commissioner" strike the balance of the line and all of line 27 and insert in lieu thereof the following: "The Secretary of State of the State of Utah".

Page 8, line 4 before Section 14, line 4 insert a new Section as follows:

"Sec. 14. Any person who shall throw on or into the highway any nail, wire, scrap metal, glass, crockery, or other substance injurious to the feet of person or animals or to the tires of vehicles".

On page 8, line 4, strike "Sec. 14" and insert in lieu thereof the word "or".

On page 10, line 7 after the word "others" insert the following: "or with an open cutout".

On page 12, line 28 strike the numeral "6" and insert the numerals "10".

On page 12 line 29 strike the words "or less".

On page 12 strike lines 30 and 31.

On page 12, line 33 strike the numerals "25" and insert in lieu thereof the numerals "30".

On page 13, line 3 strike the numerals "35" and insert the numerals "45".

President Dillman called Senator McCarthy to the Chair.

On motion of Senator Hunt the bill was amended as follows:

On page 20, line 25 after the word "any" strike the word "street", on the same line after the word "street" and before the word "car" insert "or interurban".

On page 20, line 27 strike the words "said street" and insert in lieu thereof the word "such".

On page 23 at the end of line 8 strike the colon and insert a comma then add the following: "except as otherwise provided by local ordinances".

In Sec. 7 (a) page 21, at end of line 23, add the following: "It shall be unlawful for any motor vehicle carrying explosive substances as cargo to travel on any street or highway without having the words 'Dangerous Explosives' plainly marked on all four sides of such vehicle, and it shall be unlawful to place in any motor vehicle carrying such explosives any blasting caps or other detonators".

On page 24 line 16 strike the word "five" and insert in lieu thereof the word "two".

On page 24 line 17 after the word "street" insert "or interburan" and on line 19 before the word "car" strike the word "street".

On page 27, line 3 after the word "ordinances" insert a period, strike the balance of the line and all of lines 4 and 5.

On page 31, line 31 strike the period at the end of the line and insert a comma then add the following: "or public or private ambulances".

On page 34, line 13 strike the word "twelve" and insert the word "fourteen".

On page 34, line 16 strike the word "sixty" and insert in lieu thereof the words "eighty-five".

On page 35, line 1 strike the numerals "26" and insert in lieu thereof the numerals "18" and add the following after the word "pounds". "On one axle or 26,000 pounds on two axles or 34,000 pounds on three axles". On page 35 strike all of line 2 down to and including the word "pounds".

On page 35 strike the last word on line 8 and all of line 9 and insert in place thereof the following: "Single vehicular units of more than two axles operating without trailer or semi-trailer are permitted a gross weight not exceeding 34000 pounds providing the gross weight on any one axle does not exceed 18000 pounds and providing further that such vehicle having a wheel base of not less than 10 feet between the first and second axle and not less than 40 inches between the second and third axle."

On page 37, line 13 strike the words "unlawful and constitute", and on line 14 after the word "act" insert the following: "or municipal or county ordinance complying with or within the terms of this act".

On page 40, line 10 strike the last three words of the line and insert in lieu thereof the following: "and all acts and parts of acts in conflict with the provisions of this act are repealed".

On page 40 insert between Sec. 94 and Sec. 95 the following:

"Sec. 95. Consistent with and within the limits and provisions of this Act nothing in this Act shall be construed to deprive counties, cities and towns of their powers with reference to, and their jurisdiction over streets, avenues, sidewalks, cross walks and alleys or their powers and authority to enact ordinances and regulations and to enforce obedience thereto within their respective limits." On line 15, page 40, strike the numeral "5" and put in lieu thereof the numeral "6".

President Dillman resumed the Chair.

On motion of Senator McCarthy the bill was amended as follows:

On page 10 line 7 strike the following "or with an open cutout" as inserted into the bill by amendment of Senator Hunt.

On motion of Senator Keyser the bill was amended as follows:

On page 9, line 32 strike "nienty" and insert in lieu thereof the word "ninety".

S. B. No. 33 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Knight.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 62 was read the second time.

The committee report was read.

President Dillman appointed a calendar committee to have full charge of the calendar, consisting of Senators Candland, Keyser, Hunt, Fowles, and Shields.

On motion of Senator Maw the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 5, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Knight who was excused.

SPECIAL ORDER

H. B. No. 47 on second reading calendar.

President Dillman called Senator Booth to the Chair.

H. B. No. 47 was read the second time.

H. B. No. 47 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Jefferson, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Those voting in the negative were: Senator Keyser.

Absent and not voting, Senators Candland, Huggins, Hunt, Knight, Mr. President.

Senator Fowles moved that the Senate remain in session until 6 P. M. this evening and then adjourn until 10 A. M. tomorrow.

The motion carried.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 38 by Mr. A. S. Tingey, entitled, "An Act providing for the creation of a board of commissioners of the Utah State Bar; providing for the election of such commissioners; defining who may practice law in this state; classifying the membership of the Utah State Bar;

defining the authority granted to such board of commissioners; providing for systematic study of science of jurisprudence; providing for license fees to be paid by attorneys admitted to practice in the state, and the disbursement of the fund so created; determining penalty for non-payment of license fee; granting power to the board of commissioners to establish rules covering the procedure to discipline attorneys; granting power to such board of commissioners to subpoena witnesses; providing for the rights and procedure of any accused member of the State Bar; providing for annual meeting of the State Bar of Utah; defining what is unlawful practice of law in the state, and providing penalty for such; amending Sec. 324, Compiled Laws of Utah 1917, and repealing Sections 316, 317, 318, 319, 320, 321, 331, 333, 334, 335, 336, 337, 338, 339, 340, 341 and 342 Compiled Laws of Utah 1917," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 38 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

Mr. President:

Your Judiciary Committee to which was referred H. B. No. 92 by Mr. Dart, entitled, "An Act to amend Section 8406 Compiled Laws of Utah 1917, relating to malicious mischief, providing that said Section as amended shall apply to and include all territory within the limits of the State of Utah," reports the same back favorably and recommends that the same be passed.

Respectfully,

GEO. H. RYAN,
Chairman.

Report filed.

H. B. No. 92 was placed on the second reading calendar.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 22, by Mr. Shields, entitled, "An Act to prohibit the employment of certain persons by any Executive, Legislative, Ministerial or Judicial Officer of the State of Utah, or any district, county or city government and providing a penalty for the violation thereof".

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 5, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day refused to recede from its amendments to S. B. No. 113, substitute for S. B. No. 100 by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act providing for the levying, collecting, and paying of an income tax on individuals, and providing penalties for the violation thereof," and has appointed Representatives Hirschi, Beus and Rich-

ards, as a Conference Committee, to act with a like Committee from the Senate.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

President Dillman appointed Senators Ryan, Hunt and McCarthy as a Conference Committee to act with the committee from the House on S. B. No. 113, substitute for S. B. No. 100.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 62 on second reading.

H. B. No. 62 was then ordered read the third time on the following roll call:

Ayes, 10; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Booth, Griffin, Huggins, Maw, Musser, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senators Fowles, Hunt, Jefferson, Keyser, McCarthy, Owens, Patterson, Welling.

Absent and not voting, Senators Candland, Knight.

On motion of Senator Jefferson the Senate recessed for ten minutes.

The Senate resumed session at 4:25 P. M.

S. B. No. 83 was read the second time.

The committee report was read.

S. B. No. 83 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 2; Absent, 5.

Those voting in the affirmative were: Senators Candland, Fowles, Huggins, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Welling, Young.

Those voting in the negative were: Senators Smith, Mr. President.

Absent and not voting, Senators Booth, Griffin, Hunt, Knight, Shields.

S. B. No. 82 was read the second time.

The committee report was read.

S. B. No. 82 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Owens, Patterson, Ryan, Welling, Young.

Those voting in the negative were: Senators McCarthy, Smith, Mr. President.

Absent and not voting, Senators Griffin, Knight, Shields.

H. B. No. 8 was read the second time.

The committee report was read.

H. B. No. 8 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Owens, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Knight, McCarthy, Patterson, Ryan, Shields.

On motion of Senator Owens the rules were suspended and H. B. No. 8 was read the third time and placed on its final passage.

H. B. No. 8 then passed on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Owens, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Knight, McCarthy, Patterson, Ryan, Shields.

H. B. No. 8 was transmitted to the House.

On motion of Senator Musser the rules were suspended and H. C. R. No. 2 was read the second and third times and placed on its final passage.

H. C. R. No. 2 then passed on the following roll call:

Ayes, 14; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Keyser, Maw, Musser, Owens, Patterson, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Jefferson.

Absent and not voting, Senators Hunt, Knight, McCarthy, Ryan, Shields.

H. C. R. No. 2 was transmitted to the House.

On motion of Senator Musser the rules were suspended and H. J. M. No. 1 was read the second and third times and placed on its final passage.

H. J. M. No. 1 then passed on the following roll call:

Ayes, 13; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Jefferson, Keyser, Maw, Musser, Owens, Patterson, Smith, Welling, Mr. President.

Absent and not voting, Senators Griffin, Hunt, Knight, McCarthy, Ryan, Shields, Young.

H. J. M. No. 1 was transmitted to the House.

On motion of Senator Keyser the Senate adjourned.

FIFTY-FOURTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll Call showed all Senators present except Senator Young, who was excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-third Day and find it correct with minor amendments noted on the final copy.

Respectfully,

WM. H. GRIFFIN, Jr
DAN B. SHIELDS.

President Dillman appointed Senators Keyser and Huggins as members of the Committee on Revising the Journal for the next five days.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 5, 1931

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 145, by Mr. Neslen, entitled: "An Act to repeal Sections 5214, 5215, 5216, 5217, 5218, 5219, 5220 and 5221, Compiled Laws of Utah, 1917," has been signed in open session in the presence of the House, by the Speaker and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 145 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 5, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 28, by Mr. Jorgensen, entitled: "An Act amending Section 2855 Compiled Laws of Utah, 1917, as amended by Laws of Utah 1921, as amended by Laws of Utah 1923, as amended by Laws of Utah 1925, as amended by Laws

of Utah 1927, relating to designation of State Roads and adding a new Section to be known as 2855x, relating to secondary state roads,'' and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 28 was read first time and referred to Committee on Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 47 was read the third time and placed on its final passage.

President Dillman called Senator Griffin to the Chair.

On motion of Senator Hunt the bill was amended as follows:

Strike all of Sec. 3837 to the word ''officer'' on line 13, page 5, and insert the following in lieu thereof: *''There shall be one adjutant general who shall devote his time to his office, appointed by the Governor. The Adjutant General shall be chief of staff and shall hold office for the term of two years unless sooner terminated by reason of resignation, disability or for cause to be determined by a court martial. The person appointed to this office shall be a citizen of the State of Utah and shall have had actual service in the forces of the United States or the National Guard and have knowledge of army administration.''*

On motion of Senator Booth the bill was amended as follows:

On page 7, line 31 after the sign ''$'' strike the numeral ''3'' and insert in lieu thereof the numeral ''2''.

On motion of Senator Maw the bill was amended as follows:

On line 4 of the amendment to the bill in Sec. 3837 after the word "officer" on line 13, page 5 by Senator Hunt, strike the word "two" and insert in lieu thereof the word "six".

On motion of Senator Jefferson the bill was amended as follows:

On line 4 of the amendment to the bill in Sec. 3837 after the word "officer" on line 13 page 5 by Senator Hunt, strike the word "six" as inserted by amendment of Senator Maw, and insert in lieu thereof the word "four" .

H. B. No. 47 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling.

Absent and not voting, Senators Hunt, Young, Mr. President.

H. B. No. 47 was transmitted to the House.

H. B. No. 62 was read the third time and placed on its final passage.

President Dillman resumed the Chair.

On motion of Senator Patterson the bill was amended as follows:

At the end of line 9 after the word "of" insert the word "an". On line 10 strike the first two words "a life", place a comma after the word "policy" then strike the balance of the line and all of line 11, after "policy" on line 10 insert the House amendment.

H. B. No. 62 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senator Young.

H. B. No. 62 was transmitted to the House.

S. B. No. 33 was read the third time and placed on its final passage.

On motion of Senator Hunt the bill was amended as follows:

On page 8, line 4 after the word "shall" insert the following "drive with an open cutout".

On motion of Senator Jefferson the bill was amended as follows:

On page 10, line 19, strike the first three words "no person shall" and insert the following: "on all public highways outside of the limits of incorporated cities, and towns, it shall be unlawful for any person to".

On page 11 strike all of lines 29, 30 and 31.

On line 32 strike the article "a" and insert in lieu thereof the numeral "4".

On motion of Senator Musser the bill was amended as follows:

On page 13, line 3, strike the numerals "45" and insert in lieu thereof the numerals "50".

On motion of Senator Shields the bill was amended as follows:

On page 4, strike subsection (aa) and (bb) and insert in lieu thereof: "(aa) 'Business District.' The

territory so designated by the local authorities and clearly defined by signs posted on the highways at the limits of said district. Said signs shall be approved by the State Road Commission.

"(bb) 'Residence District.' The territory within the cities and towns other than the business districts".

On page 11, line 12, after the words "closing hours", insert "provided that local authorities may require a complete stop before passing a school building or grounds at any of said periods".

S. B. No. 33 then passed on the following roll call:

Ayes, 16; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Booth, Fowles, Maw, Young.

S. B. No. 33 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 145, by Mr. Neslen, entitled "An Act to repeal Sections 5214, 5215, 5216, 5217, 5218, 5219, 5220 and 5221, Compiled Laws of Utah, 1917."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

On motion of Senator Ryan the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended, H. B. No. 65, by Committee on Education as submitted by the State Tax Commission, entitled "An Act creating and defining a uniform minimum program of public school education in the State of Utah, creating a state equalization fund and providing for the apportionment of any revenue made available for an equalization fund," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 65 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, S. B. No. 114, substitute for S. B. No. 57 by Mr. Candland, chairman of Committee on Revenue and Taxation, entitled, "An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state," and the same is herewith transmitted for your action

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

Senator Musser moved that the Senate do not concur in the House amendments to S. B. No. 114, substitute for S. B. No. 57, and that the House be asked to recede from their amendments.

The motion carried.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 114,

by Revenue and Taxation Committee by request of the State Tax Commission, entitled "An Act providing for the assessment of public utilities and the allocation of such assessment to the counties in which they are located or through which they operate," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 114 was read first time and referred to Committee on Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 83 was read the third time and placed on its final passage.

S. B. No. 83 then passed on the following roll call:

Ayes, 13; Nays, 2; Absent, 5.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Hunt, Keyser, Knight, Maw, Musser, Owens, Patterson, Ryan, Welling, Young.

Those voting in the negative were: Senators Smith, Mr. President.

Absent and not voting, Senators Candland, Huggins, Jefferson, McCarthy, Shields.

S. B. No. 83 was transmitted to the House.

S. B. No. 82 was read the third time and placed on its final passage.

S. B. No. 82 then passed on the following roll call:

Ayes, 15; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators

Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, Musser, Owens, Patterson, Ryan, Welling, Young.

Those voting in the negative were: Senators Shields, Smith, Mr. President.

Absent and not voting, Senators Jefferson, McCarthy.

S. B. No. 82 was transmitted to the House.

By unanimous consent of the Senate, S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was introduced by Mr. Candland, Chairman of Committee on Revenue and Taxation.

"An Act providing for the appointment of members of the State Tax Commission, prescribing their terms of office and salary, defining the powers and duties of the State Tax Commission and its members, and duties of the State Board of Land Commissioners, County Assessors, County Boards of Equalization, and other officers of taxing units in relation thereto; amending Sections 5895, 5909, 5913, 5914, 5924, 5925, 5926, 5927, 5928, 5930, 5985, 5986, 5987, 5989, 5990, 5991, and 6054, Compiled Laws of Utah 1917; amending Sections 5864, 5873, 5916, 5917, 5922, 5923, 5929, 5932, 5933, 5934, and 5984, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; amending Section 5983, Compiled Laws of Utah 1917, as amended by Chapter 136, Laws of Utah 1921; repealing Sections 5874 and 5892, Compiled Laws of Utah 1917, and Section 5931, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; and enacting new Sections to the Compiled Laws of Utah 1917 to be designated as Sections 5981x, 5981x1, 5984x, 5985x, and 5992."

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was read the first time, and on motion of Senator Candland the rules were suspended and S. B.

No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was ordered printed and placed at the head of the second reading calendar.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

Your calendar Committee reports back S. B. No. 84, by Mr. Booth, entitled, "An Act providing for 'trial visits' or 'paroles' of certain patients from the Utah State Hospital".

S. B. No. 104, by Mr. Fowles, entitled "An Act to amend Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check."

S. B. No. 36, by Mr. Booth, entitled, "An Act providing for the regulating, planting, care and control of shade trees and shrubbery upon the public streets, avenues and ways; authorizing the creation of shade tree departments; the appointment of shade tree commissions; and continuance of existing shade tree commissions; prescribing their powers and duties; making certain expenses a lien on abutting real property and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act."

S. B. No. 80, by Mr. Shields, entitled, "An Act amending Section 4388, Compiled Laws of Utah, 1917, relating to the business of making small loans."

S. B. No. 109, by Mr. Fowles, entitled, "An Act amending Sections 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the State Board of Supplies and Purchase."

S. J. R. No. 5 by Mr. Musser, entitled, "A Joint

Resolution proposing an amendment to Section 5 of Article XI of the Constitution of the State of Utah, relating to municipal corporations," without recommendation.

Respectfully,

W. D. CANDLAND,

Chairman.

Report filed.

S. B. No. 84, S. B. No. 104, S. B. No. 36, S. B. No. 80, S. B. No. 109, and S. J. R. No. 5, were placed on the second reading calendar.

On motion of Senator Candland the rules were suspended and S. B. No. 84 was read the second time.

The committee report was read.

On motion of Senator Booth the bill was amended as follows:

On page 1, lines 1, 8, 11, 16 and 19, change the capitol "S" in "Superintendent" to a small "s".

On page 1, lines 3 and 10 change the capitol "I" in "institution" to a small "i".

On page 1, line 25 change the Capitol "T" in "Trial" to a small "t".

On the same line change the capitol "V" in "visit" to a small "v".

On page 2, line 1 change the capitol "P" in "parole" to a small "p".

S. B. No. 84 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 2; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson,

Knight, Maw, Musser, Owens, Patterson, Smith, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Shields.

Absent and not voting, Senators Keyser, McCarthy, Ryan, Welling.

On motion of Senator Candland the rules were suspended and S. B. No. 104 was read the second time.

The committee report was read.

On motion of Senator Shields action on S. B. No. 104 was deferred until later.

On motion of Senator Candland the rules were suspended and S. B. No. 36 was read the second time.

The committee report was read.

On motion of Senator Owens the bill was amended as follows:

Strike the following from the title "Making certain expenses a lien on abutting real property".

On page 2, line 26, put a semi-colon after the word "street" strike the balance of the line, all of line 27 and line 28 down to and including the word "stands".

On page 3, strike all of lines 30, 31, 32 and 33.

On page 4, strike lines 1 to 8 inclusive.

On page 4, strike lines 22 to 33 inclusive.

On page 5, strike lines 1 to 10 inclusive.

On page 5, line 11 after the word "trees" strike the balance of the line and the first word on line 12.

On page 5, strike lines 23 to 27 inclusive.

On motion of Senator Smith the bill was amended as follows:

On page 2, line 24 strike "or require the removal of".

On motion of Senator Musser the bill was amended as follows:

On line 1, of the title strike the word "regulating".

On line 3 of the title strike the comma after "streets" and insert "or", after "avenues" insert "of cities and towns", strike the last word in line 3 and the first word on line 4 of the title.

On line 4, of the title, after the word "creation" insert the words "and regulation".

On motion of Senator Booth the bill was amended as follows:

On page 1, after the word "city" insert "or" on the same line strike "or other municipality".

On motion of Senator Ryan the bill was amended as follows:

On line 6, page 4, strike the numeral "7" and insert "6". On page 5, line 11, strike the numeral "9" and insert "7". On page 5, line 28, strike the numerals "10" and insert "8".

S. B. No. 36 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senators Griffin, Huggins, Hunt, Maw, Welling.

Absent and not voting, Senator Ryan.

On motion of Senator Rooth the rules were suspended and S. B. No. 36 was read the third time and placed on its final passage.

S. B. No. 36 then passed on the following roll call:

Ayes, 15; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senators Griffin, Huggins, Hunt, Maw.

Absent and not voting, Senator Welling.

S. B. No. 36 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 6, 1931.

Mr. President:

This is to inform your Honorable Body, that the Speaker has this day signed, in open session, in the presence of the House, H. C. R. No. 2, by Mr. Callister, entitled "A Resolution memorializing the congress of the United States to pass and the president to approve Senate Bill 4123, providing for refinancing drainage districts," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. C. R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 6, 1931.

Mr. President:

This is to inform your Honorable Body, that the

Speaker has this day signed, in open session, in the presence of the House, H. B. No. 8, by S. M. Jorgensen, entitled "An Act amending Section 62, Chapter 67, Laws of Utah, 1919, as amended by Chapter 100, Laws of Utah 1925, relating to the appointment of water commissioners for the distribution of water; levying assessment to pay compensation and expenses; enforcing collection of assessments," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 8 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 64, by Mr. Spencer, enentitled "An Act to regulate the soliciting and writing of insurance, defining insurance brokers, requiring them to procure license, and prescribing penalties for violation of its provisions."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 63, by Mr. George M. Miller, entitled "An Act relating to insurance adjusters, and insurance adjusters agents; providing for their licensing and regulating their doing business in the State of Utah."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 57, by Mr. Fuller, entitled "An Act relating to the ownership of the name, trade name, or device of any person, firm or corporation manufacturing, preparing, selling, or distributing any article of food or commerce in containers or carriers bearing such name, trade name, or device; forbidding the use by other persons designated of such name, trade name, or device, and of the containers and carriers bearing or having impressed or produced thereon such name, trade name, or device, providing for the transfer of the right to use such name, trade name, or device, defining conditions under which the title to containers and carriers shall not pass, and prescribing the penalty for violation thereof, and repealing Chapter 2, Title 109, and Sections 8451,

8452, 8453, 8454, 8455 and 8456, Compiled Laws of Utah, 1919."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. B. No. 118, by Revenue and Taxation Committee, entitled, "An Act providing for the assessment of mines, mining claims, and mining property and the allocation of such property to the counties wherein it is located," and the same is transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 118 was read first time and referred to Committee on Calendar.

UNFINISHED BUSINESS

S. B. No. 104 on second reading.

On motion of Senator Ryan the committee report was adopted.

On motion of Senator Patterson the bill was amended as follows:

On line 12 after the word "felony" insert the following: "provided that such check or draft is in excess of $25.00".

S. B. No. 104 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Owens, Patterson, Ryan, Shields.

Those voting in the negative were: Senators Maw, Musser, Smith, Welling, Mr. President.

Absent and not voting, Senator Young.

On motion of Senator Booth the Senate recessed for ten minutes.

The Senate resumed session at 4:50 P. M.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

This is to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 62, by Mr. Brimley, entitled "An Act to amend Section 1171, Compiled Laws of Utah, 1917, relating to suicide, making it a defense under certain types of insurance policies," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 62 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

This is to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House H. J. M. No. 1, by Mr. Hirschi and Mr. Esplin, entitled "Memorial to the congress of the United States protesting against the withdrawal from entry and against preventing grazing on public lands in northwestern Arizona," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. J. M. No. 1 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed as amended H. B. No. 27, by Mr. Jorgensen, entitled "An Act to amend Section 4 of Chapter 39, Laws of Utah, 1923, as amended by Laws of Utah 1925, as amended by Laws of Utah 1927, and adding a new Section to be known as Section 4x, relating to a tax on motor vehicle fuels," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 27 was read first time and referred to Committee on Calendar.

President Dillman called Senator Maw to the Chair.

On motion of Senator Candland the rules were suspended and S. B. No. 80 was read the second time.

The committee report was read.

On motion of Senator Jefferson the Committee report was adopted.

S. B. No. 80 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Ryan, Shields, Welling, Young.

Those voting in the negative were: Senators Booth, Fowles, Musser, Owens.

Absent and not voting, Senators Patterson, Smith, Mr. President.

On motion of Senator Booth the Senate went into executive session.

The Senate resumed regular session.

On motion of Senator Booth the Senate advised and consented to the following appointments made by the Governor.

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE AGRICULTURAL COLLEGE OF UTAH:

To serve for a term of four years, beginning April 1, 1931, pursuant to Section 5235, Laws of Utah, 1917.

A. W. Ivins.....Salt Lake City
Mrs. Lee Charles Miller.....Salt Lake City

C. G. Adney.....Corinne

Weston Vernon.....Logan

Clarence E. Wright.....Salt Lake City

Fred M. Nye.....Ogden

FOR MEMBERS OF THE STATE BOARD OF AGRICULTURE:

To serve for a term of four years, pursuant to Chapter 2, Laws of Utah, 1921.

