SENATE JOURNAL

SPECIAL AND
TWENTIETH SESSIONS

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

1933

PUBLISHED BY AUTHORITY

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CERTIFICATION

The undersigned as the duly appointed Committee on Revision of the Senate Journal for the 20th Special and Regular Sessions of the Legislature of the State of Utah, do hereby certify that the contents published herein beginning at Page 3 and ending at Page 886 is a full, true and correct record of the proceedings of the 20th Special Session of the Senate of the Legislature of the State of Utah commencing on the 3rd day of January, 1933 and ending on the 9th day of January, 1933, and of the 20th Regular Session of the Senate of the Legislature of the State of Utah commencing on the 9th day of January, 1933 and ending on the 9th day of March, 1933.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL

LYNN S. RICHARDS,
Secretary of the Senate,

LEROY DRUSHAL,
Minute Clerk,

H. L. CUMMINGS,
Clerk.

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SENATE JOURNAL

SPECIAL SESSION

OF THE

TWENTIETH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 3, 1933

Pursuant to a call by his Excellancy, the Governor, the Senate of the Twentieth Legislature of the State of Utah met in Special Session in the Senate Chamber at the State Capitol at 12 o'clock noon.

Prayer was offered by Elder George Albert Smith.

Roll Call—Quorum present.

Secretary of State Milton H. Welling read the following proclamation of His Excellency, the Governor.

By the Governor of the State of Utah

A PROCLAMATION

In accordance with the provisions of Section VI of Article VII of the Constitution of Utah, and by virtue of the authority vested in the Governor to convene the Legislature by proclamation on extraordinary occasions, and as an extraordinary occasion such as is contemplated by the Constitution now exists, I, HENRY H. BLOOD, GOVERNOR OF THE STATE OF UTAH, do hereby convene

the Legislature, and call upon the members thereof elected to serve at the Twentieth Legislature to meet at the Capitol in the City of Salt Lake, County of Salt Lake, State of Utah, on Tuesday, the 3rd day of January, 1933, at twelve o'clock noon, for the purpose of taking action upon the following subjects of legislation:

To consider, amend, reject or ratify the proposed revision of the Laws of the State of Utah as heretofore prepared and printed by the Code Commission appointed by the Suprome Court of the State under the provisions of Chapter 16, Laws of Utah, 1927, and Chapter 37, Laws of Utah, 1929, and the proposed amendments thereof by the Utah Legislative Code Committee under the provisions of Chapter 61, Laws of Utah, 1931, and the proposed amendments by the said Utah Legislative Code Committee of the Laws of Utah not included in the revision by the said Code Commission under the provisions of Chapter 61, Laws of Utah, 1931.

To consider such other legislative business as the Governor may call to the attention of the Legislature while in such special session.

To provide for the expenses of the special session and other matters incidental thereto.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah.

Done at the Capitol, Salt Lake City, this 3rd day of January, 1933.

HENRY H. BLOOD,
Governor.

[SEAL]

By the Governor:
MILTON H. WELLING,
Secretary of State.

Secretary of State's Office.

I, M. H. WELLING, Secretary of State of the State of Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the proclamation made by the Governor of the State, January 3, 1933, calling the 20th Session of the Legislature of the State of Utah, to meet in a special session at and upon the date therein specified.

As appears on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah, at Salt Lake City, this 3rd day of January, 1933.

M. H. WELLING,
Secretary of State.

[SEAL]

The Secretary of State read the following statement:

CERTIFICATE OF MEMBERSHIP OF THE TWENTIETH LEGISLATURE OF THE STATE OF UTAH
1933

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 8th, 1932, the following named persons were chosen by the electors as members of the Twentieth Legislature of the State of Utah, to serve in the Senate from the several Districts and for the respective terms as follows:

First District—Albert E. Holmgren, County of Box Elder. For the term of four years.

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

Fifth District—Hyrum B. Calder, Counties of Duchesne and Uintah. For the term of four years.

Sixth District—John M. Wallace, Julian M. Bamberger, Mrs. Burton W. Musser, and C. Clarence Neslen, County of Salt Lake. For the term of four years. Hebert B. Maw, County of Salt Lake. For the term of two years for the unexpired term of John M. Knight, resigned.

Tenth District—O. C. Bowman, Counties of Sevier, Garfield, Wayne, Kane and Piute. For the term of four years.

Eleventh District—Wilford Day, Counties of Iron and Washington. For the term of four years.

Thirteenth District—Patrick J. Fennell, Counties of Juab and Tooele. For the term of four years.

Fourteenth District—George M. Miller, County of Carbon. For the term of four years.

Fifteenth District—Ward C. Holbrook, County of Davis. For the term of four years.

And I further certify,

That by virtue of an election held on Tuesday, the 4th day of November, 1930, 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:

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

Third District—Paul H. Hunt, Counties of Rich, Morgan, Summit, Wasatch 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, 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.

Eighth District—George Jefferson, Counties of Beaver and Millard. For the term of four years.

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

Twelfth District—Knox Patterson, Counties of Emery, Grand and San Juan. 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 WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah, this 3rd day of January, A. D. 1933.

M. H. WELLING,
[SEAL] Secretary of State.

Roll Call—All senators present.

Associate Justice Hansen 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 Shields nominated Senator J. Francis Fowles.

Senator Hunt nominated Senator W. D. Candland.

Senator Fowles was elected on the following roll call.

Ayes, 13; Nays, 10.

Those voting for Senator Fowles were: Bamberger, Calder, Fennel, Fowles, Holbrook, Huggins, Maw, Miller, Musser, Neslen, Patterson, Shields, and Wallace.

Those voting for Senator Candland were: Booth, Bowman, Candland, Day, Griffin, Holmgren, Hunt, Jefferson, Keyser, and Young.

On motion of Senator Candland the election of Senator Fowles was made unanimous.

A committee consisting of Senator Bamberger and Senator Booth was appointed to escort the President-elect

to the chair and the oath of office was administered by Associate Justice Elias Hansen.

President Fowles 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 Keyser a vote of thanks was extended to Secretary of State Milton H. Welling, Elder George Albert Smith and Associate Justice Elias Hansen.

On motion of Senator Maw the following were elected as officers and employees of the Senate for the session.

Secretary .....Lynn S. Richards
Docket Clerk .....G. Harold Felt
Minute Clerk .....LeRoy Drushal
Sergeant-at-Arms and
Chaplain ..... Spencer W. Madsen
Messenger .....Julian Siegel
Mailing Clerk .....Edna Simms
Doorkeepers.....W. J. Page, Seth Perry,
Chas. Gulbransen, John Nilsen
Committee Clerks .....Voilet Banford,
Mrs. E. R. Laraway

On motion of Senator Maw the minority were authorized to appoint an additional employee.

Associate Justice Elias Hansen then administered the oath of office to the officers and employees of the Senate.

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

ORDER OF BUSINESS

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

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

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

4. Selection of seats.

5. Recess.

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

7. Report of Committee on Joint Rules.

8. 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 communications.

9. Reports of committees.

10. Miscellaneous business.

11. Adjournment.

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

The President appointed a special committee on Senate Rules consisting of Senators Huggins, Patterson, and Griffen.

The President appointed a committee on Joint Rules consisting of Senators Holbrook, Shields and Jefferson.

On motion of Senator Booth the seats on the West side were allotted to the Democratic members and those on the East side to the Republican members.

The President appointed Senators Musser, Hunt and Holmgren to act with a like committee from the House to wait upon the Governor and inform him that the Legislature is ready to receive any communication that he has to make.

On motion of Senator Maw, the Senate recessed until 1:15 p. m.

The Senate was called to order by the President at 1:30 p. m.

The committee appointed to wait on the Governor reported that the Governor would meet with the Legislature in Joint Session immediately.

On motion of Senator Musser, the senate proceeded to the House Chamber where both Houses met in Joint Assembly. President Fowles presiding.

JOINT ASSEMBLY

Roll call showed all Senators and Representatives present.

Prayer by the Senate Chaplain.

The Joint Committee consisting of Senators Musser, Hunt and Holmgren and Representatives Lund, Erickson and Rich appointed to call on the Governor proceeded to the Executive Office and at 1:55 returned escorting Governor Henry H. Blood to the rostrum who was greeted with standing applause. He was introduced to the Joint Assembly by President Fowles and proceeded to read the following message.

STATE OF UTAH,
EXECUTIVE OFFICE,
SALT LAKE CITY, UTAH.

To the members of the Twentieth Legislature of the State of Utah in Special Session:

On November 26, 1932, His Excellency, George H. Dern, Governor of Utah, issued the following Proclamation:

> In accordance with the provisions of Section VI, of Article VII of the Constitution of Utah, and by virtue of the authority vested in the Governor to convene the Legislature by proclamation on extraordinary occasions, and as an extraordinary occasion such as is contemplated by the Constitution now exists, I, GEORGE H. DERN, GOVERNOR OF THE STATE OF UTAH, do hereby convene the Legislature, and call upon the mem-

bers thereof elected to serve at the Twentieth Legislature to meet at the Capitol in the City of Salt Lake, County of Salt Lake, State of Utah, on Tuesday, the 3rd day of January, 1933, at twelve o'clock noon, for the purpose of taking action upon the following subjects of legislation:

To consider, amend, reject or ratify the proposed revision of the Laws of the State of Utah as heretofore prepared and printed by the Code Commission appointed by the Supreme Court of the State under the provisions of Chapter 16, Laws of Utah, 1927, and Chapter 37, Laws of Utah, 1929, and the proposed amendments thereof by the Utah Legislative Code Committee under the provisions of Chapter 61, Laws of Utah, 1931, and the proposed amendments by the said Utah Legislative Code Committee of the Laws of Utah not included in the revision by the said Code Commission under the provisions of Chapter 61, Laws of Utah, 1931.

To consider such other legislative business as the Governor may call to the attention of the Legislature while in such special session.

To provide for the expenses of the special session and other matters incidental thereto.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah.

Done at the Capitol, Salt Lake City, this 26th day of November, 1932.

GEORGE H. DERN,
Governor.

[SEAL]

By the Governor:

M. H. WELLING,
Secretary of State.

I hereby approve the foregoing Proclamation and adopt it as my own.

Governor Dern was kind enough to consult with me before issuing his Proclamation convening you in this special session, and I approved his action because I believed with him that the need for consideration at this time of the new Code was fairly within the terms of the Constitution authorizing the Governor to convene the Legislature in special session on extraordinary occasions. In order to avoid all doubt concerning the validity of the call, I have for purposes of the record since my inauguration issued an identical proclamation and filed it with the Secretary of State.

That there is great need of a revision of the statutory law of the State seems to be universally conceded. Pursuant to Chapter 37 of the Laws of 1929, a Code Commission was appointed to prepare and draft a bill for a general revision. That bill has heretofore been read and considered by members of the Bar of this State, and their findings and conclusions thereon were submitted to the Legislative Code Committee created by the Legislature at its Nineteenth regular session. The bill now about to be presented to you, therefore, reflects the work of the Code Commissioners, of the Bar Committees, and of the Legislative Code Committee.

In view of these facts, it seems reasonable to assume that it will be found, in major part, satisfactory, and that the changes you may think proper to make in it will be, at most, only minor. In order to facilitate your consideration of the bill, the Legislative Code Committee has prepared a report, which, in printed form, is before you, wherein its explanation of actions taken by the Committee is presented. I recommend this report for your most careful consideration. I deem it proper to suggest that wherever it is found that the Code Committee has entered the field of legislation by making material changes, additions or deletions, such items be given due attention.

I am informed that the bill carries the provision that all Acts passed by the Legislature at its session adopting the revision will be deemed passed subsequent to the revision. You may, therefore, adopt this new code and thereafter alter and amend it as you may determine, and your legislation will control.

Permit me to take this first opportunity to convey to you my sentiments of good will, and to express the hope that your legislative experience will be most pleasant and your accomplishments all that you desire.

HENRY H. BLOOD

The Joint Committee then escorted the Governor back to his office.

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

On motion of Senator Bamberger, Mr. George Y. Wallace was invited to address the Joint Assembly on the subject of the Revised Code.

Following questions and discussion regarding the procedure and adoption of the Code, Senator Candland moved that the Joint Assembly dissolve.

Motion carried.

The Senate reconvened at 2:55 p. m. President Fowles in the chair.