Henry Moss .....Woods Cross

Elmo Irons.....Moroni

Richard Stringham.....Bountiful

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE SCHOOL FOR THE DEAF AND THE BLIND:

To serve for a term of four years, pursuant to Section 5327, Compiled Laws of Utah, 1917, as amended by Chapter 6, Laws of Utah, 1925.

Dr. Robert R. Hampton.....Salt Lake City

Mrs. A. B. Coray.....Ogden

C. Clarence Neslen.....Salt Lake City

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL:

To serve for a term of four years, pursuant to Section 5364, Compiled Laws of Utah, 1917.

Joseph Chez.....Ogden

Walter N. Farr.....Ogden

Arthur C. Sullivan.....Salt Lake City

FOR MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH:

To serve for a term of four years from July 1, 1929, pursuant to Section 5523, Compiled Laws of Utah, 1917.

John E. Carver.....Ogden
J. W. Robinson.....Provo
James W. Wade.....Salt Lake City
Mrs. Dan B. Shields.....Salt Lake City
D. H. Christensen.....Salt Lake City
Dr. Clarence Snow.....Salt Lake City

On motion of Senator Musser the Senate adjourned.

FIFTY-FIFTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 7, 1931.

The Senate met at 10 A. M., President Dillman in the Chair.

Roll call showed all Senators present except Senators Griffin and McCarthy.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 7, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-fourth Day and find it correct with minor amendments noted on the final copy.

Respectfully,
MALCOLM A. KEYSER,
IRA A. HUGGINS.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 44, by Mr. Goggin, entitled "An Act to amend Sections 4 and 6 of Chapter 90, Laws of Utah, 1923, relating to forming and taxing mosquito abatement districts, relating to the abatement of breeding places of mosquitos, and providing a penalty," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 44 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 11, by Mrs. H. S. Tanner, entitled, "An Act to amend Section 4544, Compiled Laws of Utah, 1917, pertaining to the establishment of kindergartens," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 11 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed S. B. No. 34, by Mr. Welling, entitled "An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the laws with reference thereto, and providing penalties for violations of this act, and repealing Sections one and nine of Chapter 24 of Laws of Utah, 1923," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 34 was referred to the committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 6, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House refuses to recede from its amendments to Senate Bill No. 114, substitute for S. B. No. 57, entitled, "An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written in-

struments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state," and designates Representatives Fuller, Kemp and Neslen as a conference committee to act with a like committee from the Senate.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Cemmunication filed.

The President appointed Senators Candland, Griffin and Musser as a conference committee to act with a like committee from the House on the House amendments to S. B. No. 114, substitute for S. B. No. 57.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

Your Calendar Committee reports back S. B. No. 107 by Mr. Ryan being "An Act to amend Section 5975, Compiled Laws of Utah, 1917, relating to the powers of the boards of county commissioners as a board of equalization, and requiring publication of a list of assessments of real property."

S. B. No. 96 by Mr. Jefferson (by request) being "An Act empowering boards of county commissioners to levy taxes not to exceed four-tenths of one mill per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy

blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties."

S. B. No. 89 by Mr. Patterson, being "An Act amending Section 5275, of Compiled Laws of Utah, 1917, prohibiting the board of trustees of the Utah Agricultural College from dealing in farm products."

Without recommendation.

Respectfully,

W. D. CANDLAND,

Chairman.

Report filed.

S. B. No. 107, S. B. No. 96, S. B. No. 89, were placed on the second reading calendar.

Senator Candland moved that the rules be suspended and that the Senate take up S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71, on second reading calendar for immediate consideration.

The motion carried.

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was read the second time.

On motion of Senator Huggins the bill was amended as follows:

On page 13, line 19 after the sign "$" insert the numerals "5,000.00".

On page 21, line 16 after the word "ten" insert the words "per cent".

On the same line after the word "more" insert the words "of the".

On motion of Senator Keyser the bill was amended as follows:

On page 16, line 17 after the word "annually" strike the word "assess" and insert "assess" after the word "to".

On page 18, line 21 after the word "carefully" strike "examine" and insert "examine" after the word "to".

On motion of Senator Keyser the senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present except Senator Smith.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

Your committee on Revision and Enrolling reports back herewith, S. B. No. 34, by Mr. Welling, entitled, "An Act concerning the licening of aircraft and pilots and relating to air traffic rules and to make uniform the law with reference thereto, and providing penalties for violations of this act, and repealing Sections one and nine Chapter 24 Laws of Utah, 1923," properly engrossed and enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 34 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

This is to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. C. R. No. 2, by Mr. Callister, entitled "A resolution memorializing the Congress of the United States to pass and the president to approve Senate Bill 4123, providing for refinancing drainage districts."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

This is to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. J. M. No. 1, by Mr. Hirschi and Mr. Esplin, entitled "Memorial to the Congress of the United States protesting against the withdrawal from entry and against preventing grazing on public lands in northwestern Arizona."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 166, by Mr. Hirschi, entitled "An Act amending Section 1, Chapter 145, Laws of Utah, 1921, as amended by Laws of Utah, 1923, as amended by Laws of Utah, 1925, as amended by Laws of Utah, 1930, regulating the sale of cigarettes, cigarette papers, cigars and tobacco and providing for an excise tax thereon," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 166 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 34, by Mr. Welling, entitled "An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the Law with reference thereto, and providing penalties for violations of this act, and repealing Sections 1 and 9 of Chapter 24 Laws of Utah, 1923," and the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. B. No. 34 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 7, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended H. B. No. 83, by Mr. Nightingale, entitled "An Act to amend Section 4500, Compiled Laws of Utah, 1929, relating to deposit of public funds," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 83 was read first time and referred to Committee on Calendar.

UNFINISHED BUSINESS

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 on second reading.

Senator Jefferson moved to amend the bill as follows:

On page 16, line 25 after the word "taxation" insert "for the purpose of assessment the value placed on tangible property shall be 50% of its full value".

Senator Patterson moved to amend the amendment as follows: at the end of Senator Jefferson's proposed amendment add the following: "and that said value shall be uniform and equal throughout the state".

Senator Patterson's motion to amend the amendment carried.

At the instance of Senator Jefferson and four other

Senators the vote on Senator Jefferson's amendment as amended was taken by roll call.

Senator Jefferson's motion to amend then lost on the following roll call:

Ayes, 3; Nays, 16; Absent, 1

Those voting in the affirmative were: Senators Booth, Jefferson, Welling.

Those voting in the negative were: Senators Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Young, Mr. President.

Absent and not voting, Senator Smith.

On motion of Senator Fowles the bill was amended as follows:

On page 21, line 30 strike the word "municipality" and insert the words "taxing unit".

On motion of Senator Candland the bill was amended as follows:

On page 18, strike lines 25 to 30 inclusive.

On page 18, line 31, strike the numerals "20" and insert the numerals "19".

On page 18, line 33, strike the numerals "21" and insert the numerals"20".

On page 19, line 4, strike the numerals "22" and insert the numerals "21".

On line 7, strike the numerals "23" and insert the numerals "22".

On line 9, strike the numerals "24" and insert the numerals "23".

On motion of Senator Patterson the bill was amended as follows:

On page 20, line 32, strike the first word, insert in lieu thereof the word "shall".

Strike the word "any" and insert in lieu thereof the word "the".

Strike the last three words and insert the following: "where such forfeiture is alleged to have occured".

On motion of Senator Keyser the bill was amended as follows:

On page 19, line 18, strike the word "five" and insert in lieu thereof the word "fifteen".

On motion of Senator Patterson the bill was amended as follows:

On page 22, insert the following between Sections 4 and 5:

"Sec. 5. The Tax Commission may sue and be sued in its own name and any taxpayer may appeal from any decision or order of the Tax Commission to the Supreme Court of the State of Utah."

On page 22, line 27, strike the numeral "5" and insert the numeral "6".

On motion of Senator Candland the bill was amended as follows:

On page 20, line 31, after the first word in the line insert the words "not to exceed".

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Welling, Young, Mr. President.

Absent and not voting, Senators Knight, Shields, Smith.

Senator Candland asked for unanimous consent of the Senate to introduce two bills.

Unanimous consent of the Senate was given.

INTRODUCTION OF BILLS

S. B. No. 119. By Mr. Candland, Chairman Comitttee on Revenue and Taxation

"An Act to exempt intangible property from ad valorem taxation; amending Sections 5861, 5865, 5876, 5877, 5879, 5894, 5895, and 5906, Compiled Laws of Utah, 1917, and Sections 5873 and 5893, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919; and repealing Sections 5868, 5870, 5871, 5872, and 5878, Compiled Laws of Utah, 1917, Sections 5867 and 5869, Compiled Laws of Utah, 1917, as amended by Chapter 14, Laws of Utah, 1925, and Section 5890, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919."

S. B. No. 119 was read the first time and on motion of Senator Griffin the rules were suspended and S. B. No. 119 was ordered printed and referred to the Committee on Calendar.

S. B. No. 120 By Mr. Candland, Chairman Comitttee on Revenue and Taxation

"An Act to provide for the reduction of the tax levies for state general and state district school purposes according to the amounts annually received as proceeds from the income tax act of 1931 and the franchise tax act of 1931, and amending Sections 5988, Compiled Laws of Utah, 1917, and 5998, Compiled Laws of Utah, 1917, as amended by Chapter 138, Laws of Utah, 1921."

S. B. No. 120 was read the first time and on motion of Senator Griffin the rules were suspended and S. B.

No. 120 was ordered printed and referred to the Committee on Calendar.

On motion of Senator Ryan the Senate recessed for ten minutes.

The Senate resumed session at 4:30 P. M.

On motion of Senator Huggins, the rules were susdended and S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was read the third time and placed on its final passage.

On motion of Senator Hunt the bill was amended as follows:

On page 3, line 30, strike the first three words, the sixth word, and after "Taxes" insert "accruing from operations outside of Utah, and".

On motion of Senator Shields the bill was amended as follows:

On page 3, line 26 after the word "officer" insert the words "as such".

On motion of Senator Musser the bill was amended as follows:

On page 13, line 29, strike "entire".

On line 30 after the word "profit" insert "under the Laws of this State".

On the same line after the word "occupation" strike the period and insert "inconsistant with his duties as tax commissioner".

On motion of Senator Shields the bill was amended as follows:

On page 22, line 2, after the last word, add, "In cases involving $250.00 or less".

On line 3 following the word "commissioners" add "and in all other cases in the joint judgment of the county commissioners and".

On motion of Senator Patterson the bill was amended as follows:

On page 13, line 7 after the word "commission" strike the period and insert the following "which is hereby created".

On motion of Senator Maw the Senate adjourned.

FIFTY-SEVENTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

The Senate met at 9 A. M., President Dillman in the Chair.

No Quorum was present and on motion of Senator Maw the Senate recessed until 9:30 A. M.

The Senate resumed Session at 9:30 A. M.

Roll call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-fifth Day and find it correct with minor amendments noted on the final copy.

Respectfully,
MALCOLM A. KEYSER,
IRA A. HUGGINS.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 7, 1931.

Mr. President:

I am directed to inform your Honorable Body, that H. B. No. 47, by Mr. Neslen, entitled "An Act repealing Sections 3838, 3841, 3842, 3844, 3845, 3846, 3847, 3853, 3854, 3869, and Section 1, Chapter 78, Laws of Utah, 1921; and amending Sections 3826, 3827, 3829, 3830, 3831, 3833, 3836, 3840, 3849, 3852, 3856, 3858, 3863, 3865, 3866, 3871, 3873, and 3874, of the Compiled Laws of Utah, 1917, and Section 2, Chapter 75, Laws of Utah, 1919, amending Section 3837, Compiled Laws of Utah, 1917; and amending Section 1, Chapter 76, Laws of Utah, 1919, amending Section 3848, Compiled Laws of Utah, 1917; and amending Section 3, Chapter 75, Laws of Utah, 1919, amending Section 3868, Compiled Laws of Utah, 1917; and adding new Sections to be known as 3839x, 3839x1, 3839x2, 3839x3, 3839x4, 3852x1, 3860x1, 3872x1, 3872x2, 3872x3, and 3872x4, relating to the composition, organization, pay, service, control, government, authority, duty, location, qualification, appointment, rights, privileges, immunities and military offenses against or by, and training and disciplining of the State Militia and of its officers and men, and providing for the care and preservation of military property belonging to the state and belonging to the United States in the possession of the state, and providing for the creation of military courts and boards of inquiry and defining the powers thereof and the procedure to be followed in such courts and boards," has been signed in open session in the presence of the House, by the Speaker, and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 47 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

Your Calendar Committee reports back H. B. No. 65 by Committee on Education as submitted by State Tax Commission being "An Act creating and defining a uniform minimum program of public school education in the State of Utah, creating a state equalization fund and providing for the apportionment of any revenue made available for an equalization fund," without recommendation.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

H. B. No. 65 was placed on the second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 84 was read the third time and placed on its final passage.

On motion of Senator Huggins the bill was amended as follows:

On page 1, line 1 after the word "hospital" insert the following: "by and with the consent of the State Board of Insanity".

On page 1, line 15 after the word "and" insert the following: "examined as to his or her mental condition

by two competent physicians and upon their recommendation".

S. B. No. 84 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Keyser, Knight, Welling.

S. B. No. 84 was transmitted to the House.

S. B. No. 80 was read the third time and placed on its final passage.

S. B. No. 80 then passed on the following roll call:

Ayes, 12; Nays, 4; Absent, 4.

Those voting in the affirmative were: Senators Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, McCarthy, Patterson, Ryan, Shields, Young, Mr. President.

Those voting in the negative were: Senators Maw, Musser, Owens, Smith.

Absent and not voting, Senators Booth, Keyser, Knight, Welling.

S. B. No. 80 was transmitted to the House.

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 on third reading and final passage.

On motion of Senator Patterson the bill was amended as follows:

On page 13, line 4 after "(a)" insert the following: "There is hereby created a state tax commission of the State of Utah, pursuant to Section II, Article 13,

of the Constitution of the State of Utah, composed of four members".

On page 13, line 7 strike the following: "which is hereby created".

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 then passed on the following roll call:

Ayes, 15; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Maw, McCarthy, Musser, Owens, Ryan, Smith, Young, Mr. President.

Those voting in the negative were: Senators Jefferson, Patterson, Shields.

Absent and not voting, Senators Knight, Welling.

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was transmitted to the House.

S. B. No. 104 was read the third time and placed on its final passage.

On motion of Senator Fowles action on S. B. No. 104 was deferred until later.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 109 was read the second time.

President Dillman called Senator Jefferson to the Chair.

The committee report was read.

On motion of Senator Fowles action on S. B. No. 109 was deferred and made special order of business to follow consideration of S. B. No. 104.

S. J. R. No. 5 was read the second time.

The committee report was read.

On motion of Senator Booth the committee report was adopted.

S. J. R. No. 5 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Booth, Fowles, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Welling, Young.

Those voting in the negative were: Senators Candland, Griffin, Huggins, Jefferson, Owens, Mr. President.

Absent and not voting, Senator Smith.

President Dillman resumed the Chair.

On motion of Senator Keyser H. B. No. 65 was made special order of business for March 10th at 10 A. M.

S. B. No. 107 was read the second time.

The committee report was read.

On motion of Senator Ryan the bill was amended as follows:

In line four of the title, strike the article "A".

In line 5 of the title, strike "of". Add "s" to "list" and insert between "lists" and "of" "showing abatement of levy, reduction of valuation and".

Strike "tion" in "Section" on line 3 and insert a period after "sec."

In line 7 strike "real" and insert "tangible".

On line 12 strike last three words and also lines 13 and 14.

On line 16 strike "real" and insert "tangible".

On line 23 between "board" and "abates" insert "is petitioned to". Strike "s" from "abates" and insert thereafter "any levy". Strike "s" from "reduces" and insert thereafter "valuation". Strike "levy" and also "within".

On page 2, line 1 add after "days" "prior to granting any abatement or reduction".

On line 9 after the period add, this new sentence: "All description of property for assessment, abatement and/or reduction may be by abbreviations and/or symbols, the key to which shall be published at the head of each/or any list.

In the last line of the title strike the word "real" and insert in lieu thereof the word "tangible".

On page 2, line two between the words "such" and "abatement" insert the word "proposed".

S. B. No. 107 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Booth, Keyser, Shields.

S. B. No. 96 was read the second time.

The committee report was read.

On motion of Senator Booth the committee report was adopted.

On motion of Senator Jefferson the bill was amended as follows:

On line two of the title strike the word "four" and insert in lieu thereof the word "two".

On page 1, line 4 strike the word "four" and insert the word "two".

On motion of Senator Candland the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

The Senate met at 2 P. M., president Dillman in the Chair.

Roll call showed all Senators present.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, H. B. No. 105, by Mr. Jorgensen, entitled: "An Act validating bills of sale and agreements respecting the sale and/or marketing of wool growing or to be grown in furture, and providing for the filing of the same," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 105 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. C. M. No. 4, by Mr. Fugal, entitled: "Memorializing the Congress of the United States and the Secretary of Agriculture to provide research work and necessary funds with which to cooperate with the state of Utah in its weed eradication program," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. C. M. No. 4 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 22, by Committee on Education, by request, entitled: "An Act amending Section 4704, Compiled Laws of Utah, 1917, as amended by Chapter 43, Laws of Utah, 1923, as amended by Chapter 48, Laws of Utah, 1929, relating to school tax levies in cities of the first and second class," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 22 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 96, by Mr. Neslen, entitled: "An Act to amend Section 3812, Compiled Laws of Utah, 1917, relating to the disposition of interest collected on investments of redemption funds," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 96 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March, 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 149, by Mr. Woodruff, entitled: "An Act to amend Chapter 87, Laws of Utah, 1925, as amended by Laws of Utah, 1929, relating to prevention of fraud in sale of securities by adding a new Section to be known as Section 7x," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 149 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March, 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 158, by Mr. Callister, entitled: "An Act amending Section 4818x, Chapter 114, Laws of Utah, 1925, relating to certificates and permits for automoble corporations for hire and providing for insurance and revocation of licenses and providing that automobile corporations now operating shall procure insurance within sixty days," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 158 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March, 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 121, by Mr. Nightingale, entitled: "An Act to amend Section 5912 of the Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1919, fixing the date the assessment book must be delivered to the treasurer," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 121 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 111, by Mr. Jorgensen, entitled: "An Act amending Section 435, Compiled Laws of Utah, 1917, as amended by Laws of Utah 1919, as amended by Laws of Utah 1921, as amended by Laws of Utah 1925, relating to bounties for predatory animals and providing for the pro-rating of the state bounty fund," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 111 was read first time and referred to Committee on Calendar.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah March, 9, 1931.

Mr. President:

Your Committee on Appropriations and Claims to which was referred S. B. No. 49 by Mr. Booth, entitled, "An Act creating the ninety-first division memorial commission, providing for its appointment, authorizing and directing the erection of a memorial to Utah Men in the ninety-first division and making an appropriation there-

for under certain conditions," reports the same back unfavorably.

Respectfully,

MALCOLM A. KEYSER,

Chairman.

Report filed.

S. B. No. 49 was referred to the Committee on calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah March, 9, 1931.

Mr. President:

Your Committee on Appropriations and Claims to which was referred "Appeal from a decision of the State Board of Examiners" rejecting the claim of Thomas Barrett Christensen for $229.50 for loss of salary, reports the same back unfavorably without prejudice for lack of information.

Respectfully,

MALCOLM A. KEYSER,

Chairman.

Report filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 96 on second reading.

S. B. No. 96 was ordered read the third time on the following roll call:

Ayes, 11; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Maw, McCarthy, Patterson, Young, Mr. President.

Those voting in the negative were: Senators Keyser, Musser, Owens, Shields, Smith, Welling.

Absent and not voting, Senators Huggins, Knight, Ryan.

S. B. No. 109 on second reading.

On motion of Senator Fowles, the bill was amended as follows:

In line 1 of the title after the word "sections" insert the numeral "1,"

Page 1, after line 2, insert the following, which amends Sec. 1, of Chapter 80, Session Laws of Utah, 1927:

"Sec. 1, That the Governor, Secretary of State and Attorney General shall constitute a Board of Supplies and Purchase".

Page 1, line 3, after the word "of" strike the following: "Examiners acting as such () Board of".

On page 1, line 7 strike the words "and institutions" and before the word "commissions" insert the word "and".

On page 1, line 9 strike the words "and institutions" and before the word "commissions" insert the word "and".

On line 9, page 2, strike the sub-section (g) and in lieu thereof insert the following: "(g) ( ) Procure by Contract or purchase equipment, materials, provisions, furniture and furnishings, instruments and apparatus, tools, machinery, stationery, light, fuel, heat, water and all office supplies and services, printing and binding, necessary for and required by the several departments of the state government, and to contract for the publication of the laws, codes, reports and journals, and the decision of the supreme court; provided that all contracts and purchases in excess of ( ) one thousand ( ) ($1,000.00) dollars, except in cases of emergency or in the case of perishable goods, automobiles and trucks shall be made after advertisment for bids, to the lowest *and best* responsible bidder; *provided the Board may reserve the right to reject any or all bids.*"

On page 3, after line 26 insert the following:

"Sec. 2. All acts and parts of acts inconsistent with this act are hereby repealed."

Strike all of line 27.

S. B. No. 109 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Shields.

On motion of Senator Fowles the rules were suspended and S. B. No. 109 was read the third time and placed on its final passage.

S. B. No. 109 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Hunt, Shields.

S. B. No. 109 was transmitted to the House.

S. B. No. 89 was read the second time.

The committee report was read.

On motion of Senator Young the committee report was adopted.

On motion of Senator Patterson the bill was amended as follows:

On line 12 after the word "wise" strike the balance

of the line and line 13 down to and including the word "institution".

Senator Candland moved that further consideration of S. B. No. 82 be deferred until tomorrow.

The motion carried.

At the request of Senator Musser S. B. No. 68 was withdrawn by unanimous consent of the Senate.

At the request of Senator Fowles S. B. No. 112 was withdrawn by unanimous consent of the Senate.

At the request of Senator Ryan S. B. No. 7 was withdrawn by unanimous consent of the Senate.

At the request of Senator Booth S. B. No. 9 was withdrawn by unanimous consent of the Senate.

At the request of Senator Jefferson S. B. No. 51 was withdrawn by unanimous consent of the Senate.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March, 9, 1931.

Mr. President:

Your Calendar Committee to which was referred S. B. No. 119 by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled "An Act to exempt intangible property from ad valorem taxation; amending Sections 5861, 5865, 5876, 5877, 5879, 5894, 5895, and 5906, Compiled Laws of Utah, 1917, and Sections 5873 and 5893, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919; and repealing Sections 5868, 5870, 5871, 5872, and 5878, Compiled Laws of Utah, 1917, Sections 5867 and 5869, Compiled Laws of Utah, 1917, as amended by Chapter 14, Laws of Utah, 1925, and Section 5890, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919," and

S. B. No. 120 by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled "An Act to provide for the reduction of the tax levies for state general and state district school purposes according to the amounts annually received as proceeds from the income tax act of 1931 and the franchise tax act of 1931, and amending Sections 5988, Compiled Laws of Utah, 1917, and 5998, Compiled Laws of Utah, 1917, as amended by Chapter 138, Laws of Utah, 1921," reports the same back without recommendation.

Respectfully,

W. D. CANDLAND,
Chairman.

Report filed.

S. B. No. 119 and S. B. No. 120 were placed on the second reading calendar.

On motion of Senator Candland the rules were suspended and S. B. No. 119 was read the second time.

S. B. No. 119 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 2; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Owens, Ryan, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Musser, Patterson.

Absent and not voting, Senators Fowles, Huggins.

On motion of Senator Candland the rules were suspended and S. B. No. 120 was read the second time.

On motion of Senator Jefferson the bill was amended as follows:

On page 1, line 11 before the word "property" insert the word "tangible".

S. B. No. 120 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Owens, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senators Musser, Patterson, Welling.

Absent and not voting, Senators Fowles, Maw, McCarthy, Ryan.

Senator Young moved that the rules be suspended and that the Senate now take up bills on third reading calendar.

The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 104 on third readnig and final passage.

On motion of Senator Fowles the bill was amended as follows:

On line 12 after the "()" strike the balance of the line and the first seven words on line 13.

On line 12 after the "()" insert "misdemeanor for the first offence and upon conviction of a second offence shall be guilty of a felony punishable by imprisonment".

S. B. No. 104 then passed on the following roll call:

Ayes, 16; Nays, 3; Absent, 1.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Welling, Young.

Those voting in the negative were: Senators Musser, Smith, Mr. President.

Absent and not voting, Senator Candland.

S. B. No. 104 was transmitted to the House.

S. J. R. No. 5 was read the third time and placed on its final passage.

S. J. R. No. 5 then passed on the following roll call:

Ayes, 17; Nays, 3; Absent, 0;

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Smith, Welling.

S. J. R. No. 5 was transmitted to the House.

Senator Huggins moved that when the Senate adjourn it be until tomorrow at 9:30 A. M.

The motion carried.

On motion of Senator Patterson the Senate recessed for 10 minutes.

The senate resumed session at 4: 30 P. M.

S. B. No. 107 was read the third time and placed on its final passage.

On motion of Senator Ryan the bill was amended as follows:

On page 2, in the amendment on line 9 strike the word "may" and insert in lieu thereof the word "shall".

On page 2, line 9 strike "adjusted assessment" and insert in lieu thereof "proposed abatement or reduction".

On line 9 page 2, insert after newly inserted matter the following: "Each abatement and/or reduction granted by the Board shall be published within ten days of such action."

On motion of Senator Jefferson the bill was amended as follows:

Page 1, line 12, after the word "thereon" insert the following: "The Tax Commission shall cause to be printed and published in a newspaper published in the State and qualified by law to publish legal notices, a list of all assessments of mines, and Public Utilities, as listed in the assessment books for the year; said list shall contain:

(1) The name of the person, firm or corporation to whom the property is assessed;

(2) a brief description of the property sufficient to identify it."

Senator Musser moved to strike the enacting clause.

At the instance of Senator Ryan and four other Senators, the vote on Senator Musser's motion to strike the enacting clause was taken by roll call.

Senator Musser's motion to strike the enacting clause then lost on the following roll call:

Ayes, 4; Nays, 15; Absent, 1.

Those voting in the affirmative were: Senators Keyser, Musser, Shields, Mr. President.

Those voting in the negative were: Senators Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Knight, Maw, McCarthy, Owens, Patterson, Ryan, Smith, Welling, Young.

Absent and not voting, Senator Booth.

Senator Ryan moved that action on S. B. No. 107 be deferred and made special order of business to follow S. B. No. 120.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March, 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended H. B. No. 150, by Miles E. Miller, entitled: "An Act creating a state legislative commission defining their powers and duties and prescribing the terms of office," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 150 was read first time and referred to Committee on Calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March, 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended H. B. No. 100, by Mr. Mills, entitled: "An Act amending Section 4295, Compiled Laws of Utah, 1917, relating to training schools for nurses," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 100 was read first time and referred to Committee on Calendar.

On motion of Senator Huggins the Senate adjourned.

FIFTY-EIGHTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

The Senate met at 9:30 A. M., President Dillman in the Chair.

Roll call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-seventh Day and find it correct with minor amendments noted on the final copy.

Respectfully,

MALCOLM A. KEYSER,
IRA A. HUGGINS.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

Your Calendar Committee to which was referred H. B. No. 28 by Mr. Jorgensen entitled "An Act amending Section 2855 of Chapter 62, Session Laws of Utah 1921, as amended by Chapter 89, Session Laws of Utah 1923, as amended by Chapter 71, Session Laws of Utah 1925, as amended by Chapter 21, Session Laws of Utah

1927, relating to designation of State Roads and adding a new Section to be known as 2855x, relating to secondary state road," and

H. B. No. 38 by Mr. A. S. Tingey entitled "An Act providing for the creation of a board of commissioners of the Utah State Bar; providing for the election of such commissioners; defining who may practice law in this state; classifying the membership of the Utah State Bar; defining the authority granted to such board of commissioners; providing for systematic study of science of jurisprudence; providing for license fees to be paid by attorneys admitted to practice in the state; and the disbursement of the fund so created; determining penalty for non-payment of license fee; granting power to the board of commissioners to establish rules governing the procedure to discipline attorneys; granting power to such board of commissioners to subpoena witnesses; providing for the rights and procedure of any accused member of the State Bar; providing for annual meeting of the State Bar of Utah; defining what is unlawful practice of law in the state, and providing penalty for such; amending Sec. 324 Comp. Laws of Utah 1917 and repealin Sections 316, 317, 318, 319, 320, 321, 331, 333, 334, 335, 336, 337, 338, 339, 340, 341 and 342 Compiled Laws of Utah 1917," and

H. B. No. 69 by Mr. Fugal entitled "An Act relating to trespassing by hunters upon inclosed lands and providing that where the owner or tenant resides upon inclosed cultivated lands, warning signs need not be posted but consent from such owner or tenant must be obtained before persons may enter upon such lands for the purpose stated in this Section and providing a penalty for violating provisions of this act," and

H. B. No. 101 by Mr. P. C. Peterson, Jr. entitled "An Act establishing state schools at Ephraim City and at Ogden City, placing the same under the management

and control of the State Board of Education, providing the course of study and entrance requirements therein," and

H. B. No. 102 by Mr. Woodruff entitled "An Act to amend Section 980 of Chapter 6, Title 19, Compiled Laws of Utah 1917, as amended by Chapter 44 of the Session Laws of Utah 1925, and Section 1020x1 of Chapter 6, Title 19, Compiled Laws of Utah 1917, as amended by Chapter 38 of the Session Laws of Utah 1923; relating to banking corporations and banks," and

H. B. No. 104 (substitute for H. B. No. 35) by Committee on Livestock and Agriculture entitled "An Act providing for the assessment of livestock ranged, grazed or fed in this state for only a portion of the time each year and livestock on feed for slaughter within the state for only a portion of the time each year and repealing Section 5905, Compiled Laws of Utah 1917, and Sections 5905x and 5905x1 Chapter 7, Laws of Utah 1923, and all acts and parts of acts in conflict herewith," and

H. B. No. 149 by Mr. Woodruff entitled "An Act to amend Chapter 87, Laws of Utah, 1925, as amended by Chapter 79, Laws of Utah 1929, relating to prevention of fraud in sale of securities, by adding a new Section to be known as Section 7x,"

reports the same back without recommendation.

Respectfully,

W. D. CANDLAND,

Chairman.

Report filed.

H. B. No. 28, H. B. No. 38, H. B. No. 69, H. B. No. 101, H. B. No. 102, H. B. No. 104, H. B. No. 149, were placed on the second reading calendar.

Senator Shields moved that the rules be suspended and that the Senate take up bills on third reading calendar.

The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 96 was read the third time and placed on its final passage.

President Dillman called Senator Huggins to the Chair.

On motion of Senator Maw the bill was amended as follows:

On line 2 of the title strike the word "two" and insert the word "one".

On page 1, line 4, strike the word "two" and insert the word "one".

S. B. No. 96 then passed on the following roll call:

Ayes, 12; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Knight, Maw, McCarthy, Patterson, Ryan, Mr. President.

Those voting in the negative were: Senators Griffin, Keyser, Musser, Owens, Shields, Smith, Welling.

Absent and not voting, Senator Young.

H. B. No. 96 was transmitted to the House.

S. B. No. 119 was read the third time and placed on its final passage.

On motion of Senator Musser the bill was amended as follows:

On page 4, line 13 strike the last three words of the line and all of lines 14, 15, 16 and 17.

S. B. No. 119 then passed on the following roll call:

Ayes, 17; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Key-

ser, Knight, Maw, McCarthy, Musser, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting, Senators Jefferson, Shields.

S. B. No. 119 was transmitted to the House.

SPECIAL ORDER

H. B. No. 65 on second reading calendar.

H. B. No. 65 was read the second time.

The committee report was read.

On motion of Senator Ryan the bill was amended as follows:

On page 3, line 25 after the word "shall" insert the following: "with the approval of the state tax commission".

On motion of Senator Smith the bill was amended as follows:

Capitalize the words "State Board of Education" on page 1, line 9 and in all places where these words appear in the bill.

Capitalize the words "State Superintendent" on page 3, line 2 and in all places where these words appear in the bill.

Capitalize the words "State Superintendent of Public Instruction" on page 4, lines 1 and 2 and in all places where these words appear in the bill.

Capitalize the words "State Tax Commission" on page 4, line 8 and in all places where these words appear in the bill.

H. B. No. 65 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Musser, Patterson.

Absent and not voting, Senator Shields.

On motion of Senator Shields the rules were suspended and S. B. No. 120 was read the third time and placed on its final passage.

On motion of Senator Jefferson the bill was amended as follows:

On page 1, line 16 after the word "of" insert the word "tangible".

S. B. No. 120 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Absent and not voting, Senators Fowles, Mr. President.

S. B. No. 120 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 72, by Mr. Anderson, entitled: "An Act to amend Chapter 74, Laws of Utah, 1921, relating to legislative apportionment districts in the State of Utah and to designate the

senatorial and representative districts, fixing the number and boundaries of said districts and the number of senators and representatives to be elected from each such district," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 72 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 135, by Mr. Hoyt, entitled: "An Act creating a state big game committee, defining its duties and powers and repealing Section 28 of Chapter 31, Laws of Utah, 1927," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 135 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended H. B. No. 122, by Mr. Fuller, entitled: "An Act amending Sections

1 and 2, Chapter 91, Laws of Utah, 1929, as amended by Special Session Laws of Utah, 1930, and adding new Sections to be numbered Sections 3 to 21 inclusive, providing for the regulation of the manufacture, transportation and sale of oleomargine; defining oleomargine and dealers therein; requiring dealers to be licensed and imposing a excise tax thereon," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 122 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 103, by Mr. Fugal, entitled: "An Act to amend Section 1900, Compiled Laws of Utah, 1917, as amended by Laws of Utah 1919, as amended by Laws of Utah 1921, as amended by Laws of Utah 1923, as amended by Laws of Utah, 1927, relating to crops and pests, providing for the destruction of fruits infected or infested with San Jose Scale and authorizing the utilization of other infected or infested fruit for by-product purposes," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 103 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 25, by Mr. A. S. Tingey, entitled: "An Act to amend Sections 3 and 7 of Chapter 84, of the Session Laws of Utah, 1927, relating to the powers of the board of managers of the state bureau of criminal identification and investigation, and duties of officers and others," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 25 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, H. B. No. 52, by Mr. Jorgensen, entitled: "An Act amending Section 4598 Compiled Laws of Utah, 1917, relating to powers of Boards of Education," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 52 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, H. B. No. 167, by Mr. Bennion, entitled: "An Act amending Sections 1, 2 and 3, Chapter 38, Laws of Utah, 1929, providing for the licensing, bonding and regulation of produce dealers and peddlers of produce by the State Board of Agriculture, prescribing the conditions under which license may be revoked, specifying the records to be kept and the account sales to be rendered to producers, shippers and consignors," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 167 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol.
Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 163, by Mr. Fuller, entitled: "An Act amending Section 1899, Compiled Laws of Utah, 1917, as amended by Sub-Chapter 5 of Chapter 2, Laws of Utah 1921, as amended by Laws of Utah, 1923, relating to the State Board of Agriculture and providing for the eradication of pests injurious to the agricultural interests of the state," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 163 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 160, by Mr. Callister, entitled: "An Act amending Chapter 1, Title 19, Compiled Laws of Utah, 1917, as amended and re-enacted by Chapter 14, Laws of Utah, 1923, relating to the incorporation of societies and associations not for pecuniary profit, by adding a new Section to be known as Section 892x1," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 160 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 112, by Mr. Mills, entitled: "An Act amending Sections 1 and 2 of Chapter 71, Laws of Utah, 1929, relating to the shipment of diseased bees or equipment into this state providing for the inspection of bees and equipment shipped into the State of Utah, prohibiting the shipment of bees in combless packages containing syrup or food containing honey, providing for the immediate burning of all diseased colonies shipped into the state and for the payment by the owner of inspection fees on bees being ship-

ped out of the state, making it a misdemeanor to violate any of the provisions of this Chapter, and repealing Section 3, Chapter 71, Laws of Utah, 1929, and Section 6x, Sub-Chapter 4, of Chapter 2, Laws of Utah, 1921," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 112 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 97, by Mr. Brimley, entitled: "An Act amending Sections 1 and 2 of Chapter 93, Laws of Utah 1925, relating to the designation of ownership of all automobiles and motor vehicles owned and operated by the state, counties, cities and school districts," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 97 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 9, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the House, has this day passed, as amended, H. B. No. 40, by Mr. Dalton, entitled: "An Act amending Sections 1308, of Compiled Laws of Utah, 1917, and Section 1313, of Compiled Laws of Utah, 1917, as amended by Chapter 33, Laws of Utah, 1921, to more clearly define the boundary between Piute and Sevier Counties," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 40 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 24, by Mr. Fuller, entitled: "An Act making deficiency appropriations for the support of the State Government for the periods ending June 30, 1929, and June 30, 1931," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 24 was read first time and referred to Committee on Appropriations.

Under suspension of the rules S. B. No. 107 having been read the third time was placed on its final passage.

On motion of Senator Ryan the bill was amended as follows:

Page 1, line 8 after the word "year" insert "provided that the total cost of such preparation and publication shall not exceed eleven cents for each description".

On page 2, line 2 after "notices" insert "provided that the total cost of such preparation and publication shall not exceed twenty-two cents for each description".

After the amendment to the bill on page 2, at the end of the bill insert after the word "action" the following: "provided that the total cost of such preparation and publication shall not exceed twenty-two cents for each description".

On motion of Senator Musser the bill was amended as follows:

On page 1, line 5 strike the word "shall" and insert the word "may".

S. B. No. 107 was then rejected on the following roll call:

Ayes, 10; Nays, 7; Absent, 3.

Those voting in the affirmative were: Senators Candland, Fowles, Hunt, McCarthy, Owens, Patterson, Ryan, Smith, Welling, Young.

Those voting in the negative were: Senators Griffin, Huggins, Keyser, Knight, Maw, Musser, Shields.

Absent and not voting, Senators Booth, Jefferson, Mr. President.

On motion of Senator Keyser the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

SPECIAL ORDER

S. B. No. 89 on second reading.

On motion of Senator Patterson the bill was amended as follows:

On line 3, after the word "trustees" insert the following: "of the Agricultural College".

On line 6 after the word "fund" strike the balance of the line and the first word on line 7.

On line 8, strike the word "said" and insert in lieu thereof the word "the".

On line 9, after the word "station" insert the following: "producing such fund".

S. B. No. 89 was then ordered read the third time on the following roll call:

Ayes, 12; Nays, 3; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Keyser, Knight, McCarthy, Musser, Owens, Patterson, Shields, Young.

Those voting in the negative were: Senators Griffin, Welling, Mr. President.

Absent and not voting, Senators Hunt, Jefferson, Maw, Ryan, Smith.

On motion of Senator Candland the rules were suspended and H. B. No. 104 was read the second time.

The committee report was read.

On motion of Senator Fowles the bill was amended as follows:

On page 1, line 1, strike the word "twenty" and insert in lieu thereof the word "thirty".

President Dillman called Senator McCarthy to the Chair.

On motion of Senator Dillman the bill was amended as follows:

On page 1, line 7, strike the word "third" and insert in lieu thereof the word "half".

H. B. No. 104 was then ordered read the third time on the following roll call:

Ayes, 15; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, McCarthy, Musser, Patterson, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senator Owens.

Absent and not voting, Senators Jefferson, Maw, Ryan, Welling.

President Dillman resumed the Chair.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed, as amended by the House, S. B. No. 11, by Mr. McCarthy, entitled: "An Act to create a state board of shorthand reporters and to regulate the practice of shorthand reporting: providing for examination of candidates for certificates and requiring fees to be paid," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

Senator McCarthy moved that the Senate concur in the House amendments to S. B. No. 11.

The motion carried.

S. B. No. 11 as amended then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Ryan, Welling.

S. B .No. 11 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed as amended by the House, S. B. No. 67, by Mr. Welling, entitled: "An Act to amend Section 3260, Compiled Laws of Utah, 1917, relating to county insurance companies," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Welling moved that the Senate concur in the House amendments to S. B. No. 67.

The motion carried.

S. B. No. 67 as amended then passed on the following roll call:

Ayes, 17; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Mr. President.

Those voting in the negative were: Senator Young.

Absent and not voting, Senators Fowles, Ryan.

S. B. No. 67 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol

Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed as amended, by the House, S. B. No. 39, by Mr. Shields, entitled: "An Act amending Section 6314 of the Compiled Laws of Utah, 1917, relating to testamentary disposition," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Shields moved that the Senate concur in the House amendments to S. B. No. 39.

The motion carried.

S. B. No. 39 as amended then passed on the following roll call:

Ayes, 20; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jeff-

erson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

S. B. No. 39 was referred to the committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, H. B. No. 41, by Mr. Fuller, entitled: "An Act making appropriations for the support of the State Government for the period beginning July 1, 1931, and ending June 30, 1933," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 41 was read in full the first time and on motion of Senator Keyser the rules were suspended and H. B. No. 41 was placed at the head of the second reading calendar.

On motion of Senator Keyser the rules were suspended and H. B. No. 24 was placed on the second reading calendar following H. B. No. 41.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

I am directed to inform you that the Governor, has returned without his approval H. B. No. 47, by Mr. Neslen, entitled: "An Act repealing Sections 3838, 3841, 3842, 3844, 3845, 3846, 3847, 3853, 3854, 3869, and Sec-

tion 1, Chapter 78, Laws of Utah, 1921, and amending Sections 3826, 3827, 3829, 3830, 3831, 3833, 3836, 3840, 3849, 3852, 3856, 3858, 3863, 3865, 3866, 3871, 3873, and 3874, of the Compiled Laws of Utah, 1917, and Section 2, Chapter 75, Laws of Utah, 1919, amending Section 3837, Compiled Laws of Utah, 1917; and amending Section 1, Chapter 76, Laws of Utah, 1919, amending Section 3848, Compiled Laws of Utah, 1917; and amending Section 3, Chapter 75, Laws of Utah, 1919, amending Section 3868, Compiled Laws of Utah, 1917; and adding new Sections to be known as 3839x, 3839x1, 3839x2, 3839x3, 3839x4, 3852x1, 3860x1, 3872x1, 3872x2, 3872x3, and 3872x4, relating to the composition, organization, pay, service, control, government, authority, duty, location, qualification, appointment, rights, privileges, immunities and military offenses against or by, and training and disciplining of the state militia and of its officers and men, and providing for the care and preservation of military property belonging to the state and belonging to the United States in the possession of the state, and providing for the creation of military courts and boards of inquiry and defining the powers thereof and the procedure to be followed in such courts and boards," with the following comment, which is self explanatory.

"If this bill is amended in one particular I shall be glad to give it my approval.

The bill provides, in Section 3837, that "There shall be one Adjutant General who shall devote his time to his office, appointed by the Governor." The same Section provides that "The salary of the Adjutant General shall be fixed by the Board of Examiners not to exceed $2,000 per year." I am advised by the Attorney General that the clause, "who shall devote his time to his office", can only be construed to mean that he shall devote his entire time to his office. In my opinion it would be impossible to find a qualified man to serve as Adjutant General and to devote his entire time to the office for

$2,000 per year. The Chief Clerk of the National Guard receives a salary of $2,400 per year and two clerks in the United States Property and Disbursing office, who are paid by the State, each receive $2,100 per year. It would, therefore, seem highly inconsistent to fix the Adjutant General's salary at only $2,000 per year.

The Adjutant General's office is one of large responsibility inasmuch as he has charge of Federal property valued at four million dollars and state property worth $500,000. The Adjutant General at present probably devotes as many hours per month to his duties as do other State officers who are presumed to be giving their entire time. I am satisfied with the present arrangement, and I do not think it is necessary to raise the Adjutant General's salary in order to secure his entire time.

I suggest that the words, "who shall devote his time to his office," be eliminated, or else replaced by other appropriate language to permit the Adjutant General to function as he does at present without stultifying himself."

The House therefore respectfully ask the Senate to recede from its amendments, which are objectionable to the Governor, or make the suggested change which will meet with his approval.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Candland moved that action on the communication regarding H. B. No. 47 be deferred until tomorrow.

The motion carried.

On motion of Senator Candland the rules were suspended and H. B. No. 101 was read the second time.

The committee report was read.

On motion of Senator Maw the Senate recessed for ten minutes.

The Senate resumed session at 4:45 P. M.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 10, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 39, by Mr. Shields, entitled, "An Act amending Section 6314 of the Compiled Laws of Utah, 1917, relating to testamentary disposition," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 39 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 10, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 67, by Mr. Welling, entitled, "An Act to amend Section 3260, Compiled Laws of Utah, 1917, relating to county insurance companies," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 67 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

To The Senate:

I have this day approved and transmitted to the Secretary of State S. B. No. 34, by Mr. Welling, entitled, "An Act concerning the licensing of aircraft and pilots and relating to air traffic rules and to make uniform the Law with reference thereto, and providing penalties for violations of this Act, and repealing Sections one and nine of Chapter 24 Laws of Utah, 1923".

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

Executive Office,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

To The Senate:

In my communication of March 4, 1931, I nominated for members of the Board of Regents of the University of Utah the following named persons, to-wit:

John E. Carver.....Ogden
J. W. Robinson.....Provo
James W. Wade.....Salt Lake City
Mrs. Dan B. Shields.....Salt Lake City
D. H. Christensen.....Salt Lake City
Dr. Clarence Snow.....Salt Lake City

Through a clerical error my communication stated that these Regents were to serve for a term of four years from July 1, 1929 instead of for a term of four years from July 1, 1931. In your communication of March 6, informing me that the Senate had advised and consented to these nominations, the error was repeated.

May I respectfully request that you correct your records to show that both the nomination and confirmation were for a term of four years from July 1, 1931?

If it would be more convenient you might appropriately rescind your former action and now confirm them for the proper term.

Very respectfully,
GEO. H. DERN,
Governor.

Communication filed.

Senator Welling moved that the Journal be corrected to show the proper dates.

The motion carried.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended S. B. No. 28, by Mr. Fowles, entitled: "An Act defining the crime of arson and attempts to commit arson and providing the punishment therefor, and repealing Sections 8248, 8249, 8250, 8251, 8252, 8253, 8254 and 8255, Compiled Laws of Utah, 1917," and the same is herewith returned for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

Senator Fowles moved that the Senate concur in the House amendments to S. B. No. 28.

The motion carried.

S. B. No. 28 as amended then passed on the following roll call:

Ayes, 20; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

S B. No. 28 was referred to the committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed, S. B. No. 23, substitute for S. B. No. 3, by Mr. Jeffersen and Mr. Ryan, entitled: "An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state hospital for disabled miners and constituting the state industrial commission such board defining the power and duties of said board in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for the biennium, July 1st, 1931, to June 30th, 1933," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 23, substitute for S. B. No. 3 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor, has this day approved and filed with the Secretary of State, H. B. No. 56, by Mr. A. S. Tingey, entitled: "An Act relating to the powers and duties of the department of registration".

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol.

Salt Lake City, Utah, March 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor, has this day approved and filed with the Secretary of State, H. B. No. 8, by Mr. Jorgensen, entitled: "An Act amending Section 62, Chapter 67, Laws of Utah, 1919, as amended by Chapter 100, Laws of Utah, 1925, relating to the appointment of water commissioners for the distribution of water; levying assessment to pay compensation and expenses; enforcing collection of assessments."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol.
Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, S. B. No. 77, by Mr. Booth, entitled: "An Act to amend Sec. 5775 Compiled Laws of Utah, 1917, as amended by Chapter 107, Laws of Utah, 1919, as amended by Chapter 118, Laws of Utah, 1921, as amended by Chapter 120, Laws of Utah, 1921, as amended by Chapter 31, Laws of Utah, 1925, relating to the control, and sale, of state lands," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 77 was referred to the Committee on Revision and Enrolling to be Engrossed.

Senator Keyser moved that when the Senate adjourn it be until 9:30 A. M., March 11th.

The motion carried.

The Senate resumed action on H. B. No. 101 on second reading.

Senator McCarthy moved to amend the bill as follows:

Strike all of Sec. 2.

At the instance of Senator Fowles and four other Senators the vote on Senator McCarthy's motion to amend was taken by roll call.

Senator McCarthy's motion to amend then lost on the following roll call:

Ayes, 3; Nays, 17; Absent, 0.

Those voting in the affirmative were: Senators Keyser, McCarthy, Shields.

Those voting in the negative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Knight, Maw, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Senator McCarthy moved to amend the bill as follows:

In the third line of the title strike "of the state board of education" and insert "board of regents of the university of Utah."

On line 7, page 1, strike out the words "at a nominal" and insert "without".

On line 15, page 1, strike out "at a nominal" and insert "without".

On line 19 page 1, strike out "state board of education" and insert "board of regents of the University of Utah".

Page 2, strike all of Section 5, and insert: "An annual entrance registration fee and a tuition fee shall be determined, and required of all students entering either of said schools by the board of regents of the University of Utah".

Line 7, page 2, strike "state board of education" and "state board of examiners" insert "board of regents of the University of Utah, and the State Board of Examiners."

At the instance of Senator Huggins and four other Senators the vote on Senator McCarthy's motion to amend was taken by roll call.

Senator McCarthy's motion to amend then carried on the following roll call:

Ayes, 11; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Booth, Fowles, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Shields, Smith.