Representatives Lane, Morrison and Henderson appeared and invited the Senate to meet in Joint Assembly for the purpose of hearing and having the report of the Code Committee explained.

It was moved by Senator Bamberger that when the Senate adjourn it be until 10 o'clock Wednesday morning, January 4, 1933.

Motion carried.

On motion of Senator Huggins the Rules of the 19th Session were adopted until the report of the Rules Committee is approved.

On motion of Senator Wallace the President appointed Senators Shields, Maw, Keyser, Candland and Wallace to act with a like committee from the House to consider questions of procedure in connection with the consideration of the Legislative Code Committee report and the new proposed Code and report back to their respective bodies at 10 o'clock Wednesday morning January 4th.

COMMUNICATIONS FROM THE HOUSE

HOUSE OF REPRESENTATIVES,
State Capitol.
Salt Lake City, Utah, January 3, 1933.

Mr. President:

I am directed to inform your honorable body that the special session of the twentieth session of the House of Representatives of the State of Utah has this day organized with the following officers and employees:

Speaker, I. A. Smoot.

Chief Clerk, Ernest R. McKay.

Docket Clerk, Hendrik Romeyn.

Minute Clerk, George Frodsham.

And are ready to receive any communications from you.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Neslen the Senate adjourned.

SECOND DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 4, 1933.

Senate was called to order at 10:00 a. m., President Fowles in the chair.

Roll Call—All Senators present, except Senators Holmgren and Day, both being excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

To the President and Members of the Senate, and to the Members of the House:

Your joint Committee on Ways and Means of consideration of the report of the Legislative Code Committee begs leave to report as follows:

First: We recommend that on January 4th, each House meet separately to consider the report of the Legislative Code Committee and that George Y. Wallace, attorney for the Code Committee, be present at the session of the House to answer questions and give information; and that Mrs. B. B. Meyers be present at the session of the Senate for the same purpose. And that members of the respective houses make such notes of their consideration of this report as they deem advisable.

Second: That on the Fifth of January, the two Houses meet in joint session, as a Committee of the Whole, at 10:00 a. m. of such day and further consider such report, and

Third: At two o'clock of the 5th, the Legislature, sitting in such joint session in Committee of the Whole, hear a representative of any group which asserts that

any important change in substance has been made in the proposed code revision. That such presentation shall not be in the nature of argumentation but merely a statement of the section or sections which are claimed to have been changed in substance.

Fourth: That at a later date, appropriate opportunity be given to any person or group to be heard before committees relative to any such asserted change in substance or intent in the proposed code revision.

Fifth: That this committee be continued, or a similar committee be appointed, for the purpose of making any necessary additional recommendations to the respective Houses as to procedure.

Respectfully submitted,

DAN B. SHIELDS,
Chairman Senate Committee.
B. W. MENDENHALL,
Chairman House Committee.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this date passed under suspension of the rules as amended in title and body H. B. No. 1: An Act making an appropriation to defray the expenses of the special session of the Twentieth Legislature of the State of Utah; and the same is transmitted herewith for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed and H. B. No. 1 was read the first time.

On motion of Senator Maw the rules were suspended and H. B. No. 1 was read the second and third times and placed on its final passage and passed on the following roll call:

Yeas, 14; Nays, 7; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Hunt, Jefferson, Maw, Miller, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Griffin, Holbrook, Huggins, Keyser, Musser, Neslen.

Absent and not voting: Senators Holmgren and Day.

Senator Holbrook moved to reconsider the vote by which H. B. No. 1 passed.

Motion carried.

H. B. No. 1 passed on the following roll call:

Yeas, 16; Nays, 5; Absent, 2.

Those voting in the affirmative were: Bamberger, Booth, Bowman, Calder, Fennell, Huggins, Hunt, Jefferson, Maw, Miller, Musser, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Candland, Griffin, Holbrook,, Keyser, Neslen.

Absent and not voting: Day, Holmgren.

H. B. No. 1 was transmitted to the House.

INTRODUCTION OF JOINT RESOLUTIONS

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," was read the first time.

On motion of Senator Booth the rules were suspended and S. J. R. No. 1 was read the second and third times and placed on its final passage.

S. J. R. No. 1 then passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Patterson.

Absent and not voting: Senators Day, Holmgren.

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

On motion of Senator Candland the minority accepted the courtesy shown by the majority conceding one employee to the minority and appointed Miss Erma McBeth as Committee Clerk.

REPORT OF SPECIAL COMMITTEE

Your Committee on Senate Rules recommends the following:

That Rule 41 be amended to read as follows:

"No notice of a motion to reconsider shall be received after the 55th day of the regular session of the Legislature."

That Rule 75 be amended as follows:

Three, Banking and Commerce—7 members.

Four, Education—7 members.

Six, Highways—7 members.

That Rule 61 be amended as follows:

By leaving out the following clause: "But a call of the Senate can not be made after the voting has commenced."

Rule 71 be amended by inserting immediately after Eight, to be known as No. 9—"Unfinished Business"—that the numbers thereafter be changed accordingly.

Rule 80 be amended as follows: Change the word "fifteen" in the second line of said rule to read "eight".

Rule 79 to be amended as follows: Add after the last word in said rule: "In order to maintain working quorums in the various committees, the President of the Senate may, upon recommendation by Committee Chairman, release any committee member who continually absents himself from regular committee meetings, and appoint a successor.

That Rule 104 be amended to read as follows: "No Senate bill shall be passed after the fifty-fifth day of the regular session of the Legislature.

That the word "Aye" be changed to "Yea" throughout the rules.

Respectfully,

I. A. HUGGINS,
Chairman.

On motion of Senator Huggins the report was adopted and filed.

On motion of Senator Maw Senate Rule No. 80 was amended by striking out after the word "follows" on line 3, the balance of the rule.

On motion of Senator Patterson Rule 75 was amended by adding after subdivision 12 the following: "13. Mining and Smelting five members."

On motion of Senator Shields the Senate resolved itself into a Committee of the Whole to consider the report of the Code Committee.

On motion to rise the Committee of the Whole dissolved and the Senate resumed regular session.

On motion of Senator Maw the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

Senate reconvened at 2:00 p. m.

On motion of Senator Booth, the President was authorized to appoint a committee of two senators to act for two consecutive days in revising the Senate Journal each day and to certify to its correctness.

Motion carried.

Senators Holbrook and Booth were appointed to act for the first two days.

On motion of Senator Bamberger the secretary was instructed to notify the printers to furnish the Senate with 250 copies of the Journal each day.

On motion of Senator Neslen the secretary was instructed to extend the sympathy of the Senate to Senator Day during his hour of bereavement in the death of his brother.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah January 4, 1933

Mr. President:

I am directed to inform your Honorable Body that the House has this day approved the report of the Joint Com-

mittee of the Senate and House to consider procedure of this session regarding the adopting of the Code.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

At 3:40 p. m. Committee of the Whole was disolved and the Senate went into regular session.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 1, by Mr. Maw, entitled "AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE SPECIAL SESSION OF THE TWENTIETH LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted for the signature of the President.

Respectfully,

ERNEST R. McKAY,
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.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, Senate Joint Resolution No. 1 by Mr. Booth "CREATING THE POSITION OF MESSENGER TO THE GOVERNOR," and the same is hereby returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

COMMITTEE REPORT

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 4, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. J. R. No. 1, by Mr. Booth:

> Creating the position of Messenger to the Governor, properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
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.

Senator Wallace moved that the committee heretofore appointed by the chair to make recommendations to this body as to the method of procedure be continued and make such other recommendations as necessary.

Motion carried.

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

The Committee of the Whole disolved at 4:40 p. m. and the Senate resumed regular session.

On motion of Senator Booth the Senate adjourned until 10 o'clock Thursday Morning January 5th.

THIRD DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 5, 1933.

Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Holmgren, Day, Patterson, Young and Bowman, all excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol, January 4, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the

first day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
JOHN E. BOOTH

Report filed.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 5, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the second day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
JOHN E. BOOTH

Report filed.

COMMUNICATION FROM THE HOUSE

HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. J. R. No. 1 by Mr. Booth "CREATING THE POSITION OF MESSENGER TO THE GOVERNOR," and the same is hereby returned for transmission to Secretary of State.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 4th, 1933.

Mr. President:

We, your Committee on Joint Rules, respectfully report, that we have met with a similar Committee from the House, and we recommend that the Joint Rules of the Nineteenth Session of the Legislature of the State of Utah be adopted without change as the Joint Rules of the Special Session of the Twentieth Session.

Respectfully,

WARD C. HOLBROOK

Report adopted and filed.

COMMUNICATION FROM OGDEN LIVESTOCK SHOW

Union Stock Yards
Ogden, Utah
January 3, 1933.

Senator Frank Fowles,
Ogden, Utah.

Dear Senator:

I am writing to ask that you extend to the members of the Utah State Legislature an invitation to attend the 14th Annual Ogden Livestock Show, particularly the memorial services to be held on Sunday, January 8, at 1:00 p. m. in the Coliseum, and the annual banquet to be held on Wednesday, January 11, at 7:00 p. m. at the Hotel Ben Lomond.

We will very much appreciate the attendance of any of the State Legislators who can attend this affair.

Yours very truly,

L. W. NIMS,
General Chairman,
Entertainment Committee.

On motion of Senator Keyser the invitation received from the Ogden Livestock Show was accepted and the Secretary instructed to thank the Ogden Livestock Show for their kind invitation.

Senator Bamberger offered to provide transportation for one trip to Ogden to the Legislators as his personal guests to attend the Ogden Livestock Show.

On motion of Senator Keyser the Senate gave a vote of thanks to Senator Bamberger for his kind invitation.

COMMUNICATION FROM THE CHAMBER OF COMMERCE OF SALT LAKE CITY

January 4, 1932.

Mr. J. Francis Fowles,
President of the Senate
of the State of Utah.
Capitol Bldg.,
Salt Lake City, Utah.

Dear Senator:

In order to assist the members of the State Senate in any way possible, to make their stay in Salt Lake City interesting and entertaining, we take this opportunity of tendering to the members of the Utah State Senate, a guest card of the Chamber of Commerce and Commercial Club for the period covering the session of the Legislature.

The Chamber of Commerce is equipped to render practically any type of service desired by members of the Senate, and we herewith tender to you at any time, the

use of our facilities or the assistance of any member of our staff.

If at any time a committee or group desires the use of a meeting room, stenographic service, etc., the same will be gladly furnished without cost, simply upon notification of the time such service is desired.

Please feel at liberty to make the Chamber of Commerce your headquarters and home while you are in the city, and we trust you will take the opportunity of using the guest card often.

Yours very truly,

GUS P. BACKMAN,
Executive Secretary.

On motion of Senator Booth the invitation of the Chamber of Commerce was accepted and the Secretary instructed to thank the Chamber of Commerce for its courtesy.

The President appointed Senators Musser and Griffin to revise the Journal for the third and fourth day.

INTRODUCTION OF JOINT RESOLUTION

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

A Joint Resolution relating to the expenses of the Special Session of the Twentieth Legislature.

BE IT RESOLVED by the Legislature of the State of Utah:

That Legislative employes for the Special Session shall receive no perquisite, bonus, or compensation, other than the salaries provided by law," was read the first time.

On motion of Senator Holbrook the rules were suspended and S. J. R. No. 2 was read second time and

placed on the third reading calender on the following roll call.

Yeas, 16; Nays 0; Absent 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Fennell, Griffin, Holbrook, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields and Mr. President.

Those absent and not voting were: Senators Bowman, Day, Holmgren, Hunt, Patterson, Wallace and Young.

On motion of Senator Booth the President appointed a committee consisting of Senators Wallace and Hunt to inquire from the House if they are ready to meet in Joint Assembly to consider the Proposed Revised Code.

Senator Wallace reported that the House was ready to receive the Senate in Joint Assembly.

On motion of Senator Booth the Senate recessed and proceeded to the House.

JOINT ASSEMBLY

At 10:30 a. m., the President of the Senate called the Joint Assembly to order.

Roll Call—Quorum of both Houses present.

Prayer by the Senate Chaplain.

On motion of Senator Maw the Joint Assembly resolved itself into a Committee of the Whole and the President of the Senate was made Chairman of the Committee.

Mr. George Y. Wallace, Attorney for the Code Committee was requested to address the Assembly and answer any inquiries regarding the Code.