Those voting in the negative were: Senators Candland, Griffin, Jefferson, Owens, Patterson, Welling, Young, Mr. President.

Absent and not voting, Senator Ryan.

On motion of Senator McCarthy the bill was amended as follows:

On page 1, lines 9, 17 and 19 strike the letters "tion" from the word "section" and put a period after "sec.".

On page 2, lines 2 and 6 strike the letters "tion" from the word "section" and put a period after "sec".

H. B. No. 101 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Knight, Maw, Owens, Patterson, Ryan, Smith, Young.

Those voting in the negative were: Senators Hunt, Keyser, McCarthy, Musser, Shields, Welling, Mr. President.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol.

Salt Lake City, Utah, March 10, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, S. B. No. 76, by W. D. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act to carry out the provisions of Sections 2 and 3, Article XIII, of the Constitution of Utah as amended and relating to the exemption from taxation of portions of power plants used for pumping water for irrigation purposes and to prorating the benefits to users

of such power," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 76 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol.

Salt Lake City, Utah, March 10, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, under suspension of rules, H. B. No. 130, by Mr. A. S. Tingey, entitled: "An Act to amend Section 1784, Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1925, relating to jurisdiction of justices' of the peace," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 130 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol.

Salt Lake City, Utah, March 10, 1931

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, S. B. No. 27, by Mr. Booth, entitled: "An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah,

1921, relating to Special Taxes," and the same is herewith transmitted for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 27 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 39, by Mr. Shields, entitled "An Act amending Section 6314, of the Compiled Laws of Utah, 1917, relating to testamentary disposition," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 39 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 67, by Mr. Welling, entitled: "An Act to amend Section 3260, Compiled Laws

of Utah, 1917, relating to county insurance companies," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 67 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, S. B. No. 25, by Mr. Booth, entitled: "An Act amending Section 4, Chapter 9, Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 25 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed as amended S. B. No. 75, by W. D. Candland, Chairman Committee on Revenue and

Taxation, entitled "An Act exempting from taxation a maximum amount of real and tangible personal property owned by resident disabled persons who served in the military service of the United States or of the State of Utah," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Candland moved that action on the House amendments to S. B. No. 75 be deferred until tomorrow.

The motion carried.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, under suspension of rules, H. B. No. 129, by Mr. A. S. Tingey, entitled "An Act to amend Section 1730 of the Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1919, relating to change of venue," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 129 was read first time and referred to the Calendar Committee.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

I am directed to inform your Honorable Body, that

the House, has this day, passed as amended, under suspension of rules H. B. No. 151, by Mr. A. S. Tingey, entitled: "An Act amending Section 4432, Compiled Laws of Utah, 1917, as amended by Chapter 65, Laws of Utah, 1927, relating to the use, sale and dispensing of narcotic drugs," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 151 was read first time and referred to the Calendar Committee.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 10, 1931

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 11, by Mr. McCarthy, entitled, "An Act to create a state board of shorthand reporters and to regulate the practice of shorthand reporting: providing for examination of candidates for certificates and requiring fees to be paid," properly engrossed and enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 11 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, March 10, 1931

To the Senate:

I have this day nominated the following persons for the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE GOVERNING BOARD OF UTAH ART INSTITUTE:

To serve for a term of two years, pursuant to Sections 5301 and 5302, Compiled Laws of Utah, 1917.

B. F. Larsen.....Provo
Miss Florence Ware.....Salt Lake City
Wayne Johnson.....Springville
Taylor Woolley.....Salt Lake City
Mrs. Sarah Karrick.....Salt Lake City

FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION:

To serve for a term of four years, pursuant to Sections 5347 and 5348, Compiled Laws of Utah, 1917.

Mrs. D. W. Moffat.....Murray
George S. McAllister.....Salt Lake City
George Abbot.....Tremonton
John M. Ritchie.....Charleston
Abe Hanson.....Richfield
Ernest McKay.....Huntsville

To serve for the unexpired term ending April 1, 1933.

Dr. R. C. Swalberg.....Spanish Fork

FOR MEMBERS OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION:

To serve for a term of two years, pursuant to Section 2, Chapter 84, Laws of Utah, 1917.

Amasa M. Hammon.....Ogden
Otto Birk.....Provo

FOR MEMBERS OF THE BOARD OF CONTROL OF THE UTAH STATE HISTORICAL SOCIETY:

To serve for a term of four years, pursuant to Chapter 8, Laws of Utah, 1925.

Prof. Levi Edgar Young.....Salt Lake City
Dr. George Emory Fellows.....Salt Lake City
Frank K. Seegmiller.....Salt Lake City
William J. Snow.....Provo
Hugh Ryan.....Salt Lake City

FOR MEMBERS OF THE STATE TEXT BOOK COMMISSION:

To serve for a term of four years, pursuant to Section 4555, Compiled Laws of Utah, 1917.

Mrs. F. M. McHugh.....Salt Lake City
T. E. Bartlett.....Eureka
James A. Nuttall.....Huntington

FOR MEMBERS OF THE UTAH WATER STORAGE COMMISSION:

To serve for a term of two years, pursuant to Chapter 71, Laws of Utah, 1921, as amended by Chapter 54, Laws of Utah, 1925.

W. W. Armstrong.....Salt Lake City
Leon P. Christensen.....Vernal
John G. M. Barnes.....Kaysville

A. P. Bigelow.....Ogden
W. O. Creer.....Provo
A. F. Doremus.....Tooele
Richard R. Lyman.....Salt Lake City
Joseph R. Murdock.....Heber City
S. M. Nielsen.....Mt. Pleasant
William Peterson .....Logan
J. W. Gillman.....Orem
William R. Wallace.....Salt Lake City

FOR MEMBERS OF THE PUBLIC UTILITIES COMMISSION OF UTAH:

To serve for a term of six years, pursuant to Section 4775, Compiled Laws of Utah, 1917.

George F. McGonagle.....Salt Lake City

To serve for the unexpried term ending April 1, 1935.

Thomas E. McKay.....Huntsville

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

Pursuant to Section 3, Chapter 75, Laws of Utah, 1929.
To serve for the unexpired term ending May 6, 1934.

Alex Hedquist .....Provo

Respectfully submitted,

GEO. H. DERN,

Governor.

Communication referred to a special committee appointed by the President consisting of Senators Jefferson, Knight, Candland, Musser and Huggins.

On motion of Senator Ryan the Senate adjourned.

FIFTY-NINTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

The Senate met at 9:30 A. M., President Dillman in the Chair.

Roll call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-eighth Day and find it correct with minor amendments noted on the final copy.

Respectfully,
MALCOLM A. KEYSER,
IRA A. HUGGINS.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 23, substitute for S. B. No. 3, by Mr. Jefferson and Mr. Ryan, entitled, "An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state

hospital for disabled miners and constituting the State Industrial Commission such board defining the power and duties of said board in the conduct of said business and appropriating from the income of the State Land Hospital Fund the sum of $12,000 to meet the expenses of said free service for the biennium, July 1st, 1931, to June 30th, 1933," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 23, substitute for S. B. No. 3 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Hunt the Senate's action on the Senate amendments to H. B. No. 47 was reconsidered as requested by the Governor in his communication to the House of March 10th.

On motion of Senator Hunt the bill was amended as follows:

Page 5, replacing underscored matter in Section 3837. *"There shall be one Adjutant General appointed by the Governor, who shall perform the duties pertaining to such office. The Adjutant General shall be Chief of Staff and shall hold office for a term of four years unless terminated by reason of resignation, disability or by cause to be determined by Court Martial. The person appointed to this office shall be a citizen of the State of Utah and shall have had actual service in the forces of the United States or the National Guard and have knowledge of army administration".*

H. B. No. 47 as amended then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Owens, Patterson, Smith, Welling, Mr. President.

Absent and not voting, Senators Fowles, Musser, Ryan, Shields, Young.

H. B. No. 47 was transmitted to the House.

Senator Candland moved that the Senate concur in the House amendments to S. B. No. 75.

The motion carried.

S. B. No. 75 as amended then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Fowles, Hunt, Jefferson, Ryan, Young.

S. B. No. 75 was referred to the committee on Revision and Enrolling to be Engrossed.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator McCarthy the rules were suspended and H. B. No. 101 was read third time and placed on its final passage.

Senator Huggins moved to amend the bill as follows:

Strike all amendments made to the bill yesterday, making the bill read as it came from the House.

Senator Huggins moved for a call of the House.

The motion carried.

Senator Jefferson moved to raise the call of the House.

The motion carried.

At the instance of Senator Huggins and four other Senators the vote on Senator Huggin's motion to amend was taken by roll call.

Senator Huggins's motion to amend then carried on the following roll call:

Ayes, 12; Nays, 8; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Knight, Owens, Patterson, Welling, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Keyser, Maw, McCarthy, Musser, Ryan, Shields, Smith.

Senator Smith moved to amend the bill as follows:

On line 1, page 8, strike the period at the end of the line, insert a semi-colon and add the following: "provided that the county or counties in which said school is located shall pay one-half of said maintenance".

On page 1, line 16 strike the period at the end of the line, insert a semi-colon and add the following: "provided that the county or counties in which said school is located shall pay one-half of said maintenance".

The President declared the motion carried by a standing vote of 10 to 9.

Senator Candland appealed from the decision of the Chair, claiming that twenty Senators were in the Chamber at the time the vote was taken.

The decision of the Chair was upheld on the following roll call:

Ayes, 12; Nays, 8; Absent, 0.

Those voting in the affirmative were: Senators Booth, Griffin, Hunt, Keyser, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Smith, Mr. President.

Those voting in the negative were: Senators Candland, Fowles, Huggins, Jefferson, Knight, Owens, Welling, Young.

On motion of Senator Keyser the bill was amended as follows:

On page 1, line 7, strike the words "at a nominal" and insert the word "without".

On page 1, line 15, strike the words "at a nominal" and insert the word "without".

H. B. No. 101 then passed on the following roll call:

Ayes, 13; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Jefferson, Knight, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Griffin, Hunt, Keyser, Maw, McCarthy, Musser, Shields.

H. B. No. 101 was transmitted to the House.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 76, by W. D. Candland, Chairman Committee on Revenue and Taxation, entitled, "An Act to carry out the provisions of Sections 2 and 3, Article XIII, of the Constitution of Utah as amended

and relating to the exemption from taxation of portions of power plants used for pumping water for irrigation purposes and to prorating the benefits to users of such power," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Mr. President:

S. B. No. 76 was signed by the Persident in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 25, by Mr. Booth, entitled, "An Act amending Section 4, Chapter 9, Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 25 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 77, by Mr. Booth, entitled, "An Act to amend Sec. 5575 Compiled Laws of Utah, 1917, as amended by Chapter 107, Laws of Utah, 1919, as amended by Chapter 118, Laws of Utah, 1921, as amended by Chapter 120, Laws of Utah, 1921, as amended by Chapter 31, Laws of Utah, 1925, relating to the control, and sale, of State Lands," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 77 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 27, by Mr. Booth, entitled, "An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to Special Taxes," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 27 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 28, by Mr. Fowles, entitled, "An Act defining the crime of arson and attempts to commit arson and providing the punishment therefor, and repealing Sections 8248, 8249, 8250, 8251, 8252, 8253, 8254 and 8255, Compiled Laws of Utah, 1917," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 28 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 11, by Mr. McCarthy, entitled: "An Act to create a State Board of Shorthand Reporters and to regulate the practice of shorthand reporting: providing for examination of candidates for

certificates and requiring fees to be paid," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 11 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 23, substitute for S. B. No. 3, by Mr. Jefferson and Mr. Ryan, entitled: "An Act to provide free hospital and medical service for certain disabled miners; specifying those entitled to said service; empowering the board of control to contract and pay for said service; creating a board of control of the state hospital for disabled miners and constituting the State Industrial Commission such board defining the power and duties of said board in the conduct of said business and appropriating from the income of the state land hospital fund the sum of $12,000 to meet the expenses of said free service for the biennium, July 1st, 1931, to June 30th, 1933," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 23, substitute for S. B. No. 3, was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 62, by Mr. Brimley, entitled: "An Act to amend Section 1171, Compiled Laws of Utah, 1917, relating to suicide, making it a defence under certain types of insurance policies."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

On motion of Senator Keyser H. B. No. 41 was made special order of business at 2 P. M. this afternoon.

On motion of Senator Keyser H. B. No. 24 was made special order of business to follow H. B. No. 41.

On motion of Senator Shields the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports

back herewith, S. B. No. 75, by W. D. Candland, Chairman Committee on Revenue and Taxation, entitled, "An Act exempting from taxation a maximum amount of real and tangible personal property owned by resident disabled persons who served in the military service of the United States or of the State of Utah," properly engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 75 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended, by the Senate, S. B. No. 15, by Mr. Ryan and Mr. Hunt, entitled: "An Act creating a State Geological and Mineralogical survey," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 15 was referred to the Committte on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended, by the House, S. B. No. 91, (substitute for S. B. No. 10), by Mr. Booth, entitled: "An Act to codify, amend and revise the Laws relating to the Juvenile Courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of children's aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9, Title 21 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of Title 21 of the Compiled Laws of Utah, 1917; and all other Laws in Conflict herewith," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Booth moved that the Senate concur in the House amendments to H. B. No. 91, substitute for S. B. No. 10.

At the instance of Senator McCarthy and four other

Senators the vote on Senator Booth's motion to concur was taken by roll call.

Senator Booth's motion to concur in the House amendments to S. B. No. 91, substitute for S. B. No. 10 then carried on the following roll call:

Ayes, 11; Nays, 9; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Knight, Owens, Ryan, Young, Mr. President.

Those voting in the negative were: Senators Fowles, Huggins, Maw, McCarthy, Musser, Patterson, Shields, Smith, Welling.

S. B. No. 91, substitute for S. B. No. 10 as amended then passed on the following roll call:

Ayes, 11; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Knight, Owens, Ryan, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Maw, McCarthy, Musser, Patterson, Shields, Smith, Welling.

Absent and not voting, Senator Fowles.

S. B. No. 91, substitute for S. B. No. 10 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body. that the House has this day refused to concur in Senate amendments to H. B. No. 101, by Mr. P. C. Peterson, Jr., entitled: "An Act establishing State Schools at Ephraim

City and at Ogden City, placing the same under the management and control of the State Board of Education, providing the course of study and entrance requirements therein, and providing a method of approving claims against said school," and requests the Senate to recede from its amendments.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

Senator Candland moved that the Senate do not recede and that the President appoint a conference committee to confer with a like committee from the House in regards to the Senate amendments to H. B. No. 101.

The motion carried.

President Dillman appointed a conference committee consisting of Senators Smith, Candland and Welling.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 27, by Mr. Booth, entitled: "An Act amending Section 676, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to Special Taxes," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 27 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 77, by Mr. Booth, entitled: "An Act to amend Sec. 5575 Compiled Laws of Utah, 1917, as amended by Chapter 107, Laws of Utah, 1919, as amended by Chapter 118, Laws of Utah, 1921, as amended by Chapter 120, Laws of Utah, 1921, as amended by Chapter 31, Laws of Utah, 1925, relating to the control, and sale, of State Lands," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 77 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 76, by W. D. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act to carry out the provisions of Sections 2 and 3, Article XIII, of the Constitution of Utah as amended and relating to the exemption from taxation of portions of power plants used for pumping water for irrigation purposes and to prorating the benefits to users of such

power," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 76 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 25, by Mr. Booth, entitled: "An Act amending Section 4, Chapter 9, Laws of Utah, 1921, providing for creation and maintenance by the cities and towns of a guarantee fund for the protection of bonds or warrants issued for local improvements," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 25 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 28, by Mr. Fowles, entitled: "An Act defining the crime of arson and attempts to commit arson and providing the punishment therefor,

and repealing Sections 8248, 8249, 8250, 8251, 8252, 8253, 8254 and 8255, Compiled Laws of Utah, 1917," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 28 was transmitted to the Governor.

SPECIAL ORDER

H. B. No. 41 on second reading calendar.

President Dillman called Senator Ryan to the Chair.

H. B. No. 41 was read the second time.

President Dillman resumed the Chair.

On motion of Senator Keyser the bill was amended as follows:

On page 2, line 26, strike the numerals "8,580.00" and insert in lieu thereof the numerals "12,180.00".

On page 6, in the House amendments at the bottom of the page after the word "wages" strike the numerals "27,360.00" and insert in lieu thereof the numerals "23,760.00".

On page 12, line 30, strike the numerals "29" and insert in lieu thereof the numerals "31".

On page 11, line 9, strike the following: "the sum of $10,000.00".

On page 2, line 20 strike the numerals "34,310.00" and insert in lieu thereof the numerals "33,110.00".

On motion of Senator Patterson the bill was amended as follows:

On page 16, between lines 3 and 4 add the following new section. "Section 16. Except where such travel is actually required by the duties of public office no claims shall be approved or paid for travel outside this state".

On page 16, line 4, strike the numeral "6" and insert in lieu thereof the numeral "7".

On page 16, line 9, strike the numeral "7" and insert the numeral "8" .

H. B. No. 41 was then ordered read the third time on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Candland, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Booth, Fowles, Griffin, Jefferson, Ryan, Welling.

On motion of Senator Patterson the Senate recessed for ten minutes.

The Senate resumed session at 4:30 P. M.

SPECIAL ORDER

H. B. No. 24 on second reading calendar.

H. B. No. 24 was read the second time.

On motion of Senator Keyser the bill was amended as follows:

On page 3, between lines 10 and 11, in the House amendment strike the numerals "1,6" and insert the numerals "1,2".

H. B. No. 24 was then ordered read the third time on the following roll call:

Ayes, 18: Nays, 0: Absent, 2.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Huggins.

On motion of Senator Keyser the rules were suspended and H. B. No. 24 was read the third time and placed on its final passage.

H. B. No. 24 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Jefferson, Smith.

H. B. No. 24 was transmitted to the House.

Senator Maw moved that when the Senate recess it be until 7:30 this evening.

The motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 65 was read the third time and placed on its final passage.

On motion of Senator McCarthy the Senate recessed until 7:30 P. M.

EVENING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

The Senate met at 7:30 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open session, in the presence of the House, H. B. No. 47, by Mr. Neslen, entitled "An Act repealing Sections 3838, 3841, 3844, 3846, 3847, 3853, 3854, 3869, and Section 1, Chapter 78, Laws of Utah, 1921; and amending Sections 3826, 3827, 3829, 3830, 3831, 3833, 3836, 3840, 3849, 3852, 3856, 3858, 3863, 3865, 3866, 3871, 3873, and 3874, of the Compiled Laws of Utah, 1917, and Section 2, Chapter 75, Laws of Utah, 1919, amending Section 3837, Compiled Laws of Utah, 1917; and amending Section 1, Chapter 76, Laws of Utah, 1919, amending Section 3848, Compiled Laws of Utah, 1917; and amending Section 3, Chapter 75, Laws of Utah, 1919, amending Section 3868, Compiled Laws of Utah, 1917; and adding new Sections to be known as 3839x, 3839x1, 3839x2, 3839x3, 3839x4, 3852x1, 3860x1, 3872x2, 3872x3, and 3872x4, relating to the composition, organization, pay, service, control, government, authority, duty, location, qualification, appointment, rights, privileges, immunities and military offenses against or by, and training and disciplining of the State Militia and of its officers and men, and providing for the care and preservation of military property belonging to the state and belonging to the United States in the possession of the state, and providing for the creation of military courts and boards of inquiry and defining the powers thereof and the procedure to be followed in such courts and boards," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER.
Chief Clerk.

Communication filed.

H. B. No. 47 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 75, by W. D. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act exempting from taxation a maximum amount of real and tangible personal property owned by resident disabled persons who served in the military service of the United States or of the State of Utah," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 75 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, S. B. No. 109, by Mr. Fowles, entitled: "An Act amending Sections 1, 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the State Board of Supplies and Purchase," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 109 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day rejected, S. B. No. 45, by Mr. Booth, entitled: "An Act providing for the sale of property for delinquent and general special taxes and for the distribution of the proceeds of said sale."

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

Mr. President:

This is to inform your Honorably Body, that the House, has this day passed, S. J. R. No. 3, by Senators McCarthy, Maw, Candland, Musser, Fowles, entitled: "A Joint Resolution proposing to commend the efforts of the American Legislators' Association and of the Interstate Legislative Reference Bureau for their efforts to procure promptly for all inquiring state legislators, whatever information or advice they desire in connection with legislative problems, to conduct a systematic study of legislative matters, and to publish for the benefit of all state legislators, the magazine called the 'State Government,'" the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. J. R. No. 3 was referred to the Committee on Revision and Enrolling to be Engrossed.

The Senate resumed action on H. B. No. 65 on third reading and final passage.

H. B. No. 65 then passed on the following roll call:

Ayes, 14; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Knight, Maw, McCarthy, Owens, Ryan, Welling, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Keyser, Musser, Patterson, Shields, Smith.

H. B. No. 65 was transmitted to the House.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 15, by Mr. Ryan and Mr. Hunt, entitled, "An Act creating a State Geological and Mineralogical survey," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 15 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

The Senate and
House of Representatives:

Your Committee on Conference on S. B. No. 114 substitute for S. B. No. 57, begs leave to report that it has reached an agreement respecting matters at issue between the respective Houses and recommends the following:

1. On page 2, line 33, strike out House amendment and concur in Senate amendment so that the rate of tax shall be three (3) per cent.

2. On page 3, lines 8 and 9, strike out House amendment and concur in Senate amendment, so that the rate of tax shall be three (3) per cent.

3. On page 3, lines 10 to 14, inclusive, strike out House amendment and concur in Senate amendment.

4. On page 3, lines 15 to 18, inclusive, being Section 5, strike House amendment, and restore Senate amendment with the following change; change the word "fifty" in the 6th line of said Senate amendment to "thirty-three and one-third", so that said Section 5 will read as follows:

"Sec. 5. Every bank or other corporation subject to the tax provided for under Sections 3 or 4 hereof shall receive an offset or credit against said tax in the amount of the taxes paid by it during the taxable year upon (a) its tangible personal property and (b) its real estate located within the State of Utah, but said offset or credit shall not exceed thirty-three and one-third per centum of the tax computed and payable under this Act."

5. On pages 34 and 35, beginning at line 25 on page

34 and continuing to and including line 13 on page 35 strike out all House amendments, restoring Section 61 (a) to the form in which it passed the Senate.

Your Committee further recommends that the Senate amendment to Section 28 (a) on page 25, lines 26 to 29, inclusive, be amended to read as follows:

"The amount of tax imposed by this act shall be paid when the return is filed, or in two equal installments as follows: The first installment shall be paid on or before March 15, and the second installment on or before July 15, or if the return should be made on the basis of a fiscal year, then on or before the 15th day of the third month following the close of the fiscal year, or in two equal installments payable, one-half of the tax when the return is made and the other half of the tax within three months thereafter. If any installment is not paid on the date fixed for its payment the whole amount of the tax unpaid shall be paid upon notice and demand of the tax commission."

Your Committee further recommends that the Bill be amended on page 9, lines 17 and 18 by striking out the words "organized and operating wholly or partly on a mutual plan".

Respectfully submitted,

W. D. CANDLAND,

W. H. GRIFFIN, Jr.

Conferees on Behalf of the Senate.

GEO. A. FULLER,

C. C. NESLEN,

JOHN H. KEMP.

Conferees on Behalf of the House

Report filed.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 11, 1931.

To Senate and House of Representatives,

State Capitol,
City.

Gentlemen:

The undersigned does not concur in the report of the committee on Conference on S. B. No. 114, substitute for S. B. No. 57, in the following:

(a) The amendments on page 3, lines 15 to 18 with respect to the offsets allowed is not agreeable to the undersigned.

Your Committee on Conference compromised on the offset of 33-1/3 per centum and the undersigned believes this should be 50 per centum. The percent arrived at by the majority members of your committe does not take into consideration the fact that the purpose of the tax program is to equalize the burden of taxes and the majority disregard this principle.

Those members of the committee who do not sign this report have increased the burden of taxation on persons who will pay taxes on tangible property.

Respectfully submitted,

BURTON W. MUSSER,

Report filed.

Senator McCarthy moved that action on the Conference committee report be deferred and made special order of business for March 12th at 10 A. M,. and that at that time each member of the Senate be furnished with copies of the majority and minority reports.

The motion carried.

Senator Ryan asked for unanimous consent of the Senate to introduce a bill.

Unanimous consent of the Senate was given.

INTRODUCTION OF BILL

S. B. No. 121. By Judiciary Committee.

"An Act creating the Utah Legislative Code Committee, defining its powers and duties, providing the remuneration to be paid the attorney of said committee, the payment of expenses to be incurred, and an appropriation therefor," was read the first time and on motion of Senator Ryan the rules were suspended and S. B. No. 121 was ordered printed and referred to the Calendar Committee.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Fowles the rules were suspended and S. B. No. 89 was read the third time and placed on its final passage.