On motion of Senator Griffin the Chairman ruled that the Committee of the Whole rise.

The Speaker of the House announced the death of former President Calvin Coolidge.

On motion of Senator Huggins the President was authorized to appoint a committee jointly from the Senate and House to prepare resolutions to transmit to the proper persons concerning the death of Mr. Coolidge.

On motion of Representative Monson the Joint Assembly recessed until 2:00 p. m.

AFTERNOON SESSION

JOINT ASSEMBLY

HOUSE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 5, 1933.

Joint Assembly reconvened at 2:10 p. m. President Fowles in the chair.

Roll Call—Quorum of both bodies present.

Prayer by the Chaplain of the Senate.

On motion of Senator Neslen Joint Assembly went into a Committee of the Whole with Senator Fowles acting as Chairman.

The Committee of the Whole was convened to hear objections to the sections of the Code.

On motion of Mr. Pope stenographic notes were taken of the proceedings and to be distributed to the various committees of the Senate and House.

Mr. Erwin Clawson speaking on behalf of the Reciprocal Insurance Association, Mr. Wallace Kelly speaking on behalf of the Mutual Fire Insurance Association, and Mr. George A. Christensen speaking on behalf of the Farmers' Mutual Fire Insurance Association appeared

before the Joint Assembly and pointed out certain objections in relation to the Insurance Law.

Mr. Tracy R. Welling, speaking on behalf of the Utah State Farm Bureau, and Mr. David A. Smith, speaking on behalf of the Farmers' Exchange, also appeared and pointed out certain objections in relation to the Agricultural Law.

Mr. R. A. Hart, speaking on Irrigation and Drainage matters, and Mr. W. R. Wallace, speaking on behalf of the Water Storage Commission, also appeared and pointed out certain objections in relation to the Irrigation and Drainage Law.

Dr. Garland H. Pace, speaking on behalf of the Mental Hospital, also appeared and pointed out certain objections relative to deletion of the Model Committment Laws to the State Mental Hospital.

Mr. Darrell T. Lane voiced the objection of the auditors from the following cities and counties to wit: Salt Lake County, Utah County, Salt Lake City and Provo City, in relation to the re-election of an auditor to his office.

On motion of Senator Griffin the Committee of the Whole dissolved.

On motion of Senator Booth the Joint Assembly adjourned at 3:20 p. m.

At 3:25 p. m. the Senate reconvened with President Fowles in the chair.

REPORT OF SPECIAL COMMITTEE

January 5, 1933.

To the Members of the House and the Senate:

We, the Joint Committee on procedure for consideration of the proposed code revision desire to report as follows:

We recommend that the following procedure in connection with the consideration of such code be followed:

1. That the several titles in the proposed revised code be referred to the appropriate standing committees of the House and Senate:

2. That such committees give proper opportunity for public hearings on matters of revision, to which objection is made.

3. That changes to be made in the proposed code revision be limited to such changes as may be necessary (a) to reinstate existing law where reinstatement is desireable; (b) restore existing law, which has been changed in the proposed revision, where such change is objectionable; (c) to eliminate any new matter if found objectionable.

That consideration of the proposed code revision be made a special order of business of the Twentieth Legislature, both in special and regular session, and continue as such until adopted or rejected, and that consideration of new legislation be deferred until the proposed revised code is adopted or rejected.

Respectfully submitted,

SPECIAL COMMITTEE ON PROCEDURE,

By DAN B. SHIELDS,
Chairman for the Senate.

By B. W. MENDENHALL,
Chairman for the House.

Report adopted and order filed.

JOINT RULES AND SENATE RULES OF THE SPECIAL SESSION OF THE TWENTIETH SESSION OF THE LEGISLATURE STATE OF UTAH 1933

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

ORGANIZATION

1. *Notification of Organization of Each House.* Immediately after the organization of the senate and house of representatives, at the commencement of every regular session of the legislature, each house shall appoint a committee of three to notify the other house that it is organized and ready for the transaction of business.

2. *Committee on Joint Rules.* Thereupon a committee on joint rules shall be appointed, to consist of three senators, three representatives, the president of the senate (who shall be chairman), and the speaker of the house, whose duty it shall be to formulate a set of joint rules of the senate and house of representatives.

3. *Adoption of Rules Complete Organization of Legislature.* Upon the adoption by both houses of the joint rules as well as of their own rules, respectively, the legislature shall be deemed fully organized.

4. *Joint Committee to Notify Governor.* Thereupon a joint committee, consisting of three senators and three representatives, shall be appointed to inform the governor personally of the organization of the two houses, and of their readiness to receive his communications.

JOINT CONVENTIONS

5. *Where Held. Who Preside.* Joint conventions of the two houses shall be held in the hall of the house of representatives, and the president of the senate shall preside.

6. *Secretaries. Journal.* The secretary of the senate and the chief clerk of the house of representatives shall

be secretaries of the joint convention, and the proceedings thereof shall be entered at length upon the journal of each house.

7. *Rules of the House to Govern.* The rules of the house of representatives so far as the same may be applicable, shall govern the proceedings in joint convention.

8. *May Compel Attendance of Absent Members.* Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed by the rules of the house to which such members respectively belong, and for that purpose the sergeant-at-arms of each house shall attend.

9. *Adjournments. Duty of Each House.* Joint conventions may adjourn from time to time as may be found necessary and it shall be the duty of the house of representatives to prepare to receive the senate and of the senate to proceed to the hall of the house of representatives at the time fixed by resolution or to which the joint convention may have adjourned.

10. *No Business to be Transacted Except That Specified in the Call.* In all joint conventions it shall be incompetent for either house or the members thereof, or the joint convention to engage in the transaction of any business other than that for which they were assembled.

JOINT MEETINGS OF COMMITTEES

11. *Standing Committees May Meet Jointly.* Whenever any bill has been referred by *the senate to one of its committees,* and the same or a like bill has been referred by the house of representatives to one of its committees, the chairmen of the respective committees, when in their judgment the interest of legislation or the expedition of business will be better served thereby, may arrange for joint meetings of their committees for the consideration of such bill.

BILLS AND RESOLUTIONS

12. *Scope of Word "Bill,"* Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions and memorials.

13. *Defining Joint and Concurrent Resolutions.* Joint resolutions are those relating to matters to be treated by both houses of the legislature. Concurrent resolutions are similar resolutions requiring the concurrence of the governor.

14. *Procedure on Joint and Concurrent Resolutions and Constitutional Amendments.* Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills.

PREPARATION AND INTRODUCTION OF BILLS

15. *Size, Number of Copies. Folding Form.* All bills shall be typewritten or printed on paper eight and one-half by thirteen inches, shall be in triplicate or in such additional numbers as each house may require respectively, shall not be folded, and shall have the arrangement and wording prescribed by the following:

16. *Form of Bills.* Every bill shall have (a) a designation; (b) a title; (c) an enacting clause; (d) subject matter disposed in one or more sections; and (e) an emergency clause, if necessary.

17. *Designation.* The designation shall be a heading preceding the title:

S. B. (or H. B.) No.....By Mr.....

S. J. R. (or H. J. R.) No.....By Mr.....

etc.

18. *Title.* The title of every bill introduced shall convey an accurate idea of its subject and shall be expressed in the fewest words practicable in amending a

section of an existing law, the mere reference to the section by number shall not be deemed sufficient.

19. *Enacting Clause.* The title shall be immediately followed by the enacting clause, the form of which is prescribed by the Constitution, Article VI., Section 22, viz.: "Be it enacted by the Legislature of the State of Utah."

20. *Subject Matter.* The subject matter of the bill shall follow the enacting clause, and shall be set forth in one or more sections.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

No law shall be revised or amended by reference to its title only, but the act as revised, or section as amended, shall be re-enacted and published at length (Const., Art. VI., Sec. 22).

Except general appropriation bills, and bills for the codification and general revision of laws, no bill shall be passed containing more than one subject, which shall be clearly expressed in its title. (Const., Art. VI., Sec. 22).

In case of a bill amending an existing law, all omissions must be shown by the insertion of heavy parenthesis without including the omitted matter; all additions must be shown by underlining the new matter, and in printing bills all new matter shall be underlined.

No section sub-heads shall be included in any bill. In case of a bill amending an existing law the black-faced sub-heads shall be omitted.

21. *Emergency Clause.* An emergency clause is not required in a bill unless it is desired to make the

act take effect at a time other than that prescribed by the Constitution, Art. VI., Sec. 25. Whenever an emergency clause is inserted in a bill, it shall constitute the last section of the bill, and shall be in substantially the following form: "This act shall take effect upon (approval) (or a given date)."

A bill containing an emergency clause can only be passed by a vote of two-thirds of all the members elected to each house (Const. Art. VI, Sec. 25); provided however that if such bill receives a majority vote but less than two-thirds it shall nevertheless be deemed passed, and the emergency clause shall be omitted from the bill as finally enrolled.

RECORD OF BILLS

22. *Secretary and Chief Clerk to Keep Register.* The secretary of the senate and the chief clerk of the house of representatives, shall keep a register, in which shall be recorded every action taken by the senate and house of representatives on every bill, concurrent or joint resolution, or constitutional amendment.

23. *Endorsements on Bills.* The secretary of the senate and the chief clerk of the house of representatives shall endorse on every bill a statement of any action taken by the senate and house of representatives.

Senate amendments shall be inserted in the bill in blue and house amendments in red.

MESSAGES

24. *Message to Accompany Bill.* While bills are being transmitted between the two houses they shall be accompanied by a message signed by the secretary of the senate or the chief clerk of the house of representatives, as the case may be.

25. *Notice to Other House of Rejection.* When a bill which has passed in one house is rejected in the other,

notice thereof shall be given immediately to the house in which the same has passed.

26. *By Whom Sent.* Messages shall be sent to the other house by an officer or employe 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.

CONFERENCE COMMITTEES

27. *Concurrence in Amendments.* In case the senate amend and pass a house bill, or the house amend and pass a senate bill, the senate (if it be a senate bill), or the house (if it be a house bill) must either "concur" or "refuse to concur" in the amendments. If the senate concur (if it be a senate bill), or the house concur (if it be a house bill), the secretary or chief clerk shall notify the house making the amendments, and the bill shall be ordered to enrollment.

28. *Disagreement. Conference Committee.* If the senate refuse to concur (if it be a senate bill), or the house refuse to concur (if it be a house bill), the secretary or the chief clerk shall notify the house making the amendments of such refusal, and ask that it recede from its amendments. If it refuses to recede, the presiding officer shall appoint a committee of three on conference, and the secretary or chief clerk shall immediately notify the other house of the action taken, and request the appointment of a like committee, which committee shall thereupon be appointed by the presiding officer of the other house. The first senator named on the conference committee shall act as chairman of the committee from the senate, and the first representative named on such committee shall act as chairman of the committee from the house, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committees

shall report in writing and shall be authorized to report such modifications or amendments as they think advisable. But no committee of conference shall consider or report on any matter except those directly at issue between the two houses. The papers shall be left with the conferees of the house having possession of the bill, and they shall present the report of the committee to their house. When such house shall have acted thereon, it shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon. Every report of a committee of conference shall be read through, in each house, before a vote is taken on the same.

29. *Either House May Recede.* It shall be in order for either house to recede from any subject matter of difference existing between the two houses at any time previous to conference, whether the papers on which such difference arose are before the house receding formally or informally and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

30. *Failure of Conferees to Agree.* In case of a failure of the conferees to agree, a report of such failure may be made, and a further conference may be had, either by the same or new committees appointed for such purpose. After each House shall have refused conference, and shall have adhered to its disagreement the bill which is the subject of difference shall be deemed lost, and shall not be again revived during the same session in either house. The report of the committee of conference shall not be subject to amendment.

ACTION ON BILLS AFTER PASSAGE

31. *Enrollment.* When a bill shall have passed both houses, it shall be duly enrolled by the revision and enrolling committee of the house in which it originated, and the fact of its origin shall be certified by the endorsement

of the secretary or chief clerk which endorsement shall also show the dates upon which it passed the senate and house of representatives, respectively, and the number of votes cast for and against it in each house, and the number of absentees.

32. *Joint Examination of Enrolled Bills.* When a bill shall have been enrolled it shall be examined by the revision and enrolling committees of the two houses, acting jointly for that purpose, who shall carefully compare the enrollment with the bill as passed, correct any errors therein, and make report thereof forthwith to their respective houses.

33. *Presiding Officers to Sign Bills.* Every bill reported to have been duly enrolled shall be signed first by the presiding officer of the house in which it originated, and then by the presiding officer of the other house, in the presence of the respective houses, after its title has been publicly read immediately before signing, and the fact that of such signing shall be entered upon the Journal (Const., Art. VI., Sec. 24). Two carbon copies of the enrolled bill shall be made, one of which shall be filed with the secretary or chief clerk, and the other given to the author of the bill.

34. *Transmitted to Governor.* After a bill shall have been signed by the respective presiding officers of the two houses, it shall be transmitted by the secretary or chief clerk of the house in which it originated, together with a written message to the governor for his approval.

35. *Governor's Action on Bill Reported to Other House.* When the governor has informed either house that he has signed a bill, or taken any other action affecting both houses, the house to which his action is reported shall inform the other house of the governor's report.

ADJOURNMENT

36. *No Adjournment for More Than Three Days Without Consent of Other House.* Neither house, shall,

without the consent of the other, adjourn for more than three days.

37. *Adjournment Sine Die.* Adjournment sine die shall be in pursuance of a joint resolution duly adopted designating the date and hour for such adjournment.

LEGISLATIVE EXPENSE

38. *How Paid.* Each house shall have full control of its own expenses. All bills, claims or pay rolls shall be certified by the president and secretary of the senate or the speaker and chief clerk of the house, as the case may be, to the state auditor for payment by state warrant, drawn against the fund appropriated for the expenses of the legislature.

39. On all tours of inspection to 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.

40. 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.

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 employes 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 employes of the senate, subject, however, to the direction of the president, to assign, reassign or transfer all employes 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 employes. Any employe 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 employe 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, rising 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 many, 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 otherwise, 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. *Motion 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. *Motion 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 negative 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 after 55th Day.* No notice of a motion to reconsider shall be received after the 55th day of the regular session 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 amendments 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 recommitmen.

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 senator's 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 question, 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 yea," 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 afterward 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.

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 proceedings 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 report 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 opened 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. Unfinished business.
10. Consideration of resolutions.
11. Consideration of bills on third reading.
12. Consideration of bills on second reading.
13. 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, seven members.
4. Education, seven members.
5. Fish and game, seven members.
6. Highways, seven 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.

13. Mining and smelting, five 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. Sub-committees, who shall report to the regular committee, may be appointed to take charge of any part of the committee's business.

In order to maintain working quorums in the various committees, the President of the Senate may, upon recommendation by Committee Chairman, release any committee member who continually absents himself from regular committee meetings, and appoint a successor.

80. *Business in Committees; Report.* All business referred to a committee shall be taken up within eight 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 a 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 correctiveness 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 typewritten or printed copies of every bill, resolution or memorial shall be furnished the secretary by the senator introducing the same.

85. *Bill Backs.* 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 enrollment, 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 Bill; 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 resolutions 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 Shall Be Passed after the 55th Day.* No senate bill shall be passed after the fifty-fifth day of the regular session 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 Session.* 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 Majority Vote.* No standing rule of the senate shall be altered, amending, suspended or rescinded without the vote of a majority of the senators present.

RULES OF ORDER

115. *Roberts' Rules of Order to Govern.* The rules of parliamentary practice comprised in Roberts' 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 the 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 employe of the senate, or any persons 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 employes under his direction will be held to a strict enforcement of the two preceding rules.

119. *Employes and Visitors Not to Influence Legislation.* Any employe 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.

The President introduced the Hon. Abel John Evans, third president of the Utah State Senate.

On motion of Senator Griffin, Senate adjourned until 10 o'clock Friday, January 6.

FOURTH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 6, 1933.

The Senate was called to order at 10:00 a. m. by President Fowles.

Roll Call—All members present, except Senators Day, Holmgren, Patterson, excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 6, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the

third day and found it correct with minor amendments noted on the final copy.

Respectfully,

MRS. BURTON W. MUSSER,
W. H. GRIFFIN, Jr.

Report filed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 6, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has yesterday signed and filed with the Secretary of State H. B. No. 1 by Mr. Maw, "AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE SPECIAL SESSION OF THE TWENTIETH LEGISLATURE OF THE STATE OF UTAH."

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

MISCELLANEOUS BUSINESS

Senator Neslen stated that Police Commissioner, Knight, asked him to notify the members of both Houses that if they will put a sticker on the windshield of their car showing their name they will be extended special privileges in enforcement of Traffic Rules within the City.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 2 was read the third time and passed on the following roll call.

Yeas, 19; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Jefferson.

Absent and not voting: Senators Day, Holmgren, Patterson.

S. J. R. No. 2 was transmitted to the House.

STANDING COMMITTEES OF THE SENATE

The following standing Committees were appointed by President Fowles.

AGRICULTURE AND IRRIGATION

Holbrook (Chairman), Calder, Miller, Wallace, Bowman, Holmgren, Griffin.

APPROPRIATIONS AND CLAIMS

Maw (Chairman), Calder, Huggins, Miller, Shields, Bamberger, Booth, Griffin, Keyser.

BANKING AND COMMERCE

Wallace (Chairman), Bamberger, Fennell, Huggins, Bowman, Jefferson, Keyser.

EDUCATION

Miller (Chairman), Fennell, Huggins, Musser, Candland, Day, Griffin.

FISH AND GAME

Neslen (Chairman), Calder, Patterson, Wallace, Holmgren, Keyser, Young.

HIGHWAYS

Fennell (Chairman), Bamberger, Holbrook, Shields, Bowman, Day, Jefferson.

JUDICIARY

Huggins (Chairman), Miller, Patterson, Shields, Candland, Hunt, Young.

MINING AND SMELTING

Patterson (Chairman), Fennell, Musser, Neslen, Booth, Hunt, Keyser.

PUBLIC INSTITUTIONS, HEALTH AND LABOR

Neslen (Chairman), Bamberger, Musser, Wallace, Day, Griffin, Jefferson.

REVENUE AND TAXATION

Shields (Chairman), Wallace, Fennell, Holbrook, Neslen, Candland, Day, Hunt, Jefferson.

REVISION AND ENROLLING

Miller (Chairman), Holbrook, Young.

RULES AND CONTINGENT EXPENSES

Musser (Chairman), Maw, Booth.

STATE AND MUNICIPAL AFFAIRS

Bamberger (Chairman), Calder, Neslen, Patterson, Booth, Holmgren, Hunt.

The President assigned the Proposed Revised Code Titles to the following Standing Committees for consideration and report.

(1)

AGRICULTURE AND IRRIGATION

Title 2	Title 95	Title 100
Title 3	Title 96	

(2)

APPROPRIATION

Title 8	Title 50	Title 91
Title 10	Title 87	Title 97
Title 11	Title 90	

(3)

BANKING

Title 43	Title 53	Title 7
Title 44	Title 73	

(4)

EDUCATION

Title 14	Title 63	Title 75
Title 41	Title 68	Title 98
Title 51		

(5)

FISH AND GAME

Title 24	Title 31	Title 32
Title 30		

(6)

HIGHWAYS

Title 4	Title 57	Title 77
Title 36		

(7)

JUDICIARY

Title 1
Title 5
Title 6
Title 13
Title 16
Title 19
Title 20
Title 21
Title 23
Title 27
Title 28
Title 29
Title 33
Title 38
Title 40
Title 45
Title 46
Title 47
Title 48
Title 52
Title 60
Title 61
Title 64
Title 65
Title 69
Title 70
Title 78
Title 81
Title 82
Title 88
Title 92
Title 99
Title 101
Title 102
Title 103
Title 104
Title 105

(8)

PUBLIC INSTITUTIONS, HEALTH AND LABOR

Title 9
Title 12
Title 35
Title 37
Title 42
Title 49
Title 56
Title 72
Title 85
Title 86
Title 89

(9)

REVENUE AND TAXATION

Title 66
Title 79
Title 80
Title 93

(10)

STATE AND MUNICIPAL AFFAIRS

Title 15
Title 17
Title 18
Title 25
Title 26
Title 39
Title 54
Title 62
Title 65
Title 67
Title 74
Title 76
Title 94

(11)

MINING AND SMELTING

Title 22	Title 58	Title 83
Title 34	Title 59	Title 84
Title 55	Title 71	

On motion of Senator Shields the President appointed a committee consisting of Senators Shields and Candland to confer with the House as to the procedure now to be followed in relation to the operation of Joint Committees in discussing titles of the Revised Code, and report back to the Senate.

On motion of Senator Bamberger any persons requesting to be heard on any subject which does not fall under a title already assigned to a committee, shall reduce their request to writing and the President shall then assign their request to an appropriate committee.

On motion of Senator Huggins the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January, 6, 1933.

Senate called to order at 2:00 p. m. President Fowles in the chair.

The President referred the Drainage and Irrigation District Laws to the Committee on Agriculture and The Uniform Land Registration Act and The Uniform Written Instruments Act to the Committee on Judiciary.

COMMUNICATIONS

The Prudential Insurance Company of America.
Salt Lake City, Utah,
January 5, 1933.

To the Honorable President of the Senate:

With reference to the recent report of the Code Committee appointed for the purpose of revision, clarification, consolidation, and reclassification of the statutes now in force, it is observed that the Code Committee has not been strictly confined to the work implied by the Enabling Act. Material changes have been made in the present law affecting insurance.

As a joint committee representing the Utah Association of Life Underwriters and the Utah Life Managers Club, we respectfully request that we be heard concerning these changes before the codification of your Committee is adopted.

We have reference to Sections:

43-3-7 of the new Code (in its present form it is section 1135 Compiled Laws 1917, as amended by Chapter 27 of the Laws of 1921.)

43-3-29 (which purports to be a consolidation of Sections 1158 and 1173 of the Utah Code of 1917.)

43-3-33 of the new Code.

Very truly yours,

W. S. PAYNE, Chairman,
318 Kearns Bldg.,
Wasatch 2656

Communication referred to Committee on Banking.

Utah State Federation of Labor
Salt Lake City, Utah
January 4, 1933.

Hon. Mr. J. Francis Fowles,
President of the State Senate,
State Capitol Bldg.,
Salt Lake City, Utah.

Dear Sir:

Under date of December 21st, 1932, we addressed a communication to each member of the Legislature, in which we registered our protest against deleting Section 3161 of the Compensation Law.

Since addressing this communication to the members of the Legislature, we have made a very careful and detailed study of the revised code and we are of the opinion that in view of Section 81, Title 42 of the Revised Code, (which reads in part as follows: "No court, except the Supreme Court, shall have jurisdiction to review, reverse or annul any award of the commission, or to suspend or delay the operation or execution thereof.") and also in connection with Sections 24 and 33, Title 42 of the Revised Code, we wish to withdraw our objection to the deletion of Section 3161. We will not ask to be heard regarding this matter.

Will you be kind enough to have this communication read to the members of the Senate?

Yours very truly,

UTAH STATE FEDERATION OF LABOR,

GEO. A. YAGER,
Secretary.

Communication referred to Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah.
January 6, 1933.

Mr. President:

We, your Special Committee, on joint committee procedure, respectfully report, that we have met with a similar committee from the House, and are informed that the house has not yet appointed their standing committees, but will be ready to proceed at 2 o'clock.

Respectfully,

DAN B. SHIELDS,
Chairman.

Report filed.

COMMUNICATION FROM THE HOUSE

HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah,
January 6, 1933.

Mr. President:

I am instructed to inform your Honorable Body that the speaker has appointed Mr. Lamoreaux, Mr. Henderson, Mr. Jarvis, as a committee to inform you that the House has appointed and approved its standing committees and are ready to cooperate with like committees from the Senate.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Shields the Committee of Chairmen of Joint Course on Procedure composed of the Chairmen of the Standing Committees proceeded to the House

to confer with a like committee from the House on further proceduce with reference to controversial questions presented in consideration of the proposed code revision.

REPORT OF SPECIAL COMMITTEE

Committee of Chairmen of Joint Course on Procedure.

Mr. President:

We, your Committee of Chairmen of Joint Course on Procedure, beg leave to report that we have set the following formal hearings on questions and have arranged the following:

PROGRAM OF PUBLIC HEARINGS ON CONTROVERSIAL QUESTIONS

COUNTY MUTUAL FIRE INSURANCE

House—Insurance Senate—Banking

Monday, 9:30 a. m. Room 303.