S. B. No. 89 was rejected on the following roll call:

Ayes, 8; Nays, 8; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Jefferson, Musser, Patterson, Shields.

Those voting in the negative were: Senators Griffin, Keyser, Knight, Maw, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Hunt, McCarthy, Owens, Ryan.

H. B. No. 104 was read the third time and placed on its final passage.

H. B. No. 104 then passed on the following roll call:

Ayes, 16; Nays. 0: Absent. 4.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Knight, Maw, Musser, Owens, Patterson, Shields, Smith, Young, Mr. President.

Absent and not voting, Senators Hunt, McCarthy, Ryan, Welling.

H. B. No. 104 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 102 was read the second time.

The committee report was read.

H. B. No. 102 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Knight, Maw, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Hunt, McCarthy, Ryan.

H. B. No. 72 was read the second time.

The committee report was read.

On motion of Senator Patterson the bill was amended as follows:

On page 2, line 6, strike the word "Wayne" as inserted by the House.

President Dillman called Senator Fowles to the Chair.

H. B. No. 72 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Knight, Maw, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Hunt, McCarthy, Ryan.

President Dillman resumed the Chair.

Senator Keyser moved that when the Senate adjourn it be until March 12 at 9 A. M.

The motion carried.

On motion of Senator Young the Senate adjourned.

SIXTIETH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

The Senate met at 9 A. M., President Dillman in the Chair.

Roll call showed all Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

We, your Committee on Revision of the Journal respectfully report that we have had the Journal read for the Fifty-ninth Day and find it correct with minor amendments noted on the final copy.

Respectfully,

MALCOLM A. KEYSER,
IRA A. HUGGINS.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 41 was read the third time in full and placed on its final passage.

On motion of Senator Griffin the bill was amended as follows:

On page 8, in the House amendment at the top of the page, strike the first word in line 1 and after the word "maintenance" insert the following: "to the Utah Agricultural College Experiment Station".

On motion of Senator Shields the bill was amended as follows:

On page 8, in the House amendment at the top of the page after the words "Box Elder County" add the following: "and all other regularly owned and operated Experiment Stations".

Senator Keyser moved to amend the bill as follows:

On page 7, line 24 after the word "school" strike the colon, insert a semi-colon and add the following: "or Utah State Prison Farm at American Fork," on the same line after the sign "$" strike the numeral "1".

At the instance of Senator Booth and four other Senators the vote on Senator Keyser's motion to amend was taken by roll call.

Senator Keyser's motion to amend then lost on the following roll call:

Ayes, 9; Nays, 11; Absent, 0.

Those voting in the affirmative were: Senators Candland, Hunt, Jefferson, Keyser, Musser, Owens, Patterson, Ryan, Mr. President.

Those voting in the negative were: Senators Booth, Fowles, Griffin, Huggins, Knight, Maw, McCarthy, Shields, Smith, Welling, Young.

On motion of Senator Patterson the bill was amended as follows:

On page 15, strike all of lines 5, 6 and 7.

On motion of Senator Musser the bill was amended as follows:

On page 3, line 4, strike the numerals "16" and insert the numerals "18"

H. B. No. 41 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Huggins.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 91, substitute for S. B. No. 10, by Mr. Booth, entitled: "An Act to codify, amend and revise the Laws relating to the Juvenile Courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of children's aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to con-

tribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9, Title 21 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of Title 21 of the Compiled Laws of Utah, 1917; and all other Laws in conflict herewith," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 91, substitute for S. B. No. 10 was signed by the President in open sesion in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. J. R. No. 3, by Senators McCarthy, Maw, Candland, Musser, Fowles, entitled, "A Joint Resolution proposing to commend the efforts of the American Legislators' Association and of the Interstate Legislative Reference Bureau for their efforts to procure promptly for all inquiring State Legislators, whatever information or advice they desire in connection with Legislative problems, to conduct a systematic study of Legislative matters, and to publish for the benefit of all State Legislators, the magazine called the 'State Government,'" properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. J. R. No. 3 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Keyser the Senate recessed for ten minutes.

The Senate resumed session at 11 A. M.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 11, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended by the House, S. B. No. 104, by Mr. Fowles, entitled: "An Act to amend Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

President Dillman called Senator Booth to the Chair.

Senator Patterson moved that the Senate concur in the House amendments to S. B. No. 104.

The motion carried.

S. B. No. 104 as amended then passed on the following roll call:

Ayes, 12; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Booth, Griffin, Huggins, Jefferson, Knight, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Young.

Absent and not voting, Senators Candland, Fowles, Hunt, Keyser, Maw, Shields, Welling, Mr. President.

S. B. No. 104 was referred to the Committee on Revision and Enrolling to be Engrossed.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 102 was read the third time and placed on its final passage.

On motion of Senator Young the bill was amended as follows:

On page 2, line 27, after the word "hereafter" strike the period, insert a comma, add the word "provided" and change the capital "A" in "any" to a small "a".

H. B. No. 102 then passed on the following roll call:

Ayes, 15; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Griffin, Huggins, Jefferson, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Candland, Fowles, Hunt, Keyser, Shields.

H. B. No. 102 was transmitted to the House.

H. B. No. 72 was read the third time and placed on its final passage.

On motion of Senator Owens the bill was amended as follows:

On page 2, line 2, insert a period after "Wayne" strike "and" insert "and Kane" after "Piute".

On page 2, line 6, strike the word "Kane".

On motion of Senator Keyser the bill was amended as follows:

On page 3, in the House amendment at the bottom of

the page, strike the following: "provided however, that one of those in the sixth district shall be elected for a term of two years only."

H. B. No. 72 then passed on the following roll call:

Ayes, 19, Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Ryan.

H. B. No. 72 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Calendar Committee to which was referred H. B. No. 4, by Mr. Mills, entitled, "An Act amending Section 2104, of Chapter 1, of the Compiled Laws of Utah of 1917, relating to the filling of vacancies in the Congress of the United States and the Legislature of the State of Utah."

H. B. No. 27, by Mr. Jorgensen, entitled, "An Act to amend Section 4, of Chapter 39, Laws of Utah, 1923, as amended by Chapter 40, Laws of Utah, 1925, as amended by Chapter 41, Laws of Utah, 1927, relating to a tax on motor vehicle fuels."

H. B. No. 67, by Mr. Neslen, entitled, "An Act amending Section 556, Compiled Laws of Utah, 1917, as amended by Chapter 8, Laws of Utah 1919, relating to passage of ordinance by cities or towns and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring, and other similar work

by reference to printed codes on such subject, provided that not less than three printed copies of such code or codes in book form have been filed with the city recorder."

H. B. No. 100, by Mr. Mills, entitled, "An Act amending Section 4295, Compiled Laws of Utah, 1917, relating to training schools for nurses."

H. B. No. 25, by Mr. A. S. Tingey, entitled, "An Act to amend Sections 3 and 7 of Chapter 84, of the Session Laws of Utah, 1927, relating to the powers of the board of managers of the state bureau of criminal identification and investigation, and duties of officers and others."

H. B. No. 40, by Mr. Dalton, entitled, "An Act amending Section 1308, of Compiled Laws of Utah, 1917, and Section 1313, of Compiled Laws of Utah, 1917, as amended by Chapter 33, Laws of Utah, 1921, to more clearly define the boundary between Piute and Sevier Counties."

H. B. No. 23, by Mr. Cardon, entitled, "An Act amending Section 674, Compiled Laws of Utah, 1917, as amended by Chapter 15, Laws of Utah, 1921, relating to special taxes and repealing all acts and parts of acts in conflict therewith."

H. B. No. 105, by Mr. Jorgensen, entitled, "An Act validating bills of sale and agreements respecting the sale & or marketing of wool growing or to be grown in futuro, and providing for the filing of the same."

H. B. No. 103, by Mr. Fugal, entitled, "An Act to amend Section 1900, Compiled Laws of Utah 1917, as amended by Laws of Utah 1919, as amended by Laws of Utah 1921, as amneded by Laws of Utah 1923, as amended by Laws of Utah 1927, relating to crops and pests, providing for the destruction of fruits infected or infested with San Jose Scale and authorizing the utilization of other infected or infested fruit for by-product purposes,"

H. B. No. 39, by Mrs. Lowe, entitled, "An Act to amend Section 1, Chapter 59, Laws of Utah, 1923, and providing for the licensing of all persons other than the parents placing children."

H. B. No. 93, by Mr. Brimley, entitled, "An Act authorizing the board of regents of the University of Utah to sell and convey to the United States of America certain land, now included within the University Campus, on which to construct a metallurgical laboratory."

H. B. No. 44, by Mr. Goggin, entitled, "An Act to amend Sections 4 and 6 of Chapter 90, Laws of Utah, 1923, relating to forming and taxing mosquito abatement districts, and to add a new Section to be known as Section 6x relating to the abatement of breeding places of mosquitoes."

H. B. No. 83, by Mr. Nightingale, entitled, "An Act to amend Section 4500, Compiled Laws of Utah 1917, as amended by Laws of Utah 1929, relating to deposit of public funds."

H. B. No. 22, by Committee on Education (by request) entitled, "An Act amending Section 4704, Compiled Laws of Utah, 1917, as amended by Chapter 43, Laws of Utah, 1923, as amended by Chapter 48, Laws of Utah, 1929, relating to school tax levies in cities of the first and second class."

H. B. No. 111, by Mr. Jorgensen, entitled, "An Act amending Section 435, Compiled Laws of Utah 1917, as amended by Laws of Utah 1919, as amended by Laws of Utah 1921, as amended by Laws of Utah 1925, relating to bounties for predatory animals and providing for the prorating of the state bounty fund."

H. B. No. 52, by Mr. Jorgensen, entitled, "An Act amending Section 4598, Compiled Laws of Utah, 1917, relating to powers of boards of education."

H. B. No. 129, by Mr. A. S. Tingey, entitled, "An Act to amend Section 1730 of the Compiled Laws of Utah

1917, as amended by Laws of Utah 1919, relating to change of venue."

H. B. No. 130, by Mr. A. S. Tingey, entitled, "An Act to amend Section 1784, Compiled Laws of Utah 1917, as amended by Laws of Utah 1925, relating to jurisdiction of justices of the peace."

H. B. No. 135, by Mr. Hoyt, entitled, "An Act creating a state big game commission, defining its duties and powers and repealing Section 28 of Chapter 31, Laws of Utah 1927."

H. B. No. 11, by Mrs. H. S. Tanner, entitled, "An Act to amend Section 4544, Compiled Laws of Utah, 1917, pertaining to the establishment of kindergartens."

Reports the same back without recommendation.

Respectfully,
W. D. CANDLAND,
Chairman.

Report filed and bills placed on second reading calendar.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 109, by Mr. Fowles, entitled, "An Act amending Sections 1, 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the state board of supplies and purchase," properly Engrossed and Enrolled for the signature of the President.

Respectfully,
W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 109 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, under suspension of Rules, H. B. No. 180, by Judiciary Committee, entitled: "An Act creating the Utah Legislative Code Committee, defining its powers and duties, providing the remuneration to be paid the attorney of said committee, the payment of expenses to be incurred, and an appropriation therefor," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 180 was read the first time and on motion of Senator Patterson the rules were suspended and H. B. No. 180 was placed at the head of the second reading calendar.

SPECIAL ORDER

Conference Committee report on S. B. No. 114, substitute for S. B. No. 57.

On motion of Senator Patterson action on the Conference Committee report was deferred and made special order of business for 2 P. M.

On motion of Senator Candland the rules were suspended and H. B. No. 180 was read the second time.

H. B. No. 180 was then ordered read the third time on the following roll call:

Ayes, 18, Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Hunt, Ryan.

On motion of Senator Keyser the rules were suspended and H. B. No. 180 was read the third time and placed on its final passage.

On motion of Senator Musser the bill was amended as follows:

On page 1, Sec. 1, line 4 after the word "house" strike "and confirmed by the House" and on line 6, after the word "Senate" strike "and confirmed by the Senate".

On page 3, Section 4, strike the House amendment.

H. B. No. 180 then passed on the following roll call:

Ayes, 20; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

H. B. No. 180 was transmitted to the House.

On motion of Senator Maw the Senate recessed until 2 P. M.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

The Senate met at 2 P. M., President Dillman in the Chair.

Roll call showed all Senators present.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 104, by Mr. Fowles, entitled, "An Act to amend Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 104 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open session, in the presence of the House, H. B. No. 24, by Mr. Fuller, entitled "An Act making deficiency appropriations for the support of the State Government for the periods ending June 30, 1929, and June 30, 1931," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day appointed, Representatives, P. C. Peterson, Jr., J. M. Mills and Mr. Brimley, as a conference committee, with a like committee from the Senate on H. B. No. 101, by Mr. P. C. Peterson, Jr., entitled: "An Act establishing state schools at Ephraim City and at Ogden City, placing the same under the management and control of the State Board of Education, providing the course of study and entrance requirements therein, and providing a method of approving claims against said schools. "

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, S. B. No. 21, by Mr. Maw, entitled "An Act to regulate the practice of Chiropody and to license the same; providing for the examination of applicants for licenses, determining the qualifications of applicants; providing for issuing licenses without examination in certain cases; refusing licenses to applicants who are guilty of 'unprofessional and dishonest conduct' and revoking license in certain

cases; imposing penalties for the violation of this act", and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

Senator Musser moved that the Senate concur in the House amendments to S. B. No. 21.

The motion carried.

S. B. No. 21 as amended then passed on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Jefferson, Knight, McCarthy, Musser, Owens, Patterson, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Fowles, Hunt, Keyser, Maw, Ryan, Shields.

S. B. No. 21 was referred to the committee on Revision and Enrolling to be Engrossed.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the Senate and House of Prepresentatives,
Building.

Gentlemen:

Your Committee on Conference on H. B. No. 101 begs leave to report that it has reached an agreement respecting matters at issue between the respective Houses and recommends the following:

1st. Senate amendments on lines 7 and 15 to remain as passed.

2nd The amendments on lines 8 and 16 shall be amended to read as follows:

"Provided that the school districts, county or counties in which said school is located shall pay one-half of said maintenance beginning July 1, 1933 and thereafter".

This agreement was reached on the vote of five in favor and one against.

Respectfully submitted,

P. C. PETERSON, Jr.
J. M. MILLS,
WILFORD C. BRIMLEY.
Conferees in behalf of the House.

W. D. CANDLAND,
T. R. WELLING.
Conferees in behalf of the Senate.

Report filed.

Senator Candland moved to adopt the Conference Committee report.

At the instance of Senator Candland and four other Senators the vote on Senator Candland's motion to adopt was taken by roll call.

Senator Candland's motion to adopt then carried on the following roll call:

Ayes, 11; Nays, 9; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Jefferson, Knight, Owens, Ryan, Welling, Young, Mr. President.

Those voting in the negative were: Senators Griffin, Hunt, Keyser, Maw, McCarthy, Musser, Patterson, Shields, Smith.

H. B. No. 101 together with the conference committee report was transmitted to the House.

SPECIAL ORDER

The Chair ruled that roll call is not required on final passage of the bill after adoption of a conference committee report.

Senator Musser appealed from the decision of the Chair.

The chair was upheld in its decision by standing vote of the Senate.

Conference Committee report on S. B. No. 114, substitute for S. B. No. 57.

Senator Candland moved that the Senate concur in the majority conference committee report.

President Dillman called Senator Young to the Chair.

On motion of Senator Shields S. B. No. 114, substitute for S. B. No. 57 together with the conference committee report was recommitted to the conference committee.

On motion of Senator Hunt the Senate went into executive session.

The Senate resumed regular session.

President Dillman resumed the Chair.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on the Governor's appointments to which has been referred the letter of March 10, 1931, begs to report that we advise and consent to the appointments contained in said letter.

Respectfully,
GEORGE JEFFERSON,
Chairman.

Report filed.

On motion of Senator Jefferson the Senate advised and consented to the appointments of the Governor contained in his letter of March 10.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. J. R. No. 3, by Senators McCarthy, Maw, Candland, Musser, Fowles, entitled: "A Joint Resolution proposing to commend the efforts of the American Legislators' Association and of the Interstate Legislative Reference Bureau for their efforts to procure promptly for all inquiring state legislators, whatever information or advice they desire in connection with legislative problems, to conduct a systemtic study of legislative matters, and to publish for the benefit of all state legislators, the magazine called the 'State Government,'" the same is herewith returned for transmission to the Secretary of State.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. J. R. No. 3 was transmitted to the Secretary of State.

THE HOUSE OF REPRESENTATIVES.
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 15, by Mr. Ryan and Mr. Hunt, entitled: "An Act creating a state geological

and mineralogical survey,'' the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 15 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 91 (substitute for S. B. No. 10), by Mr. Booth, entitled: ''An Act to codify, amend and revise the Laws relating to the juvenile courts and the handling of delinquent, dependent and neglected children; providing for the establishment of a juvenile court and probation commission; defining the duties and powers of said commission; providing for the establishment of juvenile courts; defining the jurisdiction, practice and procedure of said courts; defining the jurisdiction and powers of children's aid societies in the handling of children committed to their care by said courts; providing for the creation of a probation department in said juvenile courts; making it a misdemeanor for an adult to contribute to the delinquency, dependency or neglect of children and defining the jurisdiction and the practice of the juvenile court in such cases; and repealing Chapter 9, Title 21 of the Compiled Laws of Utah, 1917, as amended by Chapter 5 of the Special Session Laws of Utah, 1919; and repealing Chapters 10 and 11 of Title 21 of the Compiled Laws of Utah, 1917; and

all other Laws in conflict herewith," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 91, substitute for S. B. No. 10 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 109, by Mr. Fowles, entitled: "An Act amending Sections 1, 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the State Board of supplies and purchase," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 109 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, H. B. No. 102, by Mr. Woodruff,

entitled: "An Act to amend Section 980, Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1925, and Section 1020x1 of Chapter 38, Laws of Utah, 1923, relating to banking corporations and banks," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 102 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, H. B. No. 104, (substitute for H. B. No. 35), by Committees on Livestock and Agriculture, entitled: "An Act providing for the assessment of livestock ranged, grazed or fed in this state for only a portion of the time each year and livestock on feed for slaughter within the state for only a portion of the time each year and repealing Section 5905, Compiled Laws of Utah, 1917, and Sections 5905x and 5905x1, Chapter 7, Laws of Utah, 1923, and all acts and parts of acts in conflict herewith," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 104 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, H. B. No. 180, by Judiciary Committee, entitled: "An Act creating the Utah Legislative Code Committee, defining its powers and duties, providing the remuneration to be paid the attorney of said committee, the payment of expenses to be incurred, and an appropriation therefor," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 180 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, H. B. No. 72, by Mr. Anderson, entitled: "An Act to amend Chapter 74 Laws of Utah 1921, relating to legislative apportionment districts in

the State of Utah and to designate the Senatorial and Representative Districts, fixing the number and boundaries of said districts and the number of Senators and Representatives to be elected from each such district," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 72 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 21, by Mr. Maw, entitled, "An Act to regulate the practice of chiropody and to license the same; providing for the examination of applicants for licenses, determining the qualifications of applicants; providing for issuing licenses without examination in certain cases; refusing licenses to applicants who are guilty of 'unprofessional and dishonest conduct' and revoking license in certain cases; imposing penalties for the violation of this act," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 21 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Keyser the rules were suspended and H. B. No. 27 was read the second time.

The committee report was read.

On motion of Senator Jefferson the bill was amended as follows:

In the House amendment as inserted in the last line of Sec. 4, after the word "be" strike the balance of the amendment and insert the following: "used for maintenance and construction of secondary state roads and on newly designated primary roads".

H. B. No. 27 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, McCarthy, Owens, Patterson, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Huggins, Keyser, Knight, Maw, Musser, Shields.

Absent and not voting, Senator Ryan.

President Dillman called Senator McCarthy to the Chair.

H. B. No. 28 was read the second time.

The committee report was read.

On motion of Senator Patterson the bill was amended as follows:

On page 8, after line 11, insert a new Section as follows: "(129) From Moab along south bank of Colorado River to Castleton".

On motion of Senator Shields the bill was amended as follows:

On page 6, add a new Section after line 25 as follows:

"(71) From junction with route 4 at Ninth East in Salt Lake Southerly to Draper South Easterly via corner canyon and Alpine to Junction with Route 1 American Fork."

On motion of Senator Dillman the bill was amended as follows:

On page 7, line 32 after the word "Neola" strike the period and insert a comma then add the following: "to Roosevelt".

On motion of Senator Fowles the bill was amended as follows:

On page 7, strike all of lines 5 and 6.

H. B. No. 28 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senator Huggins.

Absent and not voting, Senator Ryan.

On motion of Senator Patterson the rules were suspended and H. B. No. 27 was read the third time and placed on its final passage.

H. B. No. 27 then passed on the following roll call:

Ayes, 12; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Jefferson, McCarthy, Musser, Owens, Patterson, Smith, Welling, Mr. President.

Those voting in the negative were: Senators Huggins, Hunt, Keyser, Knight, Maw, Shields, Young.

Absent and not voting, Senator Ryan.

H. B. No. 27 was transmitted to the House.

On motion of Senator Welling the rules were suspended and H. B. No. 28 was read the third time and placed on its final passage.

H. B. No. 28 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Ryan.

H. B. No. 28 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, under suspension of rules, H. B. No. 147, by Committee on Public Buildings and Grounds, entitled: "An Act providing for a building and extension program to be carried out by the Utah State Building Commission; and providing for the issuance and disposal of state bonds and appropriating the proceeds of the sale thereof for the purposes authorized in this act, and providing a fund for the pay-

ment of interest on and the redemption of said bonds," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 147 was read the first time and on motion of Senator Keyser the rules were suspended and H. B. No. 147 was placed at the head of the second reading calendar.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, under suspension of rules, H. B. No. 181, by Mr. Fuller, entitled: "An Act to provide revenue for the support of the government of the state, and for high school purposes for the fiscal years of 1931 and 1932," and the same is herewith transmitted for your action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 181 was read the first time and on motion of Senator Keyser the rules were suspended and H. B. No. 181 was placed on the second reading calendar to follow H. B. No. 147.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the Senate and House of Representatives.

Your Committee on Conference on S. B. No. 114, substitute for S. B. No. 57 begs leave to report that it has reached an agreement respecting matters at issue be-

tween the respective Houses and recommends the following:

1. On page 2, line 33, strike out House amendment and concur in Senate amendment so that the rate of tax shall be three (3) per cent.

2. On page 3, lines 8 and 9 strike out House amendment and concur in Senate amendment, so that the rate of tax shall be three (3) per cent.

3. On page 3, lines 10 to 14, inclusive, strike out House amendment and concur in Senate amendment.

4. On page 3, lines 15 to 18, inclusive, being Section 5, strike House amendment, and restore Senate amendment with the following change; change the word "fifty" in the 6th line of said Senate amendment to "thirty-three and one-third", so that said Section 5 will read as follows:

"Sec. 5. Every bank or other corporation subject to the tax provided for under Section 3 or 4 hereof shall receive an offset or credit against said tax in the amount of the taxes paid by it during the taxable year upon (a) its tangible personal property and (b) its real estate located within the State of Utah, but such offset or credit shall not exceed thirty-three and one-third per centum of the tax computed and payable under this Act."

5. On pages 34 and 35, beginning at line 25 on page 34 and continuing to and including line 13 on page 35 strike out all House amendments restoring Section 61 (a) to the form in which it passed the Senate.

Respectfully submitted,
W. D. CANDLAND,
W. H. GRIFFIN, Jr.
Conferees on Behalf of the Senate.
GEO. A. FULLER,
C. C. NESLEN,
JOHN H. KEMP.
Conferees on Behalf of the House.

Report filed.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the Senate and House of Representatives.
State Capitol,
City.

Gentlemen:

The undersigned does not concur in the report of the committee on Conference on S. B. No. 114, substitute for S. B. No. 57 in the following:

(a) The amendments on page 3, lines 15 and 18 with respect to the offsets allowed is not agreeable to the undersigned.

Your Committee on Conference compromised on the offset of 33-1/3 per centum and the undersigned believes this should be 50 per centum. The percent arrived at by the majority members of your committee does not take into consideration the fact that the purpose of the tax program is to equalize the burden of taxes and the majority disregard this principle.

Those members of the committee who do not sign this report have increased the burden of taxation on persons who will pay taxes on tangible property.

Respectfully submitted,

BURTON W. MUSSER,

Report filed

Senator Candland moved that the Senate adopt the Conference Committee majority report.

At the instance of Senator Candland and four other Senators the vote on Senator Candland's motion to adopt was taken by roll call.

Senator Candland's motion to adopt then carried on the following roll call:

Ayes, 13; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Knight, Maw, McCarthy, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Jefferson, Keyser, Musser, Shields.