MUTUAL FIRE

House—Insurance Senate—Banking

Tuesday, 2 p. m. Room 303

AGRICULTURAL CONTROVERSY

Farm Bureau (Title 80)

House—Revenue and Tax Senate—Revenue and Tax

Monday, 2:30 p. m.

Farm Bureau (Title 18)

House—Corporation Senate—State and Municipal Affairs

Tuesday, 9:30 a. m.

Farm Bureau (Title 2)

House—Agriculture Senate—Agriculture

Tuesday, 9:30 a. m.

CITY AND COUNTY AUDITORS

House—Corporation Senate—State and Municipal

Both Judiciary Committees

Monday, 11 a. m. Room 303.

IRRIGATION AND DRAINAGE

House—Irrigation Senate—Agriculture

Tuesday, 2 p. m. Room 303.

UNIFORM COMMITMENT

House—Mental Hospital Senate—Public Institution

Tuesday, 2:30 p. m. House Lounge.

UNIFORM WRITTEN INSTRUMENT ACT

House—Judiciary Senate—Judiciary

Wednesday, 11 a. m. Room 303.

RECIPROCAL INSURANCE

House—Insurance Senate—Banking

Tuesday, 3 p. m. Room 325.

Respectfully submitted,

DAN B. SHIELDS,
Chairman.

On motion of Senator Shields the report was adopted and filed.

On motion of Senator Wallace Senate Rule 75 subdivision 2, was amended to read "Appropriations and Claims, eleven members."

Senator Keyser moved that when the Senate adjourn it be until 11 o'clock a. m., Monday morning, January 9, 1933.

Motion carried.

On motion of Senator Shields the Senate adjourned.

SEVENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 9, 1933.

Senate was called to order at 11:00 a. m. President Fowles in the chair.

Roll call showed all senators present except Senators Musser and Young who were excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 9 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the fourth day and found it correct with minor amendments noted on the final copy.

Respectfully,

MRS. BURTON W. MUSSER,
W. H. GRIFFIN JR.

Report filed.

On motion of Senator Keyser the President appointed Senators Neslen and Candland to notify the Governor that the Special Session of the Twentieth Legislature would be ready to adjourn sine die at 11:50 a. m.

On motion of Senator Keyser the President appointed Senators Miller and Holmgren to notify the House that the special session of the Twentieth Legislature would be ready to adjourn sine die at 11:50 a. m.

On motion of Senator Bamberger the Senate recessed until 11:50 a. m.

A committee consisting of Representatives Cornwall, Ashton and Van Wagoner reported the House was ready to adjourn.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 9, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed under suspension of the rules, S. J. R. No. 2 by Mr. Holbrook "A JOINT RESOLUTION RELATING TO THE EXPENSES OF THE SPECIAL SESSION OF THE TWENTIETH LEGISLATURE," and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication Filed.

S. J. R. No. 2 was referred to the committee on Revision and Enrolling.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 9, 1933.

Mr. President:

Your Committee on Revision and Enrollment to which was referred S. J. R. No. 2 by Mr. Holbrook "A JOINT RESOLUTION RELATING TO THE EXPENSES OF THE SPECIAL SESSION OF THE TWENTIETH LEGISLATURE" reports the same back properly engrossed and enrolled for the signature of the President.

Respectfully,
GEORGE M. MILLER,
Chairman.

Report filed.

S. J. R. No. 2 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.

The Committee appointed to wait upon the Governor reported that they had informed the Governor that the Senate was ready to adjourn the Special Session and that he had no further communications to make.

The Committee appointed to wait upon the House reported that they had informed the House that the Senate was ready to adjourn the Special Session and that they had no further communications to make.

COMMUNICATION TO MRS. CALVIN COOLIDGE AND FAMILY

UTAH STATE SENATE,
State Capitol,
Salt Lake City, Utah, January 9, 1933.

Mrs. Calvin Coolidge and Family,
Northampton, Mass.

The Members of the Twentieth Session of the Legislature of the State of Utah offer their sincere sympathy in your great bereavement.

J. FRANCIS FOWLES,
President of Senate,

I. A. SMOOT,
Speaker of House.

On motion of Senator Huggins the Special Session of the Twentieth Legislature adjourned sine die.

SENATE JOURNAL

TWENTIETH SESSION

FIRST DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 9, 1933.

The elected Senators of the Twentieth 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 by the Chaplain.

Roll Call—All Senators present.

Senator Bamberger moved that J. Francis Fowles be elected President of the Senate by acclamation and that the following named persons be elected as officers, and employees:

Secretary ..... Lynn S. Richards
Docket Clerk ..... G. Harold Felt
Minute Clerk ..... LeRoy Drushal
Clerk ..... Heber L. Cummings
Sergeant-at-Arms and
Chaplain ..... Spencer W. Madsen
Messenger ..... Julian Siegel
Mailing Clerk ..... Edna Simms
Doorkeepers ..... W. J. Page, Seth Perry,
Chas. J. E. Gulbransen, John Nilsen

Committee Clerks .....Mrs. E. R. Laraway,
Miss Mel Taylor, Erma McBeth,
J. O. Smith, and Marjorie Fowles

Motion carried.

On motion of Senator Bamberger, the rules of the Special Session were adopted until the report of the Rules Committee be made.

The chair appointed Senators Wallace and Griffin to escort President Fowles to the chair.

President Fowles expressed his appreciation of the honor conferred upon him and asked for the support of the Senators in the proper conduct of the duties of his office.

On motion of Senator Keyser a vote of thanks was extended to Secretary of State Milton H. Welling.

On motion of Senator Booth the President appointed a committee of three senators consisting of Senators Musser, Day and Young to notify the House that the Senate is organized and ready for business.

On motion of Senator Booth the President appointed a committee consisting of Senators Holbrook, Bowman and Miller to act with a like committee from the House to notify the Governor that the Legislature is organized and ready to receive any communications.

A committee of three from the House consisting of Representatives Lund, Erickson and Rich reported that the House is organized and ready for business.

Senator Huggins moved that the Senate adopt the report of the Special Joint Committee on Procedure of the Special Session with reference to the consideration of the Legislative Code subject to the following amendment: that beginning with the word "and" on the fourth line in the last paragraph of said report the balance of the paragrap be stricken.

Motion carried.

On motion of Senator Huggins the President appointed a committee consisting of Senators Shields and Keyser to inform the House that the report of the Joint Committee on Procedure has been amended by striking after the word "and" in the fourth line of the last paragraph, the balance of the paragraph.

Senator Holbrook reported that the Committee appointed to wait upon the Governor with a like Committee from the House have advised the Governor that both Houses are organized and beg to report back that the Governor will deliver his message to the Legislature on Wednesday, January 11, at 2:00 p. m. The Governor requests that no bills, resolutions or memorials be introduced in the Legislature until after the receipt of his message.

Report adopted.

Senator Bamberger moved that when the Senate do adjourn it be until Wednesday, January 11, 1933, at 1:30 p. m.

Motion carried.

President Fowles announced that the personnel of all standing committees appointed in the special session shall continue with the additional assignments and duties of the special session. The personnel of the two following committees shall be changed as follows:

Appropriations and Claims—Maw (Chairman), Calder, Huggins, Miller, Shields, Booth, Griffin, Keyser, Holbrook, Hunt and Neslen.

Fish and Game—Calder (Chairman), Patterson, Wallace, Holmgren, Keyser, Young and Bamberger.

On motion of Senator Huggins the Senate adjourned.

THIRD DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 11, 1933.

The Senate was called to order at 1:30 p. m. President Fowles in the chair.

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

Prayer by the Chaplain.

Senator Shields moved that the report of the Special Committee on Procedure be considered before the Senate.

Motion carried.

COMMUNICATION FROM THE HOUSE

HOUSE OF REPRESENTATIVES
State Capitol,
Salt Lake City, Utah. January 10, 1933.

Mr. President:

I am instructed to inform your Honorable Body that the House has adopted the report of the special committee on procedure as outlined on page four of the House Journal for the third day of the Special Session and does not care to make any amendments of that report at this time.

Respectfully yours,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the report of the Joint Committee on rules of Joint Procedure of the Code was referred back to that committee for further action.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 11th, 1933.

Mr. President:

We, your Committee on Agriculture and Irrigation report that we have had no requests for changes in Title 96, (Trading Stamps), and recommend that it be adopted as written.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

On motion of Senator Holbrook, the committee report was adopted.

The President appointed Senators Wallace and Holmgren to revise the Journal for the first and third days.

On motion of Senator Shields the President appointed Senators Musser, Fennel, and Young to act with a like committee from the House to wait upon the Governor and advise him that the Senate is ready to meet in Joint Assembly and to escort him to the House Chamber.

COMMUNICATION FROM THE HOUSE

HOUSE OF REPRESENTATIVES
State Capitol,
Salt Lake City, Utah, January 11, 1933.

Mr. President:

I am directed to inform your Honorable Body that Representatives, Mrs. Bosone, Mrs. Harris and Mr. Killian, 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 might have to make.

Respectfully yours,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Communication from Ernest C. Rossiter, manager of Temple Square Hotel, was read extending the use of the Hotel's committee rooms to the members of the Legislature. The offer was accepted with thanks and the Secretary directed to so advise.

COMMUNICATIONS

UNION PACIFIC SYSTEM
Salt Lake City, Utah, January 10, 1933

Legislation—
Hon. Frank Fowles,
President of the Senate
State Capitol Building
Salt Lake City, Utah

Dear Frank:

We would like to have a hearing on Titles 27 and 57 of the proposed new code, on the subject of motor vehicles.

Yours very truly,

ROBT. B. PORTER.

Referred to the Committee on Highways.

PROCLAMATION

On Friday, February 3, 1933, the first Interstate Conference of Legislators will convene in Washington, D. C., to discuss problems of conflicting taxation and to consider means for cooperation between the States in dealing with each other and with the Federal Government in respect thereto.

This notice and invitation is presented to The President of the Senate of the State of Utah for official consideration of this body.

The Senate and the House of Representatives of each of the forty-eight States is entitled and is urged to send a delegate, and the Governor of each State is invited to send an adviser to represent him.

A prompt response to this invitation is cordially invited.

THE AMERICAN LEGISLATORS' ASSOCIATION
WM. B. BELKNAP, (Kentucky),
President,
E. WOODWARD (Penna.)
Vice President,
SEABURY C. MASTICK,
(New York),
Vice President,
HENRY W. TOLL (Colorado),
[SEAL] Director.

Referred to Committee on State and Municipal Affairs.

On motion of Senator Bamberger the Senate recessed and proceeded to the House Chamber, where both the Houses met in Joint Assembly. President Fowles in the chair.

JOINT ASSEMBLY

Roll call showed a Quorum of both Senate and House members present.

Prayer by the Chaplain of the Senate.

The Joint Committee consisting of Senators Musser, Fennell and Young, and Representatives Bosone, Harris and Killian appointed to call on the Governor returned at 2:20 p. m. escorting Governor Henry H. Blood, who was greeted with standing applause.

He was introduced to the Joint Assembly by President Fowles and proceeded to read his message.

EXECUTIVE OFFICE,
STATE OF UTAH,

To the Members of the Twentieth Legislature of the State of Utah:

In fulfillment of a constitutional duty, which is accepted as a distinct privilege, I take pleasure in greeting you today in joint session, and placing before you briefly the condition of the State.

The dominant note of this message must be economy. If, as we progress, this theme finds frequent reiteration it will be by way of emphasis, because of its vital importance to the present and future interests of the State. There is nothing new in my presenting this topic. Many of my honored and distinguished predecessors have, with complete sincerity, given expression to thoughts similar to those now in my mind. But none has ever spoken when the necessity was so urgent as now. For never since statehood have conditions demanded such rigid application of this wholesome principle in the affairs of State government.

Members of the Legislature have come here with full understanding of conditions in the several counties and districts. You carry with you fresh knowledge of the will of the people in your localties. Collectively, therefore, you are presumed to be in possession of first-hand information as to the needs of the State. My responsibility, in this and succeeding messages, will be to present to you the facts and figures that may aid you in forming judgment as to where duty lies in matters of necessary legislation.

The public official who is able to feel the heartbeats of those who placed him in office, can come to no other conclusions than these:

FIRST: That there should not at this time be any unnecessary extension of governmental activities.

SECOND: That the operations of every board, commission, institution and organization which is supported wholly or in part by public funds should be carefully scrutinized for the purpose of maintaining a consistent program of retrenchment.

I present these two statements for your consideration, and suggest that they be kept as underlying principles for your every action during this session.

Our State government must accept the leadership in inaugurating sound economies in the use of the tax dollar. We should do this because it is a necessary stand for the State to take, and also because of the example to local taxing units within the State. The best practical means of carrying out such a necessary program is to live within available revenues. We cannot continue to heap burdens upon ourselves or upon the future in order to satisfy demands for public activities that do not represent actual, imperative, present necessities.

However, the tendency of mankind under great provocation is to resort to extreme measures. This is not the part of wisdom. Even in our present condition, we should not be led to the point of doing irreparable damage to cherished and necessary institutions. Economy should not be construed as a call or a pledge so far to cut into personnel as to make impossible orderly functioning of government, or so to reduce compensation as to make it impossible to secure the valuable services of competent and capable and experienced public officials. Either of these extremes might be found to be the very reverse of true economy.

In this message I shall not attempt to discuss fully the financial affairs of the State. These questions, in the main, will be dealt with in a subsequent message which I hope to present at the time the State budget is submitted. It must suffice for the present that some urgent matters relating to immediate financial adjustments be presented, so that they may receive your early consideration.

FINANCIAL

As a background for consideration of the present financial condition of the State general fund, there are submitted some detailed statements prepared by the State Auditor, as required by law.

STATEMENT SHOWING ESTIMATED FINANCIAL CONDITION OF THE STATE GENERAL FUND AS OF JUNE 30, 1933.

Assets

Balance in General Fund, July 1, 1932		$ 768,445.39
Amount due from 1932 Taxes:		
Estimated Valuation of $575,400,000.00		
Rate, 2.3 mills	$1,323.420.00	
Less 17% loss in collections	224,981.40	1,098,438.60
Estimated receipts from Tax Sale Redemptions, Interest and Costs and reported Uncollectibles Collected		$ 73,000.00
Interest Redemption Fund Investments		260,000.00
Inheritance Taxes		135,000.00
Cigarette Stamps and Licenses		162,500.00
Interest on State Funds		50,000.00
Fines, Forfeitures and Reporters' Fees		20,000.00
Fees State Officials		365,000.00
Premium Taxes and Agents' Fees		15,000.00
Filing Fee		115,000.00
Corporation Franchise (minimum tax)		70,000.00
Miscellaneous Fees		3,000.00
Estimated General Fund Deficit		1,925,216.01
Total		$5,060,600.00

Liabilities

Balance General Fund Appropriations running to June 30, 1933	$3,252,600.00	
Less estimated amount to lapse	175,000.00	$3,077,600.00
Estimated Deficits to be allowed by Board of Examiners		83,000.00
Estimated Deficits to be allowed by Legislature		150,000.00
Estimated Cost Twentieth Legislature (1933)		50,000.00
Temporary Loans Outstanding		1,700,000.00
Total		$5,060,600.00

ESTIMATED REVENUE FOR GENERAL FUND APPROPRIATION JULY 1, 1933, JUNE 30, 1935

1933 Assessed Valuation	$	550,000,000.00
1934 Assessed Valuation		550,000,000.00
Total		$1,100,000,000.00
Levy 2.3 Mills for State General Fund—1933	$	1,265,000.00
Levy 2.3 Mills for State General Fund—1934		1,265,000.00
Total	$	2,530,000.00
Less 17 per cent Uncollectible and Delinquent		430,100.00
Total	$	2,099,900.00
Estimated Receipts from Tax Sale Redemptions, Interest and Costs and Reported Uncollectibles Collected		139,150.00
Estimated Taxes Due General Fund for Biennium	$	2,239,050.00
Interest Redemption Fund Investments		550,000.00
Inheritance Tax		250,000.00
Cigarette Stamps and Licenses		325,000.00

Interest on State Funds	100,000.00
Fines, Forfeitures and Reporters' Fees	40,000.00
Fees State Officials	725,000.00
Filing Fee	235,000.00
Corporation Franchise (minimum tax)	150,000.00
Premium Taxes and Agents' Fees	27,500.00
Miscellaneous Sources	5,000.00
TOTAL ESTIMATED GENERAL FUND REVENUE	$ 4,646,550.00

These statements show that the State Auditor estimates a deficit in the State general fund as of June 30, 1933, in the amount of $1,925,216.01. He also estimates revenues, based on existing law, for the next biennium of $4,646,550, or for each fiscal year $2,323.275. Obviously, therefore, the deficit will absorb a full year's revenue within about $400,000.

Average biennial legislative appropriations for several years prior to 1931 were about $5,500,000. The 1931 Legislature appropriated $6,465,616.21. The difference is accounted for by reason of a law in effect before 1931 which allocated 28 per cent of the total general fund revenue to the University of Utah, the Utah State Agricultural College and the Branch Agricultural College at Cedar City. This 28 per cent went to those schools without appropriation by the Legislature. The law was repealed in 1931, and the Legislature of that year appropriated the amount to those schools, thereby adding about $900,000 to the total appropriation.

Comparing the appropriation of 1931 amounting to $6,465,616.21 with the estimated available revenue for the biennium commencing July 1, 1933, it will be seen that this Legislature, in order to balance the budget, must limit appropriations to not more than $4,646,550, or $1,819,000 less than the appropriation made by the 1931 Legislature.

This Legislature must also take care of the estimated deficit of nearly $2,000,000.

The search for a way to meet the critical situation leads us into the field of State bonds. The total bonded debt of the State as of June 30, 1932, was $10,510,000, against which was a sinking fund accumulation of $5,875,000, or a net bonded indebtedness of $4,635,000. Inasmuch as the net bonded debt in 1922 was $9,060,000, and in the meantime $1,410,000 of new State building bonds have been issued, the State has reduced its bonded debt $5,835,000 in the past ten years. This is a creditable record.

The activities of the State cannot be curtailed to a point necessary to absorb the general fund deficit, for to do this would make necessary almost complete suspension of the State business in all its ramifications. The only other apparent alternative is the issuance of bonds to absorb this deficit. Your consideration is invited to the following plan:

That the Legislature authorize the issuance of $1,000,000 general fund deficit bonds, to be due serially and to mature at a time not longer than ten years from date of issuance. It is suggested that the first maturity begin April 1, 1935. To make up the difference of the deficit, it is further suggested that there be issued $1,000,000 of refunding bonds to refund the tax anticipation notes which become due and payable January 31, 1933, the maturities of these refunding bonds to be the same as outlined for the general fund deficit bonds.

It is extremely desirable that the $1,000,000 of refunding bonds be authorized early enough to take up the tax anticipation notes at the end of the present month and thus avoid the possibility of the State impairing its credit by default, either in payment of interest or principal.

I earnestly recommend these bond issues in the total amount of $2,000,000 and respectfully suggest your prompt action.

TAXATION

Several changes in existing tax laws seem necessary. Some of the more important items are here presented:

Prior to the creation of the State Tax Commisison, existing laws specified that certain taxes be collected by various State departments. The administration of the motor vehicle registration and gasoline tax laws was with the Secretary of State, the cigarette and oleomargarine taxes with the State Treasurer, the inheritance tax with the Attorney General, the tax on automobile corporations operating for hire with both the Public Utilities Commission and the State Treasurer, and the insurance premium tax with the Insurance Commissioner.

To avoid any possibility of confusion or jeopardy of State revenues, a plan was adopted whereby the collection of the taxes mentioned remained temporarily with the various departments, the Tax Commission by resolution appointing these departments its agents for this purpose. The proposed revision of statutes which you are now considering rightly proposes to place the administration of all of the above laws with the Tax Commission.

Article 13, Section 7 of the Constitution provides that the State shall assist in financing the public schools by levying .2 mills for high schools; and a levy large enough for district schools which, when added to the land interest and rental funds, and other funds, shall equal $25 for each person of school age in the State; and in addition an equalization fund of not to exceed $5 per capita of school population to be provided as the Legislature shall decide. The Nineteenth Legislature enacted a law providing that the equalization fund should be secured from a general tax on property of $1 for the school year 1932-33, $2 for the school year 1933-34, $3 for the school year 1934-35, $4 for the school year 1935-36 and $5 for each school year thereafter, for every person of school age in the State.

For the year 1932 a levy of .26 mill was placed on all taxable property in the State to raise the $1 equalization fund. If the present law remains unchanged, and successive levies are based on the present assessed valua-

tion, with no increase assumed in school population, there will be a progressive increase year after year in the property tax for this specific purpose, the required levies being estimated at .54 mill for 1933, .81 mill for 1934, 1.09 mills for 1935, and 1.36 mills for 1936 and thereafter. But can we accept the assumption that assessed valuation will remain at the present figure, or that the school population will not increase during the years to come? Property valuations are shrinking and there are reasons to fear that the bottom has not been reached. As the assessment total declines, the levy must grow, because the revenue necessary to be raised by the tax is fixed. Likewise, experience shows that school population is steadily increasing and further upward trend may be expected. This will again make necessary higher and higher levies in order to furnish the fixed amount of school revenue required by law to be provided.

To prevent this threatened increased tax burden on property, it has been proposed that the equalization fund derive its revenues through some other method of taxation. Wisdom would dictate that if possible the already over-loaded property tax should be relieved. The alternative suggested, that of a selective sales tax on articles non-essential to public welfare, may encounter opposition from those who hold that a sales tax should not be imposed. In a limited way, however, it is now in operation in Utah, and has been found to be effective as a revenue producer. The sales tax on cigarettes has not proved to be seriously oppressive, and has met but little opposition. A similar tax on all forms of tobacco has been suggested. If adopted, the cost of administration would be proportionately reduced. By further broadening the scope of the sales tax there might be included various other non-essential articles. Indeed, the selective sales tax might be extended far enough to furnish a more stable source of general fund revenue, which may immediately be needed to provide interest and sinking funds for the bond issue that has already been proposed.

FILING FEE

The filing fee provision of the individual income tax law has met very determined opposition, and insistent demands have been made for its repeal. Some opponents seem to class it among nuisance taxes, which should be abolished. Others contend it is merely an additional tax, and therefore unfair.

The Tax Commission points out that under the Constitution, allocation of revenues derived from incomes must be made on the basis of 75 per cent to the State district school fund, and 25 per cent to the State general fund. Revenues received from filing fees are not subject to this limitation as to allocation, which leaves these fees to help bear the cost of administering the law. The following comment on the value of the filing fee to the general fund is made by the Tax Commission:

> "The cost of administration of the personal income tax and the corporation franchise tax during the eighteen month period from July 1, 1931, to December 30, 1932, exceeded $134,000, exclusive of the salaries of the members of the State Tax Commission, and while it is impracticable to accurately allocate such cost as between the two taxes, it is unquestionably true that the cost of administering the personal income tax accounted for substantially more than one-half of such total expenditures, and it is improbable that the cost of such administration can be materially reduced.
>
> "During the period from the inception of the tax to December 30, 1932, there was received from filing fees more than $119,000, and during the same period there was received from personal income tax, exclusive of filing fees, something over $130,000. It is therefore apparent that had the filing fee, as provided for in the Act, not been collected, but the revenues derived from the Act

been limited to revenues based upon income, the cost of administering the Act would in all probability have exceeded the proportion of the receipts which could have been allocated to the State General Fund, and that fund, so far from deriving benefit from the Act, would have been subjected to an additional burden because of it.

"Having in mind the constitutional requirement as to allocation of revenues based upon income, and having likewise in mind the immediate need of raising revenues, it is apparent that any proposal to do away with the filing fee should be approached with caution, and it may be that even should it be deemed inadvisable to permanently continue this feature of the Act, nevertheless it may be necessary, at least for the present, to continue it, and until by further amendment to the Constitution, provision is made for allocation of revenues upon the basis of net revenues instead of gross revenues."

I have thought best to give this detailed statement from those who are administering the tax law, so that there may be full understanding of the loss to the already over-strained general fund if the filing fee provision is repealed. The many pledges and demands for repeal may prevail. If this is the decision of the Legislature, I suggest that some provision be made at the same time to make up to the general fund for the loss.