Absent and not voting, Senators Griffin, Patterson.

S. B. No. 114, substitute for S. B. No. 57 as amended by the Conference Committee report then passed on the following roll call:

Ayes, 13; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Knight, Maw, McCarthy, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Jefferson, Keyser, Musser, Patterson, Shields.

Absent and not voting, Senator Griffin.

S. B. No. 114, substitute for S. B. No. 57 together with the conference committee report was transmitted to the House.

On motion of Senator Keyser the Senate recessed until 7 P. M.

EVENING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

The Senate met at 7 P. M,. President Dillman in the Chair.

Roll call showed all Senators present.

On motion of Senator Keyser the rules were suspended and H. B. No. 4 was read the third time and placed on its final passage.

On motion of Senator Patterson the bill was amended as follows:

Strike all Senate amendments heretofore placed in the bill.

On motion of Senator Huggins the bill was amended as follows:

On line 6, after the word "representative" insert the following: "or state senator". On line 7 after the word "counties" insert the words "or district affected".

H. B. No. 4 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Fowles, Griffin, Owens.

H. B. No. 4 was transmitted to the House.

On motion of Senator Candland the rules were suspended and H. B. No. 147 was read the second time.

H. B. No. 147 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 4; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, Musser, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Huggins, McCarthy, Patterson, Shields.

On motion of Senator Keyser the rules were suspended and H. B. No. 147 was read the third time and placed on its final passage.

H. B. No. 147 then passed on the following roll call:

Ayes, 16; Nays, 4; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Hunt, Jefferson, Keyser, Knight, Maw, Musser, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Huggins, McCarthy, Patterson, Shields.

H. B. No. 147 was transmitted to the House.

On motion of Senator Candland the rules were suspended and H. B. No. 181 was read the second time.

H. B. No. 181 was then ordered read the third time on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting, Senators Candland, Maw, Welling.

On motion of Senator Keyser the rules were suspended and H. B. No. 181 was read the third time and placed on its final passage.

H. B. No. 181 then passed on the following roll call:

Ayes, 16; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Booth, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Ryan, Shields, Smith, Young, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting, Senators Candland, Maw, Welling.

H. B. No. 181 was transmitted to the House.

President Dillman called Senator Booth to the Chair.

On motion of Senator Shields the rules were suspended and H. B. No. 38 was read the second time.

The committee report was read.

Senator Patterson moved that after final consideration of H. B. No. 38 tax measures be given preference in all action by the Senate.

The motion carried.

H. B. No. 38 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Absent and not voting, Senators Fowles, Jefferson, Mr. President.

On motion of Senator Musser the rules were suspended and H. B. No. 38 was read the third time and placed on its final passage.

H. B. No. 38 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young.

Absent and not voting, Mr. President.

H. B. No. 38 was transmitted to the House.

President Dillman resumed the Chair.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES.
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 101, by Mr. P. C. Peterson, Jr., entitled "An Act establishing state schools at Ephraim City and at Ogden City, placing the same under the management and control of the state board of education, providing the course of study and entrance requirements therein, and providing a method of approving claims against said schools," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 101 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 27, by Mr. Jorgensen, entitled: "An Act to amend Section 4, of Chapter 39, Laws of Utah, 1923, as amended by Laws of Utah, 1925, as amended by Laws of Utah, 1927, and adding a new Section to be known as Section 4x, relating to a tax on motor vehicle fuels," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 27 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 4, by Mr. Mills, entitled: "An Act amending Section 2104, Chapter 1, Compiled Laws of Utah, 1917, relating to the filling of vacancies in the Congress of the United States and the legislature of the State of Utah," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended, S. B. No. 120, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act to provide for the reduction of the tax levies for state general and state district school purposes according to the amounts annually received as proceeds from the income tax act of 1931 and the franchise tax act of 1931, and amending Sections 5988, Compiled Laws of Utah, 1917, and 5998, Compiled Laws of Utah, 1917, as amended by Chapter 138, Laws of Utah, 1921," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 120 was referred to the committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day passed, as amended by the House, S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act providing for the appointment of members of the state tax commis-

sion, prescribing their terms of office and salary, defining the powers and duties of the state tax commission and its members, and duties of the state board of land commissioners, county assessors, county boards of equalization, and other officers of taxing units in relation thereto; amending Sections 5895, 5909, 5913, 5914, 5924, 5925, 5926, 5927, 5928, 5930, 5985, 5986, 5987, 5989, 5990, 5991, and 6054, Compiled Laws of Utah 1917; amending Sections 5864, 5873, 5916, 5917, 5922, 5923, 5929, 5932, 5933, 5934, and 5984, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; amending Section 5983, Compiled Laws of Utah 1917, as amended by Chapter 136, Laws of Utah 1921; repealing Sections 5874 and 5892, Compiled Laws of Utah 1917, and Section 5931, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; and enacting new Sections to the Compiled Laws of Utah 1917 to be designated as Sections 5981x, 5981x1, 5984x, 5985x and 5992," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Candland moved that the Senate do not concur in the House amendments to S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 and that the House be asked to recede from its action.

The motion carried.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 41, by Mr. Fuller, en-

titled: "An Act making appropriations for the support of the state government for the period beginning July 1, 1931, and ending June 30, 1933," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 41 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, S. B. No. 21, by Mr. Maw, entitled: "An Act to regulate the practice of chiropody and to license the same; providing for the examination of applicants for licenses, determining the qualifications of applicants; providing for issuing licenses without examination in certain cases; refusing licenses to applicants who are guilty of 'unprofessional and dishonest conduct' and revoking license in certain cases; imposing penalties for the violation of this act," the same is herewith returned for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 21 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the

presence of the House, S. B. No. 104, by Mr. Fowles, entitled "An Act to amend Section 8347, Compiled Laws of Utah, 1917, relating to issuing fraudulent check," and the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. B. No. 104 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 65, by Committee on Education, as submitted, by State Tax Commission, entitled: "An Act creating and defining a uniform minimum program of public school education in the State of Utah, creating a state equalization fund, and providing for the apportionment of any revenue made available for an equalization fund," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 65 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended, by the House,

S. B. No. 119, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act to exempt intangible property from ad valorem taxation; amending Sections 5861, 5865, 5876, 5877, 5879, 5894, 5895, and 5906, Compiled Laws of Utah, 1917, and Sections 5873 and 5893, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919; and repealing Sections 5868, 5870, 5871, 5872, and 5878, Compiled Laws of Utah, 1917, Sections 5867 and 5869, Compiled Laws of Utah, 1917, as amended by Chapter 14, Laws of Utah, 1925, and Section 5890, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Candland moved that the Senate concur in the House amendment to S. B. No. 119.

The motion carried.

S. B. No. 119 as amended then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Fowles, Musser.

S. B. No. 119 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, S. B. No. 33,

by Mr. Hunt, by request of Committee on Highways, entitled: "An Act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce rules and regulations regarding the matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to create a fund to be known as the highway improvement fund; providing penalties for the violations of this act; and repealing Sections 3975, 3976, 3977, 3979, 3982, 3984 and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; and Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, and by Chapter 47, Laws of Utah, 1923, and Sections 3992, 3993, 3994, 3995 and 3996, new Sections which were added by Chapter 82, Laws of Utah, 1921, and repealing Sec. 3988 Compiled Laws of Utah, 1917, as amended by Chapter 125, Laws of Utah 1925 and all Laws in conflict with this act," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Hunt moved that the Senate concur in the House amendments to S. B. No. 33.

The motion carried.

S. B. No. 33 as amended then passed on the following roll call:

Ayes, 20; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

S. B. No. 33 was referred to the Committee on Revision and Enrolling to be Engrossed.

REPORTS OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the President of the Senate
and the Speaker of the House:

We, your Conference Committee appointed to consider the differences between our respective Houses on S. B. No. 113, substitute for S. B. No. 100 beg leave to report as follows:

Your Committee has carefully and thoroughly considered all the points at issue and are unanimous in concurring in the following Senate amendments:

First: Restore the Senate amendment to the Title.

Second: Restore the Senate amendment on line 6, page 1.

Third: On page 3 we restore the Senate amendment changing "(g)" to "(j)", and changing "50%" to "33-1/3%" making it read "shall not exceed 33-1/3% of the tax herein provided".

Fourth: On page 19, line 24, restore Senate amendment "(a)" after Section 17.

Fifth: On page 20 restore Senate amendment Section 17, subdivision (b), transposing the words "husband and wife" to read "wife and husband". On line 3 of page 20 after "commission" restore and change the Senate amendment to read "each accompanied by a filing fee of $1.00. On page 20, line 5, restore Senate amendment. In Senate amendment beginning on line 10 of page 20 add after the comma following the word "state" near end of amendment and before the word "shall" the

following "nor any married woman living with here husband, who does not have an independent taxable income but who makes a joint return.".

Sixth: On page 32, line 14 the committee is unanimous in recommending that the Senate amendment of $25.00 be raised to $100.00. This is done for the reason that the commission has the option of selecting the amount of penalty to be applied to individuals or corporations.

Seventh: On page 33, Section 63 (a), restore the following "except receipts from filing fees" in first line of Senate amendment and restore the last sentence in Senate amendment "Rceipts from filing fees shall be allocated to the State general fund."

Eighth: On page 35, Section 66, subdivision (c) we concur in Senate amendment striking subdivision (c) of Section 66.

Respectfully submitted,

Senate Conferees,
GEO H. RYAN,
PAUL H. HUNT,
WILSON McCARTHY.

House Conferees
DAVID HIRSCHI,
J. R. BEUS,
H. L. RICHARDS.

Report filed.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the President of the Senate
and the Speaker of the House:

We, the majority of your Conference Committee appointed to consider S. B. No. 113, substitute for S. B. No. 100 beg leave to submit the following report on certain points in controversy:

On page 2, line 32 strike the Senate amendment "$1500" and restore "$1000".

On page 3, lines 1, 3, 5, 7, and 9 strike the Senate amendment of "$1500" and restore to "$1000".

Restore subdivisions (f), (g), (h), and (i) as in the original Senate Bill.

On page 3, line 15 strike the Senate amendment "(f)" and "three and one-half" and the original word "five".

Beginning on line 1, subdivision (b) on page 3, strike the word "half" and insert in lieu thereof "quarter" making it read "one and one-quarter percentum".

On line 3, subdivision (c) strike "two" add insert "one and one-half".

On line 5, subdivision (d) strike the words "two and one-half" and insert "one and three-quarters".

On line 7, subdivision (e) strike the word "three" and insert the word "two".

On line 9, subdivision (f) strike the word "three" and insert the word "two".

On line 11, subdivision (g) strike the word "four" and insert the word "three".

On line 13, subdivision (h) strike the word "four" and insert the word "three".

On line 15, subdivsion (i) insert the word "four" in place of the original word "five".

The only point of difference on the rates as above set forth was in regard to the last half of one percent making the maximum 4%. After due deliberation we feel that the rate as suggested is more equitable than

the rate contained in the original bill or the Senate amendment and recommend its adoption by both Houses.

Respectfully submitted,

Senate Conferees,
GEO. H. RYAN.

House Conferees,
DAVID HIRSCHI,
J. B. BEUS,
H. L. RICHARDS.

Report filed.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the President of the Senate:

Your Conference Committee of the Senate on S. B. No. 113, substitute for S. B. No. 100 has divided on reaching an agreement with the like Committee from the House.

The undersigned members of your Committee have offered as a final compromise agreement the alternative of the two following plans:

First: $1.00 filing fee with exemptions to housewives without income.

33-1/3% property offsets.

1 to 3½% rates as passed by the Senate, or
Second: $1.00 filing fee as above.

50% property offsets.

1 to 4% rates graduated by ¼% of 1% increases $1000.00 of income.

As an alternative to the filing fee the House Conferees offer a $5.00 poll tax with property offsets, which the Senate Committee rejected as being inequitable and

unjust and nothing more than a tax upon the poor. Your Senate Committee insisted upon the filing fee; not with the object in mind of taxing the poor but for the primary purpose of preventing evasions of income, and supplying the Tax Commission with invaluable statistical information; incidentally we agree with the Tax Commissioner of Delaware in a letter from him dated February 24, 1931, in which he makes the following comment with respect to the filing fee in his state:

> "You are informed the repeal was neither because of administrative difficulties nor discontent on the part of those subject to the fee. The Legislature was tricked into repealing the fee, which was invaluable as aid in collecting income tax, and a practical method of obtaining a contribution to the school fund from the majority of people. Although sixteen out of seventeen State Senators requested the Governor not to sign the bill, the repeal became effective.
>
> "This department is acquainted with no other factors causing the repeal."

We also base our position on a letter written to the Tax Revision Commission of Utah from the Tax Commission of Georgia, dated June 4, 1929, which reads of follows:

> "Replying to your favor of May 28th, the Constitution of this state imposes a poll tax of $1.00
>
> "There is no means of enforcing this tax against a party who owns no property. It is one of the requirements of our law that a party can not vote until he has paid poll tax. We collected from our poll tax on the year 1927 the sum of $362,748.
>
> "The poll tax in the Georgia Constitution was placed there for a special reason, growing out of the reconstruction situation. We have not had a Constitutional Convention since 1877 and this provision

has remained therein. Personally, I do not think much of the poll tax as a measure or as a means of raising revenue. While I have not given the subject a great deal of study, it has been my opinion if a tax in the nature of a poll tax should be imposed it should be in connection with a personnal income tax and be placed at $2.00 or $3.00".

We feel that we are perfectly justified in our stand to retain the principle of the filing fee, but we were willing to compromise to $1.00 in our desire not to put a tax upon the poor and for the further reason that we do not desire to jeopardize the effectiveness of the income tax.

There was a divergence of opinion maintained by the members of each committee of the two Houses on the question of property offsets. Your Committee of the Senate maintaining, as has ben reiterated on the floor of the Senate, that the theory on which the Tax Revision program was presented to the people was tax equalization and not as a measure to increase revenues, and that without property offsets there will not be equalization but simply an increased tax burden.

Regarding the differences on rates there was not the sharp controversy that had marked the question of filing fee and property offsets. By the figures of the House Committee members themselves it was shown that with the 1 to 3¼% rates as the bill passed the Senate, and estimating that with a 50% property offset 37½% of this offset would be exercised in full, the state of Utah would receive in taxes from the personal income tax alone some $509,000 per year (based on 1928 Federal returns) which is in slight excess of what the Tax Commission has set as their goal to be derived from this tax.

In view of all of the above, the majority of your Senate Committee and the minority of the joint Conference Committee feel that we have represented the great majority of the people of this State who are unjustly burdened with property taxes, and not a minority who will

entirely escape taxation under the provisions of the personal income tax. We further feel that in inaugurating this program, and especially under present economic conditions, that it should be such a balanced plan that it will become effective and not be resisted or jeopardize the economic development of the State.

We, therefore, recommend that the rates as passed by the Senate stand. The offsets on page 3 in the Senate amendments providing for offsets be changed from 50 percent to 33-1/3 percent, and that the filing fee in every place in the bill which is now designated at $2.00 should be changed to $1.00.

We further recommend, however, in connection with the filing fee in the Senate amendment pertaining to Exemption that there be inserted at the end of said Senate amendment these words, strike the period and add a semi-colon and "provided that housewives with no independent sources of income be exempted under this paragraph."

We concur in the other amendments as set out in the majority report.

Respectfully submitted,

PAUL H. HUNT,

WILSON McCARTHY.

Report filed.

Senator Ryan moved that the Senate adopt the majority Conference Committee report.

At the instance of Senator Ryan and four other Senators the vote on Senator Ryan's motion to adopt was taken by roll call.

Senator Ryan's motion to adopt then carried on the following roll call:

Ayes, 14; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Knight, Maw, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Keyser, McCarthy, Musser, Patterson, Shields.

S. B. No. 113, substitute for S. B. No. 100 as amended then passed on the following roll call:

Ayes, 15; Nays, 5; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Jefferson, Knight, Maw, McCarthy, Owens, Ryan, Smith, Welling, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Keyser, Musser, Patterson, Shields.

S. B. No. 113, substitute for S. B. No. 100 together with the conference committee report was transmitted to the House.

On motion of Senator Owens the rules were suspended and H. B. No. 40 was placed at the head of the second reading calendar for immediate consideration.

H. B. No. 40 was read the second time.

The committee report was read

H. B. No. 40 was then ordered read the third time on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Ryan.

On motion of Senator Shields the rules were suspended and H. B. No. 40 was read the third time and placed on its final passage.

H. B. No. 40 then passed on the following roll call:

Ayes, 19; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Shields, Smith, Welling, Young, Mr. President.

Absent and not voting, Senator Ryan.

H. B. No. 40 was transmitted to the Houes.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended by the Senate S. B. No. 50 by Mr. Smith, by request of the State Flood Control Commission, entitled: "An Act to amend Sections 5571 and 5573, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, and Sections 5574, and 5583 of the Compiled Laws of Utah, 1917, as amended by Chapter 31, Session Laws of Utah, 1925, and Sections 5574x of Chapter 31, Laws of Utah, 1925, changing the personnel of the State Land Board; providing for the salaries of the members of the State Land Board; defining their powers and duties; providing for the oath to be taken and bond to be given by members of said board and providing for the expenses incurred in carrying out the powers and duties of the said board," and the same is herewith returned for your further action.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 50 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day adopted the Conference Committee report and passed S. B. No. 114, substitute for S. B. No. 57, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 114, substitute for S. B. No. 57 was referred to the Committee on Revision and Enrolling to be Enengrossed.

THE HOUSE OF REPRESENTATIVES.
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 181, by Mr. Fuller, en-

titled: "An Act to provide revenue for the support of the government of the state, and for high school purposes for the fiscal years of 1931 and 1932," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 181 was signed by the President in open session in the presence of the Senate and was returned to the House for transmision to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, H. B. No. 147, by Committee on Public Buildings and Grounds, entitled: "An Act providing for a building and extension program to be carried out by the Utah State Building Commission; and providing for the issuance and disposal of state bonds and appropriating the proceeds of the sale thereof for the purposes authorized in this act, and providing a fund for the payment of interest on and the redemption of said bonds," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 147 was signed by the President in open session in the presence of the Senate and was returned to the House for transmision to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed as amended by the Senate S. B. No. 36, by Mr. Booth, entitled: "An Act providing for the planting, care and control of shade trees and shurbbery upon the public streets or avenues of cities and towns; authorizing the creation and regulation of shade tree departments; the appointment of shade tree commissions; and continuance of existing shade tree commissions; prescribing their powers and duties; and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 36 was referred to the committee on Revision and Enrolling to be Engrossed.

On motion of Senator Candland the rules were suspended and H. B. No. 67 was read the second time.

The committee report was read.

H. B. No. 67 was then ordered read the third time on the following roll call:

Ayes, 13; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Huggins, Hunt, Jefferson, Keyser, Knight, McCarthy, Musser, Owens, Shields, Young, Mr. President.

Those voting in the negative were: Senators Griffin, Maw, Patterson, Smith, Welling.

Absent and not voting, Senators Fowles, Ryan.

President Dillman called Senator Hunt to the Chair.

On motion of Senator Shields the rules were suspended and H. B. No. 67 was read the third time and placed on its final passage.

H. B. No. 67 then passed on the following roll call:

Ayes, 14; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Knight, Maw, Owens, Patterson, Shields, Smith, Young.

Absent and not voting, Senators Keyser, McCarthy, Musser, Ryan, Welling, Mr. President.

H. B. No. 67 was transmitted to the House.

On motion of Senator Candland the rules were suspended and H. B. No. 69 was read the second time.

The committee report was read.

Senator McCarthy moved that a committee be appointed to confer with the tax commission and their attorneys to learn from them if it is necessary to repeal any acts or parts of acts because of the new tax legislation, and if so to learn what acts or parts of acts should be repealed.

The motion carried.

The president appointed Senators McCarthy, Shields, and Candland as a committee to confer with the tax commission.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

This is to inform your Honorable Body, that the House, has this day passed, as amended by the House, S.

J. R. No. 5, by Mr. Musser, entitled: "A Joint Resolution proposing an amendment to Section 5 of Article XI of the Constitution of the State of Utah, relating to municipal corporations," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

Senator Musser moved that the Senate concur in the House amendments to S. J. R. No. 5.

The motion carried.

S. J. R. No. 5 as amended then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Jefferson, Shields.

S. J. R. No. 5 was referred to the Committee on Revision and Enrolling to be Engrossed.

On motion of Senator Young the rules were suspended and H. B. No. 39 was read the second time.

The committee report was read.

H. B. No. 39 was then ordered read the third time on the following roll call:

Ayes, 20; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Young, Mr. President.

On motion of Senator Young the rules were suspended and H. B. No. 39 was read the third time and placed on its final passage.

H. B. No. 39 then passed on the following roll call:

Ayes, 17; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Smith, Welling, Young, Mr. President.

Absent and not voting, Senators Griffin, Ryan, Shields.

H. B. No. 39 was transmitted to the House.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 120, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled, "An Act to provide for the reduction of the tax levies for State General and State District School purposes according to the amounts annually received as proceeds from the income tax act of 1931, and the franchise tax act of 1931, and amending Sections 5988, Compiled Laws of Utah, 1917, and 5998, Compiled Laws of Utah, 1917, as amended by Chapter 138, Laws of Utah, 1921," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 120 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker .

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open session, in the presence of the House, H. B. No. 38, by Mr. A. S. Tingey, entitled: "An Act providing for the creation of a board of commissioners of the Utah State Bar; providing for the election of such commissioners; defining who may practice law in this state; classifying the membership of the Utah State Bar; defining the authority granted to such board of commissioners; providing for systematic study of science of jurisprudence; providing for license fees to be paid by attorneys admitted to practice in the state, and the disbursement of the fund so created; determining penalty for non-payment of license fee; granting power to the board of commissioners to establish rules governing the procedure to discipline attorneys; granting power to such board of commissioners to subpoena witnesses; providing for the rights and procedure of any accused member of the State Bar; providing for annual meeting of the State Bar of Utah; defining what is unlawful practice of law in the State, and providing penalty for such; amending Sec. 324 Comp. Laws of Utah 1917 and repealing Sections 316, 317, 318, 319, 320, 321, 331, 333, 334, 335, 336, 337, 338, 339, 340, 341 and 342 Compiled Laws of Utah 1917," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 38 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session in the presence of the House, H. B. No. 28, by Mr. Jorgensen, entitled: "An Act amending Section 2855, Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1921, as amended by Laws of Utah, 1923, as amended by Laws of Utah, 1925, as amended by Laws of Utah, 1927, relating to designation of State Roads and adding a new Section to be known as 2855x, relating to secondary state roads," and the same is herewith transmitted for the signature of the President.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 28 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

Senator Keyser moved that the rules be suspended and that he be permitted to introduce a Resolution.

At the instance of Senator Fowles and four other Senators the vote on Senator Keyser's motion to suspend the rules was taken by roll call.

Senator Keyser's motion to suspend the rules then carried on the following roll call:

Ayes, 9; Nays, 8; Absent, 3.

Those voting in the affirmative were: Senators Candland, Hunt, Jefferson, Keyser, Knight, Owens, Patterson, Ryan, Mr. President.

Those voting in the negative were: Senators Booth, Fowles, Griffin, Huggins, McCarthy, Musser, Shields, Smith.

Absent and not voting, Senators Maw, Welling, Young.

INTRODUCTION OF BILL

S. J. R. No. 7. By Mr. Keyser.

"Be it resolved by the Senate and House of Representatives of the Utah State Legislature," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator McCarthy the rules were suspended and H. B. No. 105 was read the second time.

The committee report was read.

H. B. No. 105 was then ordered read the third time on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Griffin, Young.

On motion of Senator Smith the rules were suspended and H. B. No. 105 was read the third time and placed on its final passage.

H. B. No. 105 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Fowles, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Griffin, Young.

H. B. No. 105 was transmitted to the House.

Senator Knight moved that the rules be suspended and that H. B. No. 44 be placed at the head of the second reading calendar for immediate consideration.

The motion carried.

On motion of Senator Knight the rules were suspended and H. B. No. 44 was read the second time.

The committee report was read.

H. B. No. 44 was then ordered read the third time on the following roll call:

Ayes, 17; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling.

Those voting in the negative were: Mr. President.

Absent and not voting, Senators Fowles, Young.

On motion of Senator Musser the rules were suspended and H. B. No. 44 was read the third time and placed on its final passage.

H. B. No. 44 then passed on the following roll call:

Ayes, 18; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Candland, Griffin, Huggins, Hunt, Jefferson, Keyser, Knight, Maw, McCarthy, Musser, Owens, Patterson, Ryan, Shields, Smith, Welling, Mr. President.

Absent and not voting, Senators Fowles, Young.