INCOME AND FRANCHISE TAXES

The income tax and corporation franchise tax laws were enacted in 1931, but only one year's returns have been received. No definite conclusions can be arrived at as to how much revenue they will ultimately produce. The past year certainly would not be a safe guide because of the extreme financial depression. Nevertheless, enough

can be gleaned from the experience of this first year to show that early estimates of yield of individual income and corporation franchise taxes while fairly accurate based upon conditions when they were made, were later found to be very much too optimistic because of general reduction of incomes. Not until economic conditions come back to somewhere near normal can it be hoped the returns will show much improvement.

These Utah laws are not perfect, but a good start has been made. Those who are demanding relief from the burden of taxation on property very naturally and rightly are turning toward this plan of raising funds. If there are inequalities in the present rate schedules which in the light of experience might be corrected, this should be done. The present rates are certainly not burdensome and can be adjusted to meet demands.

Much has been said about the property tax offset provisions of the tax laws. The Tax Commission has submitted the following in regard to this matter:

> "If the offset provisions in the above mentioned Acts had not been in operation during the calendar year 1932, there would have been available for a reduction in the property tax an additional $152,993, which under the present arrangement was allowed as a deduction from the income tax. We believe that it is sound public policy to abolish the offset provision in both of these Acts, in order that a greater reduction can be given in all property taxes throughout the entire state."

This recommendation I pass onto you for your consideration.

REORGANIZATION OF STATE GOVERNMENT

It is my judgment that a careful study should be made of the present organization of the State government

to ascertain if it can be more economically conducted. The problem should be faced courageously and intelligently, and in a wise, dispassionate and impartial manner.

In suggesting this study it is distinctly not my thought that ex-officio boards and commissions can or should replace those now functioning. Experience has been sufficient to indicate that elected officials cannot successfully conduct the important and far-flung activities of the various busy departments of State government, without neglecting the primary duties they are already required by law to perform.

I recommend the appointment of a joint committee of the Senate and the House to act with appointees of the Governor, which joint committee shall be requested to give careful and, so far as time permits, exhaustive study to the present state governmental set-up, and to report to the Senate and House and to the Governor their findings and recommendations not later than January 31, 1933, for such action as this Legislature shall think proper to take.

EDUCATION

Since the first settlement of Utah, the people of this State have made heroic sacrifices to foster education and as a consequence our educational standards compare well with those of any other state.

The business of public education from the standpoint of expenditures is the largest State activity. Over fifty per cent of the total property taxes of the State, levied by its several taxing units, is applied to this purpose. The following table indicates the amount of property taxes devoted to education and the amount applied to all purposes including education. The tabulation covers a period of 15 years. Special fees, tuition and other income secured by educational institutions and used by them are not included.

Year	Property Taxes Applied To All Public Schools	Property Taxes Applied To All Governmental Units of State
1916	$ 4,350,239	$ 8,857,095
1917	5,375,215	10,699,492
1918	5,886,575	11,721,097
1919	6,712,184	13,943,165
1920	9,048,885	18,311,967
1921	9,527,009	18,153,589
1922	8,864,952	17,183,949
1923	9,263,150	18,068,574
1924	9,509,633	18,182,062
1925	10,187,380	19,178,270
1926	10,712,186	19,868,443
1927	10,741,909	20,192,362
1928	10,837,976	20,003,484
1929	11,367,752	21,283,358
1930	11,702,574	21,470,736
	$134,087,619	$257,117,643

The problem today is how to keep in place the educational standards which have been set so high, when on every hand there is a drying up of the springs of revenue that have nourished these and other activities of the State. In attempting a solution of this problem we are confronted by the cold fact, that, as a State or as individuals, we cannot continue to purchase and enjoy luxuries or even necessities for which we cannot pay. This is axiomatic.

Almost without warning, conditions affecting every fibre of our State life have changed. This situation will not be permanent, but while it is here it must be faced and readjustments made in educational activities to suit the changed conditions of income. These changes should be brought about in a manner that will be least harmful to the educational structure. Educators should be the first to recognize the need and meet it.

All are agreed that the essentials of our educational system must be preserved. Next to providing for the physical welfare of the youth of the land comes the necessity of equipping them mentally to take their places in performing the work of the world. Few begrudge the

money spent for education, so long as it is wisely handled. But in the present severe emergency there should be extra care taken to make certain every activity is essential. If there are "frills" they should be abolished. The rule should be in education as in other State activities—expenditures should be pared to the ultimate possible limit. Educational boards and administrative officers should willingly subscribe to the policy of rigid economy.

BANKING

The importance of sound banking to the State and to every community therein cannot be over-emphasized. The serious events of the past two years have served to bring this forcibly home to all of us, and I particularly commend to your careful consideration the question of what may be done by legislation, to strengthen and fortify our banking system.

Banking is more than a business for the benefit of the stockholders of the institution. When a bank becomes a depository for the savings of the widow or orphan it assumes a trust that is sacred. The State Bank Commissioner exercises a supervision over all State banks, that all funds may be safeguarded as carefully as possible. His hands should be strengthened and upheld. He should have at his disposal a staff of trained experts who can do constructive work in counseling and working closely with going institutions. With special reference to smaller banks, he can be of assistance to the officers in the proper administration of their duties. A spirit of friendliness and co-operation must be built up between the banks and the office of the Commissioner, so that any bank feeling the need of counsel or advice will without hesitation call for assistance. Advice on approaches to Federal credit, and selection of assets to be hypothecated for that credit, should be very helpful. In other words the major activities of the Bank Commissioner should be to prevent disaster, rather than to take charge when it is too late to save the institution.

Some twelve years ago a radical change was made in our laws regarding the liquidation of closed banks. It was the purpose of such legislation to reduce the expense and to expedite the work of liquidating such banks, and it was hoped that the legislation would result in larger and speedier distributions to depositors than had theretofore been customary.

In practical operation of the law, however, certain defects have become apparent. The extent of the authority of the State Bank Commissioner is not clearly defined. Questions have arisen as to what actions of the Commissioner are subject to supervision of the courts. It would appear desirable to make such changes in these laws as will remove these ambiguities, and so far as may be possible insure further economies and greater efficiency in the liquidation of banks.

I call to your attention the importance of so amending the law as to permit the Bank Commissioner, or the liquidating agent with his approval, to borrow money from the Reconstruction Finance Corporation, and for such purpose to pledge all or any part of the assets of the closed bank. It has been determined by the Utah Supreme Court that present laws do not permit of such borrowings upon the terms required by the Act creating the Reconstruction Finance Corporation, and accordingly it has been impossible for Utah to realize the full benefits afforded by the Reconstruction Act.

The laws of our State permit the organization of trust companies and also permit banks, under certain conditions, to exercise trust powers. The extent of the responsibility of banks exercising trust powers is not clearly defined, and very few restrictions are placed upon their operations.

I am advised that the Federal Reserve Board, in its Regulation F, very clearly defines the powers and duties of banks acting as trustees, and prescribes regulations for keeping records, and care and investment of trust funds. That regulation, or as much thereof as may be applicable, might well be incorporated in our laws.

CHANGED BANKING PRACTICE

I have been advised by representatives of the Utah State Bankers' Association, that, with the concurrence of substantially all the members of that Association, it has been determined, effective July 1, 1933, to discontinue the furnishing of specific security by surety bond or pledge of collateral on deposits of public funds; to discontinue the payment of interest on such deposits, except where interest would under clearing house rules or ordinary practice be payable on similar deposits, and to impose service charges upon public deposits comparable to the service charges imposed on private deposits. Such information was conveyed to me in order that the attitude of the banks of this State might properly be presented in time for consideration by this Legislature, and that such action might be taken as is deemed appropriate.

I am further informed by representatives of the Utah State Bankers' Association that in their opinion the practice heretofore of preferring public deposits with respect to security, interest payments, and service charges, is inequitable and has operated to the disadvantage of the great mass of individual depositors in banks.

Should the banks adhere to the terms of the above notice, and should it be the desire of the State to deposit public funds in Utah banks, it will be necessary to amend that section of the statutes having to do with furnishing of security by surety bond or pledge of collateral, and that section having to do with interest on daily deposits.

The urgency of this matter causes me to suggest that the appropriate committees of both Houses be requested promptly to contact the responsible heads of the Utah Bankers' Association and thereafter take such action as seems necessary. It is hoped that modification of the terms of the proposal may be secured.

STATE ROADS

The State road system is composed of 4120 miles, which represents the most important highways in the

State. At present 365 miles have been paved with some type of hard surface, 800 miles have received a semi-permanent oil treatment; 1400 miles have been graded and graveled, 1120 miles have been graded only, and the remainder of 435 miles is as yet unimproved. The patriotic support of the people of the State in this activity, together with the generous help of the Federal government, has made this highway development program possible.

Federal Aid for highways as a national policy has been in effect in modern times since 1916. At the present time there is grave concern that Congress will not authorize any additional appropriations for this purpose. This gesture to discontinue Federal Aid is a very serious thing and will result, if put into effect, in slowing up all highway development in this State.

There is now pending before the House, Senate Bill No. 36, passed at the last session of Congress, authorizing the normal annual amount of Federal Aid. I urge upon this Legislature the advisability of memorializing the President and Congress, urging the passage of this bill or the equivalent House measure.

During the past two years especially, road activity in this State has been greatly accelerated. This has been made possible by action of Congress in allotting to Utah a total of $2,300,000 of emergency relief funds for the two years 1931-32. This was in addition to about $1,400,000 regular Federal Aid funds each year. With these increased Federal funds and the usual State funds at the disposal of the Commission, a very extensive program of unemployment relief has been in progress. This has furnished employment and stimulated business generally. These activities have been under way in every nook and corner of the State.

As an example of this widespread activity, the experience during the month of November, 1932, might be cited. Records indicate that there were during that month 10,174 men employed on State road work and these

men earned during that month $259,283. During the last five months of the year 1932, 28,875 names appeared on the payrolls of the Commission and a total of $877,218 was earned. This indicates the value of the rotation principle, whereby men worked but a week or two at a time, thus placing available funds in as many hands as possible. The above figures do not include the large number of men employed by contractors on the major Federal Aid construction program of the Commission. This larger construction program, in addition to furnishing unemployment relief to other large numbers of men, placed in the channels of business in this State millions of dollars. Similar activity to that above detailed was carried on during the year 1931.

Previous to 1923, the entire burden of maintenance of the State highway system, together with the matching of Federal Aid, was carried by taxes on property. The Legislature of that year authorized a gasoline tax of 2½ cents which was increased to 3½ cents in 1925 and to 4 cents in 1931. In 1926 the entire burden of maintenance was lifted from the property tax and some of the less populous counties, where it is impossible to raise necessary funds to match Federal Aid, were helped with construction.

January 1, 1932, the Commission was able to relieve all the counties from participating in construction or maintenance on the 7 per cent Federal Aid system which represents approximately half of the total State road system. During the past year, on roads off the Federal system, the counties have been asked to participate in construction work.

The Commission by resolution in December, 1932, took action entirely relieving the counties of the State from the necessity of levying taxes on property for State road construction and maintenance.

The consummation of this policy of placing the entire burden of State road construction and maintenance on motor vehicle revenue is held sound by highway econo-

mists throughout the country, and has been made possible because of the wise actions of past Legislatures in holding the gasoline tax in one fund for expenditure by the State Road Commission, and in refusing to divert it to other purposes or to provide exemptions. I cannot too strongly commend to you a continuation of this policy.

NON-PARTISAN JUDICIARY

The American system of government has in it the necessary machinery for making changes whenever they are considered expedient. Conservatism prevents too frequent or too radical overturning of established order. The right to name officials by vote is inherent in our citizenship, and we willingly surrender it only when we are convinced such action will aid the security and afficiency of government.

For years, there has been agitation for some change that will keep the election of judges out of politics. Fundamental in an efficient government is a capable, honest and independent judiciary. Partisan politics and party affiliation are strangers to matters judicial, and a judicial mind is unhappy in an atmosphere of partisanship. The opinion is almost unanimous that the judiciary should be removed from political affairs. The difficulty arises when the problem of procedure, method and form of selection is approached.

Many attempts have been made more or less successfully to meet this condition, but no two states seem to have hit upon the same method. In Utah the placing of names on a headless ballot has been proposed, but never adopted. This could be made promptly effective, without constitutional amendment. A similar plan, combined with a provision for interchange of positions of the several candidates on the ballot, has been suggested. In both cases the thought is that voters will be forced to choose men and not party.