H. B. No. 44 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

This is to inform your Honorable Body, that the House has this day adopted the Conference Committee report and passed S. B. No. 113 substitute for S. B. No. 100, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act providing for the levying, collecting, and paying of an income tax on individuals, fixing penalties for the violation thereof, and providing for the manner of filing returns of income and the fee to be paid therefor," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 113, substitute for S. B. No. 100 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 67, by Mr. Neslen, entitled: "An Act amending Section 556. Compiled Laws

of Utah, 1917, as amended by Chapter 8, Laws of Utah, 1919, relating to passage of ordinance by cities or towns and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring, and other similar work by reference to printed codes on such subject, provided that not less than three printed copies of such code or codes in book form have been filed with the city recorder," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 67 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 40, by Mr. Dalton, entitled: "An Act amending Section 1308, of Compiled Laws of Utah, 1917, and Section 1313, of Compiled Laws of Utah, 1917, as amended by Chapter 33, Laws of Utah, 1921, to more clearly define the boundary between Piute and Sevier Counties," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

H. B. No. 40 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed, in open Session, in the presence of the House, H. B. No. 39, by Mrs. Lowe, entitled: "An Act to amend Section 1, Chapter 59, Laws of Utah, 1923, and providing for the licensing of all persons other than the parents placing children," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

H. B. No. 39 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 50 by Mr. Smith, (by request of the State Flood Control Commission), entitled, "An Act to amend Sections 5571 and 5573, Compiled Laws of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, and Sections 5574, and 5583 of the Compiled Laws of Utah, 1917, as amended by Chapter 31, Session Laws of Utah, 1925, and Section 5574x of Chapter 31, Laws of Utah, 1925, changing the personnel of the State Land Board; providing for the salaries of the members of the State Land Board; defining their powers and duties;

providing for the oath to be taken and bond to be given by members of said board and providing for the expenses incurred in carrying out the powers and duties of the said board," properly Enrolled and Engrossed for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. B. No. 50 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

President Dillman called Senator McCarthy to the Chair.

Senator Patterson moved that the rules be suspended and the Senate nominate the following as members of the Legislative Code Committee. Senators Dillman, Shields and Keyser.

The motion carried.

President Pro Tempore McCarthy then appointed Senators Dillman, Shields and Keyser as members of the Legislative code committee, as provided in H. B. No. 180,

President Dillman resumed the Chair.

COMMUNICATION
STATE BOARD OF EQUALIZATION AND ASSESSMENT

Salt Lake City, Utah, March 12, 1931.

Hon. W. D. Candland,
Hon. Wilson McCarthy,
Hon. Burton W. Musser,
Gentlemen:

In response to your inquiry concerning the status of the proposed tax legislation which was prepared by the tax commission and presented to the legislature during

the present session, please be advised that this proposed legislation was carefully checked and was compared with the Compiled Laws of Utah 1917 and the various session laws which were passed since that time. Provisions were made for the repeal or the amendment of all existing laws in conflict with the proposed acts. George Critchlow, Attorney at Law, who has assisted the commission in the preparation of this work, has carefully examined the statutes with this in mind and has advised us that to the best of his information and belief every necessary amendment or repeal has been included in the acts which were presented. Of course, we do not assume reponsibility for any amendments which were made after the measures left our hands.

Yours truly,

STATE TAX COMMISSION,

E. H. SNOW,
R. E. HAMMOND,
FRANK PAGE STEWART.

Members.

Communication filed.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 109, by Mr. Fowles, entitled, "An Act amending Sections 1, 3 and 4, Chapter 80, Laws of Utah, 1927, relating to the State Board of Supplies and Purchase."

Very respectfully,

GEO. H. DERN,

Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed S. B. No. 96, by Mr. Jefferson, entitled: "An Act empowering boards of county commissioners to levy taxes not to exceed one-tenth of one mill per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 96 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open session, in the presence of the House, S. B. No. 120, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act to provide for the reduction of the tax levies for state general and state district school purposes ac-

cording to the amounts annually received as proceeds from the income tax act of 1931 and the franchise tax act of 1931, and amending Sections 5988, Compiled Laws of Utah, 1917, and 5998, Compiled Laws of Utah, 1917, as amended by Chapter 138, Laws of Utah, 1921," and the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 120 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. J. R. No. 5, by Mr. Musser, entitled, "A Joint Resolution proposing an amendment to Section 5 Article XI of the Constitution of the State of Utah, relating to municipal corporations," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.
Chairman.

Report filed.

S. J. R. No. 5 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports

back herewith, S. B. No. 36, by Mr. Booth, entitled, "An Act providing for the planting, care and control of shade trees and shrubbery upon the public streets, or avenues of cities and towns; authorizing the creation and regulation of shade tree departments; the appointment of shade tree commissions; and continuance of existing shade tree commissions; prescribing their powers and duties; and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 36 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Musser a vote of thanks was given to Mr. G. A. Marr and Mr. G. A. Chritchlow for their valuable help in the mater of tax revision.

On motion of Senator Huggins a vote of thanks was given to the employees of the Senate.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body that the Governor has this day approved and filed with the Secretary of State H. B. No. 47, by Mr. Neslen, entitled: "An Act repealing Sections 3838, 3841, 3842, 3844, 3845, 3846, 3847, 3853, 3854, 3869, and Section 1, Chapter 78, Laws of Utah, 1921; and amending Sections 3826, 3827,

3829, 3830, 3831, 3833, 3836, 3840, 3849, 3852, 3856, 3858, 3863, 3865, 3866, 3871, 3872, 3873, and 3874, of the Compiled Laws of Utah, 1917, and Section 2, Chapter 75, Laws of Utah, 1919, amending Section 3837, Compiled Laws of Utah, 1917; and amending Section 1, Chapter 76, Laws of Utah, 1919; amending Section 3848, Compiled Laws of Utah, 1917; and amending Section 3, Chapter 75, Laws of Utah, 1919, amending Section 3868, Compiled Laws of Utah, 1917; and adding new Sections to be known as 3839x, 3839x1, 3839x2, 3839x3, 3839x4, 3852x1, 3860x1, 3872x2, 3872x3, and 3872x4, relating to the composition, organization, pay, service, control, government, authority, duty, location, qualification, appointment, rights, privileges, immunities and military offenses against or by, and training and disciplining of the state militia and of its officers and men, and providing for the care and preservation of military property belonging to the state and belonging to the United States in the possession of the state, and providing for the creation of military courts and boards of inquiry and defining the powers thereof and the procedure to be followed in such courts and boards."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 50, by Mr. Smith (by request of the State Flood Control Commission), entitled: "An Act to amend Sections 5571 and 5573, Compiled Laws

of Utah, 1917, as amended by Chapter 118, Laws of Utah, 1921, and Sections 5574, and 5583 of the Compiled Laws of Utah, 1917, as amended by Chapter 31, Session Laws of Utah, 1925, and Section 5574x of Chapter 31, Laws of Utah, 1925, changing the personnel of the State Land Board; providing for the salaries of the members of the State Land Board; defining their powers and duties; providing for the oath to be taken and bond to be given by members of said board and providing for the expenses incurred in carrying out the powers and duties of the said Board," and the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 50 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day approved and filed with the Secretary of State, H. B. No. 181, by Mr. Fuller, entitled, "An Act to provide revenue for the support of the Government of the state, and for high school purposes for the fiscal years of 1931 and 1932."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that

the Governor has this day approved and filed with the Secretary of State, H. B. No. 24, by Mr. Fuller, entitled "An Act making deficiency appropriations for the support of the State Government for the periods ending June 30, 1929 and June 30, 1931."

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day passed, as amended, S. B. No. 43, by Mr. Patterson, entitled: "An Act amending Sections 3070 and 3100, Compiled Laws of Utah, 1917; Section 3113, Compiled Laws of Utah, 1917; as amended by Chapter 63, Laws of Utah, 1919; Section 3114, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67, Laws of Utah, 1921, and Chapter 64, Laws of Utah, 1923, and Chapter 80, Laws of Utah, 1925; Section 3124, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921; Section 3136 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; Section 3147 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67 Laws of Utah, 1921; Section 3152, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921. Section 3156, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; and Section 3156x which was added by Chapter 67, Laws of Utah, 1921, relating to the Industrial commission, the State Insurance Fund, and the Workmen's Compensation," and the same is herewith returned for your further action.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 43 was referred to the Committee on Revision and Enrolling to be Engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, H. B. No. 105, by Mr. Jorgensen, entitled: "An Act validating bills of sale and agreements respecting the sale and/or marketing of wool growing or to be grown in futuro, and providing for the filing of the same," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 105 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission in the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, H. B. No. 44, by Mr. Goggin, entitled: "An Act to amend Sections 4 and 6 of Chapter 90, Laws of Utah, 1923, relating to forming and taxing mosquito abatement districts, and relating to the abatement of breeding places of mosquitoes, and providing a

penalty," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 44 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the House, has this day rejected, S. B. Nos. 26, 29, 30, 35, 37, 38, 52, 53, 56, 65, 80, 82, 83, 84, 85, by striking the enacting clause.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. M. No. 6, by Mr. Fowles, entitled, "Memorializing Congress to amend tariff act relating to sugar, eliminating uncertainty as to rates of liquid

sugar,'' properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed

S. M. No. 6 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

REPORTS OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Calendar reports back H. B. Nos. 5, 9, 11, 14, 20, 22, 23, 25, 42, 43, 46, 52, 54, 69, 83, 92, 93, 96, 97, 100, 103, 111, 112, 114, 118, 121, 122, 129, 130, 135, 149, 150, 151, 158, 160, 163, 166, 167, and H. C. M. No. 4, recommending that same be rejected.

Respectfully,

W. D. CANDLAND,

Report filed. Chairman.

On motion of Senator Candland the Committee Report was adopted and House Bills as enumerated above were returned to the House.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Calendar reports herewith S. B. Nos. 2, 5, 12, 13, 14, 41, 42, 49, 54, 58, 59, 61, 62, 69, 73, 74,

78, 86, 87, 88, 90, 92, 93, 94, 95, 97, 98, 99, 102, 103, 105, 106, 108, 110, 111, 116, 117, 121, S. J. R. Nos. 2, 6, 7, S. C. M. Nos. 3 and 5, and recommends that the enacting clause be stricken.

Respectfully,

W. D. CANDLAND,

Chairman.

Report filed.

On motion of Senator Candland the Committee Report was adopted.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker, has this day signed in open Session, in the presence of the House, H. B. No. 44, by Mr. Goggin, entitled: "An Act to amend Sections 4 and 6 of Chapter 90, Laws of Utah, 1923, relating to forming and taxing mosquito abatement districts, and relating to the abatement of breeding places of mosquitoes, and providing a penalty," and the same is herewith transmitted for the signature of the President.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

H. B. No. 44 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 113, substitute for S. B. No. 100, collecting, and paying of an income tax on individuals, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled, "An Act providing for the levying, fixing penalties for the violation thereof, and providing for the manner of filing returns of income and the fee to be paid therefor," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 113, substitute for S. B. No. 100 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 114, substitute for S. B. No. 57, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled, "An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock companies, joint stock associations, business trusts or other associations

wherein interest or ownership is evidenced by certificates or other written instruments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Report filed. Chairman.

S. B. No. 114, substitute for S. B. No. 57 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 43, by Mr. Patterson, entitled, "An Act amending Sections 3070 and 3100, Compiled Laws of Utah, 1917; Section 3113, Compiled Laws of Utah, 1917; as amended by Chapter 63, Laws of Utah, 1919; Section 3114, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah 1919, and Chapter 67, Laws of Utah, 1921, and Chapter 64, Laws of Utah, 1923, and Chapter 80, Laws of Utah, 1925; Section 3124, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921; Section 3136 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; Section 3147 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67 Laws of Utah, 1921; Section 3152, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921. Section 3156, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; and Sec-

tion 3156x which was added by Chapter 67, Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance Fund, and the Workmen's Compensation," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 43 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 96, by Mr. Jefferson, entitled, "An Act empowering boards of county commissioners to levy taxes not to exceed one-tenth of one mill per dollar on the assessed value of the property of their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 96 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 33, by Mr. Hunt (by request of Committee on Highways), entitled, "An Act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce rules and regulations regarding the matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to create a fund to be known as the highway improvement fund; providing penalties for the violations of this act; and repealing Sections 3975, 3976, 3977, 3979, 3982, 3984 and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; and Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, and by Chapter 47, Laws of Utah, 1923, and Sections 3992, 3993, 3994, 3995 and 3996, New Sections which were added by Chapter 82, Laws of Utah, 1921, and repealing Sec. 3988 Compiled Laws of Utah, 1917, as amended by Chapter 125, Laws of Uath 1925 and all Laws in conflict with this act," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 33 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71, by Mr Candland. Chairman Committee on Revenue and Taxation, entitled, "An Act providing for the appointment of members of the State Tax Commission, prescribing their terms of office and salary, defining the powers and duties of the State Tax Commission and its members, and duties of the State Board of Land Commissioners, County Assessors, County Boards of Equalization, and other officers of taxing units in relation thereto; amending Sections 5895, 5909, 5913, 5914, 5924, 5925, 5926, 5927, 5928, 5930, 5985, 5986, 5987, 5989, 5990, 5991, and 6054, Compiled Laws of Utah 1917; amending Sections 5864, 5873, 5916, 5917, 5922, 5923, 5929, 5932, 5933, 5934, and 5984, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; amending Section 5983, Compiled Laws of Utah 1917, as amended by Chapter 136, Laws of Utah 1921; repealing Sections 5874 and 5892, Compiled Laws of Utah 1917, and Section 5931, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; and enacting new Sections to the Compiled Laws of Utah 1917 to be designated as Sections 5981x, 5981x1, 5984x, 5985x, and 5992," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

Report filed.

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was signed by the President in open

session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the Senate:

I have this day nominated the following persons for the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE STATE LAND BOARD:

To serve for a term of six years, beginning April 1, 1931, pursuant to Senate Bill No. 50, which has just reached me.

John Mendenhall ..... Springville

To serve for a term of four years, beginning April 1, 1931.

Joel R. Parrish ..... Centerville

To serve for a term of two years, beginning April 1, 1931.

Elias A. Smith ..... Salt Lake City

Respectfully submitted,

GEO. H. DERN,

Governor.

Communication filed.

Executive Office,
State Capitol

Salt Lake City, Utah, March 12, 1931.

To the Senate:

I have this day nominated the following persons for

the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE STATE TAX COMMISSION:

Pursuant to Senate Bill 118, which has just reached me. To serve until March 31, 1935.

Edward H. Snow.....St. George

Roscoe E. Hammond.....Salt Lake City

To serve until March 31, 1933.

George A. Critchlow.....Salt Lake City

Howard P. Leatham.....Wellsville

Respectfully submitted,

GEO. H. DERN,

Governor.

Communication filed.

Senator Musser moved that the rules be suspended and the Senate advise and consent to the Governor's appointments.

The motion lost on a standing vote of 11 to 8.

Senator Patterson having voted on the prevailing side moved to reconsider the Senates action.

At instance of Senator Huggins and four other Senators the vote on Senator Patterson's motion to reconsider was taken by roll call.

Senator Patterson's motion to reconsider then lost on the following roll call:

Ayes, 9; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators

Fowles, Huggins, Maw, McCarthy, Musser, Patterson, Shields, Smith, Welling.

Those voting in the negative were: Senators Booth, Candland, Griffin, Hunt, Jefferson, Keyser, Knight, Owens, Ryan, Mr. President.

Absent and not voting, Senator Young.

PRESENTATION OF RESOLUTIONS

Salt Lake City, Utah, March 12, 1931.

Thomas W. O'Donnell, who was a distinguished able member of this Senate was a Soldier a Patriot and a Statesman.

He was a wise legislator and counsellor. He was beloved by his friends, respected by his opponents. He was fearless and fair. He won the admiration of all who appreciate courage, independence, integrity and moral worth.

His passing was a great loss to this body and the State.

In commemoration of his service to the State and to his country, the Utah State Senate extends to his family the deep sympathy felt by the members hereof and direct that this expression of our appreciation of his life and service be written in the journal and be preserved in the Archives of the State.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 119 by Mr. Candland, Chairman Committee on Revenue and Taxation entitled, "An Act to exempt intangible property from Ad Velorem Taxation; amending Sections 5861, 5865, 5876, 5877, 5879, 5894, 5895, and 5906, Compiled Laws of Utah, 1917, and Sections 5873 and 5893, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919; and re-

pealing Sections 5868, 5870, 5871, 5872, and 5878, Compiled Laws of Utah, 1917, Sections 5867 and 5869, Compiled Laws of Utah, 1917, as amended by Chapter 14, Laws of Utah, 1925, and Section 5890, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919," properly Engrossed and Enrolled for the signature of the President.

Respectfully,

W. H. GRIFFIN, Jr.

Chairman.

S. B. No. 119 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 36, by Mr. Booth, entitled: "An Act providing for the planting, care and control of shade trees and shrubbery upon the public streets, or avenues of cities and towns; authorizing the creation and regulation of shade tree departments; the appointment of shade tree commissions; and continuance of existing shade tree commissions; prescribing their powers and duties; and authorizing a tax levy of not to exceed one-tenth of a mill to carry out the purposes of this act," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 36 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. J. R. No. 5, by Mr. Musser, entitled: "A Joint Resolution proposing an amendment to Section 5 of Article XI of the Constitution of the State of Utah, relating to municipal corporation," the same is herewith returned for transmission to the Secretary of State.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. J. R. No. 5 was transmitted to the Secretary of State.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 114, substitute for S. B. No. 57, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act imposing a tax on national banks and imposing a franchise tax upon state banks and all other corporations, joint stock canpanies, joint stock associations, business trusts or other associations wherein interest or ownership is evidenced by certificates of other written instruments according to or measured by their net income and providing for a minimum franchise tax based upon the fair value of their tangible property located within this state," and the same is herewith returned for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 114, substitute for S. B. No. 57 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to infrom your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 119, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act to exempt intangible property from Ad Valorem Taxation; amending Sections 5861, 5865, 5876, 5877, 5879, 5894, 5895, and 5906, Compiled Laws of Utah, 1917, and Sections 5873 and 5893, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919; and repealing Sections 5868, 5870, 5871, 5872, and 5878, Compiled Laws of Utah, 1917, Sections 5867 and 5869, Compiled Laws of Utah, 1917, as amended by Chapter 14, Laws of Utah, 1925, and Section 5890, Compiled Laws of Utah, 1917, as amended by Chapter 114, Laws of Utah, 1919," and the same is herewith returned for transmission to the Governor.

Respectfully,
E. L. CROPPER,
Chief Clerk.

Communication filed.

S. B. No. 119 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 96, by Mr. Jefferson, entitled: "An Act empowering boards of county commissioners to levy taxes not to exceed one-tenth of one mill per dollar on the assessed value of the property of

their respective counties for the purpose of aiding needy blind persons who are not inmates of any institution supported in whole or in part by the state or any of its subdivisions; providing for the distribution of such revenue to such needy blind persons; determining the rules and regulations under which such distribution shall be made, and providing penalties," and the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. B. No. 96 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 43, by Mr. Patterson, entitled "An Act amending Sections 3070 and 3100, Compiled Laws of Utah, 1917; Section 3113, Compiled Laws of Utah, 1917; as amended by Chapter 63, Laws of Utah, 1919; Section 3114, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67, Laws of Utah, 1921, and Chapter 64, Laws of Utah, 1923, and Chapter 80, Laws of Utah, 1925; Section 3124, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921; Section 3136 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; Section 3147 Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919, and Chapter 67 Laws of Utah, 1921; Section 3152, Compiled Laws of Utah, 1917, as amended by Chapter 67, Laws of Utah, 1921. Section 3156, Compiled Laws of Utah, 1917, as amended by Chapter 63, Laws of Utah, 1919; and Sec-

tion 3156x which was added by Chapter 67, Laws of Utah, 1921, relating to the Industrial Commission, the State Insurance Fund, and the Workmen's Compensation," and the same is herewith returned to you for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 43 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 33, by Mr. Hunt (by request of Committee on Highways), entitled: "An Act regulating traffic on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce rules and regulations regarding the matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to create a fund to be known as the highway improvement fund; providing penalties for the violations of this act; and repealing Sections 3975, 3976, 3977, 3979, 3982, 3984 and 3985, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921; and Section 3978, Compiled Laws of Utah, 1917, as amended by Chapter 83, Laws of Utah, 1921, and by Chapter 47, Laws of Utah, 1923, and Sections 3992, 3993, 3994, 3995 and 3996, new Sections which were added by Chapter 82 Laws of Utah, 1921, and repealing Sec. 3988 Compiled Laws of Utah, 1917, as amended by Chapter 125, Laws of Utah 1925

and all laws in conflict with this act,'' the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. B. No. 33 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: ''An Act providing for the appointment of members of the State Tax Commission, prescribing their terms of office and salary, defining the powers and duties of the State Tax Commission and its members, and duties of the State Board of Land Commissioners, County Assessors, County Board of Equalization, and other officers of taxing units in relation thereto; amending Sections 5895, 5909, 5913, 5914, 5924, 5925, 5926, 5927, 5928, 5930, 5985, 5986, 5987, 5989, 5990, 5991 and 6054, Compiled Laws of Utah 1917; amending Sections 5864, 5873, 5916, 5917, 5922, 5923, 5929, 5932, 5933, 5934, and 5984, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; amending Section 5983, Compiled Laws of Utah 1917, as amended by Chapter 136, Laws of Utah 1921; repealing Sections 5874 and 5892, Compiled Laws of Utah 1917, and Section 5931, Compiled Laws of Utah 1917, as amended by Chapter 114, Laws of Utah 1919; and enacting New Sections to the Compiled Laws of Utah 1917 to be designated as Sections 5981x, 5981x1,

5984x, 5985x, and 5992," the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Chief Clerk.

Communication filed.

S. B. No. 118, substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

Mr. President:

I am directed to inform your Honorable Body, that the Speaker has this day signed in open Session, in the presence of the House, S. B. No. 113, substitute for S. B. No. 100, by Mr. Candland, Chairman Committee on Revenue and Taxation, entitled: "An Act providing for the levying, collecting, and paying of an income tax on individuals, fixing penalties for the violation thereof, and providing for the manner of filing returns of income and the fee to be paid therefor," and the same is herewith returned for transmission to the Governor.

Respectfully,

E. L. CROPPER,

Communication filed. Chief Clerk.

S. B. No. 113, substitute for S. B. No. 100 was transmitted to the Governor.

The President appointed Senators Keyser, Ryan and Huggins to notify the House that the Senate had concluded its business and was ready to adjourn Sine die.

The President also appointed Senators Candland, Fowles, and Welling to wait upon the Governor and ask if he had any further communications for the Senate, they reported that the Governor had no further communications to make.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
State Capitol,

Salt Lake City, Utah, March 12, 1931.

To the Senate:

I have the honor to inform you that I have no further matters to communicate to you before your final adjournment.

I congratulate you upon the completion of a very difficult and important task. I trust that in the coming years the legislation which you have enacted may prove wise and beneficial.

Please be assured of my appreciation for the many courtesies and friendly cooperation extended to my office throughout your session.

Wishing you a safe return to your respective homes and prosperity in all your endeavors, I am

Very respectfully yours,

GEO. H. DERN,

Governor.

Communication filed.

A committee consisting of Representatives J. B. Wilson and Mrs. A. J. Lowe, reported the House was ready to adjourn.

On motion of Senator Patterson the Nineteenth Session of the Utah State Senate was adjourned Sine die.

DIGEST OF ALL BILLS PASSED BY THE 19th SESSION OF THE UTAH STATE LEGISLATURE AND ACTION ON SAME BY THE GOVERNOR

SENATE BILLS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Fowles	Conveying State Lands to Ogden City	Feb. 24	
4	Keyser	Polling Places	Feb. 10	
11	McCarthy	Shorthand Reporters		Mar. 24
15	Ryan and Hunt	Geological Survey	Mar. 20	
17	Shields	Crossing of Railroad	Feb. 11	
18	Booth	Transfer of Funds	Feb. 6	
20	Musser	Mutual Fire Insurance	Feb. 25	
21	Maw	Chiropodists	Mar. 19	
22	Shields	Anti-Nepotism	Mar. 5	
23	Jefferson and Ryan	Miners' Hospital	Mar. 20	
25	Booth	Creation of Guarantee Fund	Mar. 19	
27	Booth	Special Taxes	Mar. 19	
28	Fowles	Crime of Arson	Mar. 23	
33	Hunt	Regulating Traffic	Mar. 23	
34	Welling	Aircraft and Air Traffic Rules	Mar. 10	
36	Booth	Shade Trees	Mar. 23	
39	Shields	Testamentary Disposition	Mar. 19	
40	Shields	City Commissioners	Feb. 24	
43	Patterson	Workmen's Compensation		Mar. 24
50	Smith	Flood Control	Mar. 20	
67	Welling	County Insurance	Mar. 19	
75	Candland	Veterans' Tax Exemption	Mar. 20	
76	Candland	Exemption of Power Plants	Mar. 20	
77	Booth	Sale of State Lands	Mar. 20	
91	Booth	Juvenile Courts	Mar. 19	
96	Jefferson	Needy Blind	Mar. 23	
104	Fowles	Fraudulent Check	Mar. 19	
109	Fowles	Board of Supplies and Purchase	Mar. 12	
113	Candland	Income Tax	Mar. 20	
114	Candland	Franchise Tax	Mar. 20	
118	Candland	Tax Commission	Mar. 23	
119	Candland	Exemption of Intangible Property	Mar. 20	
120	Candland	Reduction of Tax Levies	Mar. 20	

SENATE CONCURRENT MEMORIALS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Hunt	Silver as Monetary base	Feb. 31	
4	Hunt	Approval of Pittman Report	Feb. 16	

SENATE JOINT RESOLUTIONS

			Transmitted to Secretary of State	
1	Booth	Governor's Messenger	Jan. 19	
3	McCarthy, Maw, Candland, Musser, Fowles	Commending Efforts of American Legislators Association	Mar. 12	
5	Musser	Amending Section 5 Article XI of the Constitution	Mar. 12	

SENATE MEMORIAL

6	Fowles	Rates on Liquid Sugar	Mar. 11	

HOUSE BILLS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Fuller	Appropriating Funds for Session	Jan. 16	
2	Lowe	Legal Holidays	Feb. 5	
4	Mills	Filling of Vacancies in Congress		Mar. 20
8	Jorgensen	Water Commissioners	Mar. 10	
12	Neslen	Establishment of Airports	Feb. 27	
17	Tingey	Lessors' Liens	Feb. 18	
24	Fuller	Deficiency Appropriations	Mar. 12	
27	Jorgensen	Gasoline Tax	Mar. 24	
28	Jorgensen	Secondary State Roads	Mar. 24	
38	Tingey	Utah State Bar	Mar. 23	
39	Lowe	Placing Children	Mar. 20	
40	Dalton	Boundary Between Piute and Sevier	Mar. 23	
41	Fuller	Appropriations Bill	Mar. 24	
44	Goggin	Mosquito Abatement	Mar. 23	
47	Neslen	National Guard	Mar. 12	
50	Cates	Board of Education	Feb. 26	
55	Tingey	Filing Notice of Lien	Feb. 18	
56	Tingey	Department of Registration	Mar. 10	
57	Fuller	Ownership of Trade Name	Mar. 6	
59	Dart	Enforcement of Liens	Feb. 14	
62	Brimley	Insurance Policies	Mar. 11	
63	G. M. Miller	Insurance Adjusters	Mar. 6	
64	Spencer	Insurance Brokers	Mar. 6	
65	Committee on Education	Equalization Fund	Mar. 24	
67	Neslen	Ordinances Relating to Plumbing	Mar. 19	
72	Anderson	Legislative Apportionment	Mar. 19	
101	Peterson	Junior Colleges	Mar. 24	
102	Woodruff	Banking Corporations	Mar. 19	
104	Committee on Livestock and Agriculture	Assessment of Livestock	Mar. 20	
105	Jorgensen	Wool Grown in Futuro	Mar. 23	
145	Neslen	Maintenance of State Schools	Mar. 6	
147	By Committee on Public Buildings and Grounds	Building Program	Mar. 19	
180	Judiciary Committee	Legislative Code Committee	Mar. 19	
181	Fuller	Revenue for Support of Government	Mar. 12	

HOUSE CONCURRENT MEMORIALS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
2	Holbrook	Memorial to Congress on Jones Bill No. 255	Jan. 26	
3	Callister	Memorial to Congress on Thomas (of Idaho) Bill	Feb. 18	

HOUSE JOINT MEMORIAL

1	Hirschi and Esplin	Protesting Withdrawl of Grazing Lands	Mar. 7	

HOUSE CONCURRENT RESOLUTION

2	Callister	Resolution to Congress on Senate Bill 4123	Mar. 7	

HOUSE JOINT RESOLUTIONS

			Transmitted to Secretary of State	
3	Brimley and Jorgensen	Unemployment Survey	Feb. 3	

COMMUNICATIONS FROM THE GOVERNOR

Page	
12	Governor's Message
105	Messenger for the Governor
106	Deficiency Appropriation Bill
132	Deficiency Additional Appropriations
141	Budget Message
149	Reading Budget Message
362	Appointments
422	Appointments
468	Communication From Secretary of State, Idaho
473	Appointments
550	Appointments
658	Board of Regents, U. of U.
669	Appointments
780	Appointments
789	Congratulations

COMMUNICATIONS FROM SECRETARY OF STATE

Page
134 ..... Claim of Thomas J. Midgley
135 ..... Claim of Laurtin R. Ginn
264 ..... Communication, Secretary of State, North Carolina
520 ..... Code Commission Report

MISCELLANEOUS COMMUNICATIONS

Page	
59	Chamber of Commerce, Salt Lake
63	Letter of Sympathy—Willard Done
93	Tax Commission
99	Utah State A. C.
100	Farm Bureau Federation
108	Utah State Training School
111	University of Utah
112	Womens' Democratic Club
123	Tax Commission
125	Utah A. C.
130	Utah State Building Commission
142	Utah State Hospital
174	Tax Commission
188	Salt Lake & Utah R. R.
189	University of Utah
199	State Board of Examiners
223	Tax Commission
265	Concurrent Resolution, Mo. State Senate
288	Tax Commission
293	U. S. Senator, Key Pittman
455	Tax Commission
535	Daughters of the American Revolution
554	Code Commission
763	Tax Commission
782	Eulogy, Thomas W. O'Donnell

CERTIFICATION

I, H. L. Cummings, Secretary of the Senate of the State of Utah, do hereby certify that the within is a full, true, and correct record of the proceedings of the Senate, of the Nineteenth Regular Session of the Legislature of the State of Utah, held at Salt Lake City, Utah, commencing on the 12th day of January, A. D. 1931, and ending on the 12th day of March, A. D. 1931.

H. L. CUMMINGS,

Secretary,

The undersigned, members of the Revision Committee of the Senate Journal of the Nineteenth Session of the Legislature of the State of Utah, do hereby certify that we have completed the work, and the within is a correct copy of the Journal as revised.

H. L. CUMMINGS,
NOEL G. KNIGHT,
FRED C. JORGENSON.

Committee.

SENATE BILLS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
1	Fowles—Land at Ogden	65	166	166	167	396	405	458	97, 114, 326, 359, 386
2	Shields—Support of Children	65	260						97, 241, 260, 773
3	Jefferson and Ryan—Miners' Hospital	93	121						103, 120, 138
4	Keyser—Polling Places	93	124	139	172	250	259	278	96, 115, 140, 147, 172, 246
5	Hunt—Statement of Property	99	292						103, 270, 773
6	Committee on Revenue and Taxation—Income Tax	107							115, 388, 518
7	Ryan—Philion Appropriation	107	307						117, 273, 629
8	Maw—Chiropodists	108							131
9	Booth—Deficiency Appropriation	109							116, 629
10	Booth—Juvenile Court	109							127, 349, 391
11	McCarthy—Shorthand Reporters	110	206	224	225	668	679		128, 193, 650
12	Hunt—Motor Vehicles	117	436						135, 436, 773
13	Hunt—Registration, Vehicles	117	437						136, 437, 773
14	Hunt—Certificates of Title	118	438						137, 437, 773
15	Ryan and Hunt—Geological Survey	118	541	561	562	694	717		129, 398, 541, 560, 682
16	Shields—Aircraft	122	231						143, 230, 248
17	Shields—Railroad Crossings	122	207	207	207	279	280	296	144, 181, 194, 275
18	Booth—Transfer of Funds	123	171	171	197	227	235	245	144, 170, 197, 222
19	Judiciary Committee—Amending Section 2208	123	197						145, 183, 206, 222
20	Musser—Mutual Insurance	123	226	238	238	397	406	473	145, 218, 220, 395, 469

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
21	Maw—(Substitute for S. B. No. 8)—(Chiropodists)	131	205	220	221	723	737		146, 189, 219, 713
22	Shields—(Request)—Nepotism	131	192	193	205	505	509	575	169, 182, 204, 446, 458, 501, 503
23	Jefferson and Ryan—(Substitute for S. B. No. 3) Miners' Hospital	138	175	184	184	672	680		142, 659
24	Candland—Tax Commission	147							170, 476
25	Booth—Guarantee of Funds	172	404	429	430	677	687		177, 344, 666
26	Booth—Relating to Traffic on Highways	172	226	237	238				177, 202, 772
27	Booth—Special Taxes	173	403	429	498	679	685		178, 346, 497, 664
28	Fowles—Crime of Arson	173	259	274	275	679	687		179, 240, 658
29	Huggins—Fees, Precinct Officers	173	207	225	225				179, 195, 772
30	Shields—(Request)—Act Amending Section 9269	173	212	213	213				180, 195, 772
31	Shields—(Request)—Use of Water by Cities and Towns	173	226						180, 196
32	Candland—Equalization Fund	175	316						181, 287, 403
33	Hunt—(Request)—Regulating Traffic on Highways	183	558	583	584	778	787		241, 243, 416, 568, 740
34	Welling—Licensing Aircrafts and Pilots	186	244	256	313	606	608	657	203, 230, 269, 290, 296 603
35	Huggins—Appeals From State Securities Commission	186	279	290	290	606			202, 254, 289, 772
36	Booth—Care and Control of Shade Tree	189	591	592	593	767	782		215, 490, 589, 752
37	Fowles—Tax Rate for County Purposes	190	277	287	288				216, 772
38	Fowles—Duties and Powers of County Commissioners	190	243	244	244				209, 229, 772

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
39	Shields—Amending Section 6314	190	257	258	258	656	665		210, 240, 652
40	Shields—(Request)—General Powers of City Commis'ers	190	258	258	259	378	390	467	210, 240, 377
41	Booth—Water and Water Rights	190							211, 488, 733
42	Booth—Excise Tax on Motor Vehicle Fuel	191							212, 471, 773
43	Patterson—Industrial Commission, Insurance	191	319	389	389	777	786		216, 298, 361, 770
44	Musser—Mineral Survey	191							218, 342, 398, 562
45	Booth—Sale of Property	191	404	430	430				232, 345, 693
46	Booth—Special Taxes in Cities	192	407	430					233, 345, 431, 445, 449
47	Maw—(Request)—Firemen's Pension Fund	198							232
48	Young—Liens in Favor Hospitals	203							232, 315
49	Booth—Memorial Commission	204							233, 625, 773
50	Smith—Flood Control Commission	204	431	450	481	763	768		250, 354, 432, 445, 479, 749
51	Jefferson—Relief, Griffith	204							231, 629
52	Fowles—Voluntary Associations May Sue or be Sued	219	307	314	314				251, 273, 772
53	McCarthy—Powers of Trustees of Towns	219	541	542	542				323, 399, 772
54	Huggins—(Request)—Creating a Veteran's Welfare Commission	220							251, 733
55	Judiciary Committee—(Request)—Judges of District Courts	220	316						267, 283,
56	Fowles—Designation of State Roads	220	351	359	359				284, 310, 772

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
57	Candland, Chairman—Imposing a Tax on National and State Banks Associations, Etc.	223							252, 472, 518
58	Fowles—(Request)—Education in The Public Schools	237							267, 773
59	Fowles—(Request)—Prohibit Experiment Upon Living Creatures	237							268, 773
60	Huggins—Relating to Elections	237							273, 323
61	Huggins—Paving by Street Railway Companies	237							323, 567, 773
62	Fowles—Motor Vehicle Fuel	255							286, 773
63	Jefferson—(Request)—Empowering County Commissioners Levy Taxes	255							358
64	Shields—Relating to Interests—Statements—Records	256							286, 311
65	Huggins—Summons by Publication	256	409	431	482				285, 348, 449, 481, 772
66	Huggins—Relating to Nominations	274	374						299, 321
67	Welling—County Insurance Companies	274	496	497	497	657	665		300, 301, 381
68	Musser—Relief, H. D. Sudweeks	274							300, 629, 651
69	Maw—Property Bought by County	279							299, 516, 773
70	Candland—Assessment of Mines	304	544						517, 540, 588
71	Candland—Assessment Public Utilities	304							516, 540, 588
72	Candland—Duties of State Tax Commission	305							476
73	Candland—Review of Bond Issues	305	554						414, 773
74	Candland—Tax Commission Revise Tax Levies, Budgets	305							415, 554, 773
75	Candland—Exemptions Disabled Veterans	305	545	545	546	682	692		517, 540, 666, 674

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
76	Candland—Exemption, Power Plants, Etc.	305	553	554	554	677	686		515, 540, 663
77	Booth—Leasing, Sale State Lands	306	542	556	557	678	686		311, 399, 661
78	Ryan—Publication Reports	306							310, 774
79	Judiciary Committee—Delay in Rendering Decisions	306	407						310, 348, 420
80	Shields—Amending Section 4388	315	599	617	617				321, 505, 589, 772
81	Shields—(Request)—Relating to Jury Trial	315	539						368, 384
82	Ryan—Installment Plan, Estate	315	577	587	588				322, 417, 772
83	Ryan—Redemption Real Estate	315	576	587	587				322, 417, 772
84	Booth—Certain Patients From State Hospital	343	590	616	617				369, 438, 589, 772
85	Booth—Relating to Board of Insanity	343	542	557	558				369, 400, 772
86	Booth—Pension Employees Utah State Hospital	343							370, 439, 774
87	Booth—Renewal of Registered Pharmacists	343							371, 774
88	Booth—Relating to Dept. of Registration	343							372, 774
89	Patterson—Prohibit Colleges Dealing in Farm Products	343	628	698					372, 418, 445, 508, 605, 649, 698
90	Committee on Public Institutions	344							373, 439, 774
91	Booth—(Substitute for S. B. No. 10)—(Juvenile Court)	349	391	495	496	703	718		403, 459, 493, 683
92	Ryan—State Board of Agriculture	344							373, 526, 774
93	Maw—Receiving of and Providing for Prisoners	357							401, 438, 774
94	Maw—(Request)—Supervision of Adult Probationers	357							414, 483, 774
95	Patterson—Powers of State Game Committee	357							400, 774
96	Jefferson—(Request)—Aiding Needy Blind Persons	358	620	638	638	778	785		412, 463, 604, 626, 765

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
97	Committee on Public Institutions—To Select Site for State Prison	387							454, 491, 774
98	Booth—Maintenance of Band	387							413, 464, 774
99	Maw—Creating Bureau of Budget	387							521, 546, 774
100	Candland—(Substitute for S. B. No. 6)—(Income Tax)	388							446, 456
101	McCarthy—Review of Proposed Bond Issues	402							
102	Fowles—Shrine Utah State Constitution	402							442, 774
103	Maw—(Request)—Practice of Optometry	402							443, 526, 774
104	Fowles—Issuing Fraudulent Checks	402	591	618	632	712	738		443, 483, 589, 596, 631 704
105	Hunt—Repealing Chapter 76 Laws of Utah 1929	420							506, 774
106	Hunt—Tax Rate for County Purposes	420							507, 774
107	Ryan—Publication List of Assessments	421	619	632					444, 515, 604, 633, 647
108	Smith—(Request)—Organize Flood Control Districts	421							453, 528, 774
109	Fowles—State Board of Supplies and Purchase	421	618	628	628	710	719	764	506, 527, 589, 627, 689, 692
110	Booth—Interest, Funds, Redemption School Funds	421							452, 514, 774
111	Candland—Junior Colleges	421							453, 774
112	Fowles—Painting Portrait of Governor George H. Dern	422							444, 629
113	Candland—(Substitute for S. B. No. 100)—Income Tax on Individuals	456	456	499	509	775	789		462, 465, 477, 499, 503, 519, 553, 575, 741, 760

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
114	Candland—(Substitute for S. B. No. 57)—Tax on National Banks	472	482	513	538	776	784		493, 499, 518, 522, 532, 535, 586, 603, 695, 710, 716, 726, 750
115	Candland—(Substitute for S. B. No. 24 and S. B. No. 72) —State Tax Commission	476	488						524, 532, 588
116	Musser—Relating to Constables	477							492, 522, 774
117	Griffin—Irrigation or Water Conservation Districts	529							534, 567, 774
118	Candland—(Substitute for S. B. No. 115, S. B. No. 70 and S. B. No. 71)—Appointment of Tax Commission	588	605	613	618	779	788		609, 735
119	Candland—Exempting Intangible Property from Ad valorum Tax	612	630	638	639	782	785		629, 739
120	Candland—Reduction of the Tax Levies for State Purposes	612	630	640	640	755	765		630, 735
121	Judiciary Committee—Code Commission	698							774

SENATE JOINT RESOLUTIONS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Transmitted to Secretary of State	OTHER REFERENCES
1	Booth—Creating Position of Messenger to Governor	91	91	91	92	98	102	105	96
2	Patterson—Alleged Prohibition	118							130, 268, 774
3	McCarthy, Maw, Candland, Musser, Fowles—Commend Efforts of the American Legislators' Association	255	540	540	541	703	717	717	283, 397, 693
4	Welling—Tariff on Wheat	402							
5	Musser—Relating to Municipal Corporations	422	619	632	632	766	784	784	441, 527, 589, 754
6	Welling—(Substitute for S. J. R. No. 4)—Restraints Upon Imports	422							441, 491, 774
7	Keyser—Relating to State School for Feeble Minded	758							774

SENATE CONCURRENT MEMORIALS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
1	Hunt—International Monetary Base	92	139	139	140	147	165	198	98, 121, 141
2	Booth—Veterans' Adjusted Service Certificates	147							169, 358
3	Smith—Consolidate National Forest Lands	274							440, 463, 774
4	Hunt—Trade Relations with China	301	302	302	303	320	352	360	317
5	Booth and Ryan—Importation of Refined and Crude Oil	389							413, 452, 573, 774

SENATE MEMORIAL

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Transmitted to Secretary of State	OTHER REFERENCES
6	Fowles—Amend Tariff Act Relating to Sugar	462	562	563	563	773		773	528, 562

HOUSE BILLS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
1	Fuller—Contingent Expenses Nineteenth Legislature	61	61	61	61	93	92	100	
2	Lowe—Authorizing Legal Holidays	107	140	175	175	188	187	234	126, 148, 165
4	Mills—Vacancies In Congress And Legislature	262	360	539	730	735	734		321, 529, 706
5	Hoyt—Relating to Bail on Appeal	125	226						196, 773
6	Hoyt—Defendant's Being A Witness	186	238						219, 347, 408
7	Hoyt—Court's Charge to Jury	120							196, 347, 408
8	Jorgensen—Appointment of Water Commissioners	167	577	578	578	594	594	660	434
9	Esplin—Inspection of Animals	281							435, 773
11	Tanner—Establishment of Kindergartens	602							709, 773
12	Neslen—Airports and Landing Fields	222	316	349	351	457	457	508	254, 263, 282, 357, 375, 418
14	Ryberg—Special Improvement Districts in Counties	201	260	277					253, 382, 529, 773
17	Tingey—Lessors' Liens	188	295	313	314	324	324	406	272
20	Fuller—Collection of Taxes on Personal Property	213	294						270, 519, 599, 773
22	Committee on Education—(Request)—Relating to School Tax Levies	623							708, 773
23	Cardon—Relating to Special Taxes	326							520, 707, 773
24	Fuller—Deficiency Appropriations	647	689	690	690	713	712	770	653, 681
25	Tingey—State Bureau—Criminal Identification	643							707, 773
27	Jorgensen—Tax on Motor Vehicle Fuels	599	723	724	725	734	734		706
28	Jorgensen—Designation of State Roads	581	723	725	725	757	757		635
38	Tingey—Utah State Bar	566	732	732	733	757	756		573, 636

HOUSE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
39	Lowe—Placing Children	393	754	754	755	762	762		482, 708
40	Dalton—Boundary Between Piute and Sevier Counties	647	748	749	749	761	761		707
41	Fuller—Appropriations Period July 1, 1931, June 30, 1933	653	688	701	702	737	736		701, 702
42	Allen—Relating to Public Health	457							492, 773
43	Neslen—State Armory Board	228	260						253, 355, 447, 525, 773
44	Goggin—Mosquitoes	602	759	759	760	772	771		708
46	Neslen—State Prison Property	292	511						379, 773
47	Neslen—State Military Code	356	573	581	582	616	615	767	383, 654, 673, 674, 691, 838
50	Cates—Receiving Additional Compensation	209	307	314	315	410	409	485	282, 318, 325, 386
52	Jorgensen—Powers of Boards of Education	643							708, 773
54	Neslen—Relating to Kidnapping	433							484, 773
55	Tingey—Filing Notice of Lien	247	294	313	313	325	325	406	271
56	Tingey—Department of Registration	395	530	539	539	546	546	660	433
57	Fuller—Ownership of Trade Name	263	498	510	511	524	524	595	378
59	Dart—Enforcement of Liens	226	248	257	257	262	261	352	239
62	Brimley—Suicide, Insurance Policies	394	572	582	583	597	597	681	416, 576
63	G. M. Miller—Insurance Adjusters	246	487	510	510	513	513	595	381
64	Spencer—Defining Insurance Brokers	246	486	510	510	514	514	594	380
65	Committee on Education—Public School Education	585	639	690	694	738	738		616
67	Neslen—Relating to Building Construction	412	752	753	753	761	760		464, 706
69	Fugal—Trespassing By Hunters	376	753						636, 773

HOUSE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
72	Anderson—Legislative Apportionment	641	699	705	706	722	721		
73	Committee on Public Buildings and Grounds—(Substitute H. B. No. 21)—Powers of County Commissioners	215	243						229, 247, 249, 383, 530
83	Nightingale—Deposit of Public Funds	609							708, 773
92	Dart—Malicious Mischief	564							574, 773
93	Brimley—Land, University of Utah	393							440, 708, 773
96	Neslen Interest on Investments	623							773
97	Brimley—Motor Vehicles Owned By State, Counties, Etc.	646							773
100	Mills—Training School for Nurses	634							707, 773
101	P. C. Petersen, Jr.—Establishing Junior Colleges	449	655	674	676	733	733		476, 637, 661, 684, 714
102	Woodruff—Banking Corporations	565	699	705	705	720	719		637
103	Fugal—San Jose Scale	642							707, 773
104	Committee on Livestock and Agriculture—(Substitute H. B. No. 35)—Assessment of Livestock	410	649	698	699	721	720		489, 637
105	Jorgensen—Marketing of Wool	621	758	758	759	771	771		707,
111	Jorgensen—Bounties—Predatory Animals	625							708, 773
112	Mills—Inspection of Bees	646							773
114	Committee on Revenue and Taxation—Assessment of Public Utilities	587							773
118	Committee on Revenue and Taxation—Assessment on Mines	596							773
121	Nightingale—Fixing Date Deliver Assessment Book	625							773

HOUSE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
122	Fuller—Oleomargarine	642							773
129	Tingey—Change of Venue	667							708, 773
130	Tingey—Jurisdiction of Justices of the Peace	664							709, 773
135	Hoyt—Creating Big Game Committee	641							709, 773
145	Neslen—Distribution of Uncollected Taxes	559	559	567	568	580	580	584	
147	Committee on Public Buildings and Grounds—Issuance of State Bonds	726	730	731	731	751	751		
149	Woodruff—Fraud in Sale of Securities	624							637, 773
150	M. E. Miller—Legislative Commission	634							773
151	A. S. Tingey—Dispensing of Narcotic Drugs	668							773
158	Callister—Certificates and Permits for Automobile Corp.	624							773
160	Callister—Incorporation of Societies	645							773
163	Fuller—Eradication of Pests	645							773
166	Hirschi—Excise Tax on Tobacco	608							773
167	Bennion—Licensing Produce Dealers	644							773
180	Judiciary Committee—Legislative Code Commission	710	710	711	711	721	721		
181	Fuller—Provide Revenue for Fiscal Years, 1931—1932	726	731	731	732	751	750	769	

HOUSE CONCURRENT MEMORIALS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Read Second Time	Read Third Time	Transmitted to House	Signed By President	Signed By Speaker	Action of Governor	OTHER REFERENCES
2	Holbrook—(Substitute for H. C. M. No. 1)—Urging Congress to pass Jones Bill No. 255	102	110	111	111	113	113	133	
3	Callister—Memorializing Congress—Reclamation Fund	304	353	359	360	375	374	391	320
4	Fugal—Memorializing Congress—Weed Eradication	622							773

HOUSE JOINT MEMORIAL

1	Hirschi and Esplin—Grazing on Public Lands	378	578	578	579	598	598	607	435

HOUSE JOINT RESOLUTIONS

2	Hoyt—Relating to Trial by Jury	208	248						239, 289, 346, 408
3	Brimley and Jorgensen—Conditions of Unemployment	134	185	185	186	192	192		171, 199

HOUSE CONCURRENT RESOLUTIONS

1	Black—Indian Reservations	394							
2	Callister—Refinancing	390	578	578	578	593	593	607	434