The Utah Bar Association, through a capable committee appointed for that purpose, has made a careful

study of this whole subject and of the various methods used in several states and has arrived at definite conclusions which are contained in a report recently made to the Bar Association. The plan as I understand it involves the amendment of Sections 2 and 5 of Article VIII of the State Constitution.

I recommend that these and other plans be given the careful study the importance of the subject justifies, and sincerely hope the action of this Legislature will mark a forward step toward accomplishing the purpose so long desired.

NON-PARTISAN SCHOOL ADMINISTRATION

For many years agitation has been rife to secure non-partisanship in school affairs. A joint committee acting for the Utah Education Association, the School Boards' Association, and the Society of County Superintendents, is working on a bill to be presented to this Legislature, the purpose of which will be to remove from politics the office of State Superintendent of Public Instruction.

I earnestly recommend favorable consideration of some measure designed to accomplish this purpose.

MOTOR VEHICLE REGULATION

The Nineteenth Legislature incorporated the uniform traffic code in the State motor vehicle laws. This legislation has demonstrated its value. Existing laws covering registration of motor vehicles, and control of traffic are generally proving satisfactory to administrative agencies and motor vehicle operators alike. It is suggested that consideration be given to some minor changes:

The provision of the traffic code having to do with legal load limits can be improved. The feature of the registration act allowing non-resident owners of commercial vehicles a 90-day free grace period should be amended by reducing or eliminating the grace period for this type of vehicle.

The Legislatures of 1925 and 1927 passed laws placing a tax on corporations operating motor vehicles for hire upon the public highways of the State. These laws as now written are unsatisfactory and should be amended. They provide for a tax on freight service of ⅔ of one cent per ton mile on hard surfaced roads and ¼ cent per ton mile on other roads; and for passenger service 2½ mills per passenger mile on hard surfaced roads and 1/10 mill on other roads, these taxes to apply to all those engaged in the business of hauling freight and passengers for hire between any two or more cities or towns in the State. These laws are defective in several features. The necessity of keeping accurate records of miles travelled, of types of roads, and of exact amount of each load, both passengers and freight, presents complications annoying and expensive to operators, and adds to the difficulty of enforcement. Other states have adopted as substitutes for the ton mile and passenger mile tax a percentage of gross revenue, and for passenger operation a fixed amount for number of passengers or passenger space. Attention is directed to the desirability of adopting other than present methods of levying this tax. In any case the different rates for various types of road should be eliminated, as construction and maintenance standards are now fairly uniform throughout the State, and are rapidly becoming more so.

Competent authorities are in doubt as to whether the present total charges against this class of transportation are high enough. The argument is that motor vehicles of this type are the most serious competitors of other forms of transportation and as a class are the most destructive to highways. Sound economics demands that they should bear their portion of the expense for building and maintaining the highways. These highways have been constructed with funds supplied by the general public and they should be operated in fairness to all. The motor vehicle operated for hire must be taxed in a measure proportionate to the damage it does the highway and this is made all the more necessary in order to deal fairly

with other transportation agencies which have in the past contributed generously to the building of highways, and which are seriously affected by the competition of these public carriers.

The present law excepts from taxation persons transporting their own property. An evil has grown up on account of this situation. Persons regularly engaged in intrastate and interstate hauling of merchandise are adopting the plan of acquiring or claiming title to their load, thus defeating the plain intent of the law.

I recommend that the motor transport law be appropriately amended.

RECLAMATION

Reclamation as a Federal policy is of vital interest to the development of the West. Utah is basically agricultural, but, due to lack of sufficient rainfall, successful cropping is dependent on irrigation. The completed reclamation projects are proving their worth, and the people of the State are staunchly behind the reclamation movement.

In view of the fact that there has developed in some quarters determined opposition to the Federal government remaining in this field, I recommend a joint memorial to the President and Congress urging a continuance of Reclamation activities.

SOCIAL LEGISLATION

I am advised that there will be presented to you for enactment bills that cover important matters of social legislation. I bespeak for each item in the comprehensive plan close and careful consideration. But here again, it is necessary to restate our theme of economy. These proposed laws, however desirable, should be scanned and weighed to ascertain whether or not their administration will add to the cost of government, and, if so, whether or not the State can afford to carry the financial load.

The proposed measures include provision for:

1. A five-day week and a six-hour day on all public works.

2. Wage scales in keeping with American standards of living.

3. Scientific unemployment and old-age insurance.

4. A minimum wage scale for women, and equal compensation with men for like service.

5. Unemployment relief.

6. Protection of women and children in industry.

7. Enlarged opportunity for vocational training and education.

8. A State anti-injunction law to conform to the Federal law.

DEPARTMENTAL REPORTS

Reports of the several officers, boards, commissions, departments and institutions forming part of the State government have been prepared and filed. They show that the business of the State has been entrusted to capable hands, and that in general efficient and intelligent work has been done. Time will not permit comment on each report, even though such consideration would be profitable. The documents are available to members of the Legislature at any time. I commend them to you as a source of reliable information.

FISH AND GAME

Because of widespread interest in sportsmanship, the State Fish and Game Department is able to present a report for the past biennium showing its financial condition to be satisfactory. This department is supported entirely by a special fund paid by the sportsmen themselves, and draws nothing from the general fund. Revenues have diminished, of course, and the construction program of the department has been halted, but the public may be assured that with progressive policies

in effect, the interests of those who contribute are being safeguarded. Amendments of the present law are needed to provide for game management that will prevent overcrowding of the range or allow congestion on any part thereof, and to strengthen certain enforcement features. These matters are recommended for your consideration.

I call attention to the danger to life of those who use boats on Fish Lake, Strawberry reservoir, Bear Lake, and other deep water bodies used by sportsmen. I recommend that the statutes be amended to require that all boats used on these bodies of water be equipped with life preservers or other safety devices, to prevent such tragedies as have occurred too frequently during the past few years.

PUBLIC HEALTH

It is pleasing to note that Utah ranks high among the States in health conditions. This is important during the present financial distress, because of the added burden resulting from sickness. The State Board of Health reports that in 1932, the communicable disease rate in the State was lower than ever before. Due to an intensive State-wide campaign against diphtheria, Utah claims a higher percentage of immunized children than any other State in the Union. Prior to 1907, the annual diphtheria death rate in Utah was 34 per 100,000 population. The rate fell during the period from 1907 to 1927 to 14; in 1928 to 3.1; in 1929 to 2.5; in 1930 to 2.4; and in 1932 to 1.7. The scarlet fever death rate per 100,000 of population was 22 for the years 1908 to 1911, inclusive, and 2.5 in the period 1928 to 1932, inclusive. The typhoid death rate was .9 per 100,000 in 1932, in which year only 5 deaths from this disease were reported in the State.

UNEMPLOYMENT

In common with all other States, Utah has a gravely serious situation to face in the matter of involuntary unemployment of thousands of its citizens.

It is not my purpose at this time to give details of the distressful situation, but it is pertinent to say that probably 12,000 families in Salt Lake County alone are now receiving some form of assistance from public or private sources. The situation is such all over the State that private charity and county poor funds have not been able to carry the load.

As stated when I was discussing Roads, the Federal Government has allotted to Utah, within the last two years, about $2,300,000 of Emergency Unemployment relief funds for expenditure by the State Road Commission. This money will soon be exhausted and there seems, at the moment, little chance for additional Federal appropriations of this kind.

Another important source of help has been the relief funds allotted by the Reconstruction Finance Corporation. Up to December 31, 1932, Utah had received $1,136,089 from this source, which was allotted to counties. An additional $862,500 has been approved by the Reconstruction Finance Corporation for use during January and February, 1933. I am now officially advised that State or local units of government must do something to help themselves, or there is grave danger that this Federal assistance will be discontinued.

This question of unemployment is so serious that full investigation and study are being made of the extent of the demands for help and of possible methods of giving the relief. I hope later to present to you a special message more fully covering the situation.

REVISION OF STATUTES

In the special session of the Twentieth Legislature, which convened January 3rd, you were requested to give your undivided attention to the Code, which has been under process of compilation for several years. Because of the magnitude of this task you were unable to finish it in the time at your disposal.

It is pleasing to know that your progress has been so marked as to justify making the special call. It is hoped that early during this session you may be able to complete the work you have so well begun.

CONSTITUTIONAL AMENDMENT

Your attention is called to the proposed amendment to the Constitution of the United States seeking to abolish the so called "Lame Duck" Session of Congress. Certified copy of the joint resolution of Congress proposing this amendment "fixing the commencement of the terms of President and Vice President and members of Congress and fixing the time of assembling Congress" is now in possession of the Secretary of State and will be transmitted to you for your ratification.

It is desirable that prompt action be taken upon this measure.

ECONOMIC REVIEW

It seems proper at this time to say something of the general business and economic conditions of the State. I would be pleased if today I truthfully could echo the tidings of expansion and prosperity in our basic industries that, with few exceptions, my predecessors have been able to present ever since statehood. For purposes of contrast it might be well to repeat some of the words of Governor John C. Cutler's message of 1905. These are quite typical of statements found in many messages delivered to Utah Legislatures.

Governor Cutler said:

> "In his last message to the Legislature, my predecessor (Governor Wells) called attention to the favorable conditions then prevailing in Utah. I am pleased to be able to state that those conditions have continued and are still prevailing. Capital is still seeking avenues of investment in Utah, and the products of the field and flock are plentiful, and command good prices. Farmers and

mechanics—the bone and sinew of a community—are partaking of the benefits arising from improved markets for their produce and labor.

"A notable feature of our industrial growth is seen in the establishment of manufacturing enterprises, and the support afforded to such industries."

The curve of prosperity did continue upward and our industries as well as those of the nation at large for many years enjoyed an almost uninterrupted period of development. In fact, up to three years ago it was conceded that the United States had come nearer to solving many of the great economic problems than any other country in the world. Here we had the highest standard of living, and we boasted of our productive powers, as well as of the manner in which we were bridging the gap between the consumer and the producer. Our production was based on the most scientific methods, and was gauged to a gigantic scale. The high wages paid to workmen were used to buy goods produced by themselves and others and a part of the surplus earnings was invested in the shares of the various companies for which they worked. It was thought that the interests of capital and labor had largely been reconciled. We saw the capitalist eager to maintain a high level of wages so that the workman could buy the goods he made. High wages and mass production were considered the keys to our economic salvation. On the other hand, it was said that labor had become consciously interested in the efficiency of production, because it felt that it had, at last, become a recipient of the benefits.

It is now my duty, and an unpleasant one indeed, to present to you a different picture.

AGRICULTURE

During the past two years agricultural interests of our state have been subjected to increased reverses. This

has resulted from general economic conditions, intensified in 1931 especially by an unusually severe drouth in most sections of the State. Agriculture is subjected both to the variations which naturally affect crop and livestock production, and to the present economic changes which have affected all industry.

Between 1920 and 1929, agriculture did not recover from the aftermath of post war depression, while American industry generally continued to develop at a rapid rate. However, in October and November, 1929, while the United States was at the peak and dreaming of ascending higher, the crash came in the way of a break in the stock market. A drastic decline in all commodity prices immediately followed. During the past three years, Utah farm prices have declined 54 per cent, United States wholesale prices 31 per cent, and United States retail prices of goods purchased by farmers, 32 per cent.

With the exception of the drouth year 1931, Utah's agricultural production has been about normal for a series of years. With the drop in farm prices, the present income from agriculture has declined proportionately. This reduced income has resulted in delinquencies in taxes, interest and payments on indebtedness, as well as a lower standard of living for many farm families. The farm mortgage situation in Utah is serious. The foreclosure of a large number of farm mortgages in this state would be disastrous to agriculture, to the creditors and to all other industries of the State.

It is my earnest suggestion that this Legislature assume a friendly attitude toward the problems of the farmers and render whatever assistance can properly be given toward protecting the interests of those engaged in this the State's most basic industry.

MINING

Our metal mining industry has been in a condition of extreme depression during the last two years. Its chief

products, silver, copper, lead and zinc, all sank to the lowest recorded prices in history during the year 1932 and continue at price levels that make their profitable production impossible.

The metal mining depression is especially unfortunate in Utah. In normal times this industry not only furnishes one of the largest payrolls and home markets of the State, but brings in an uninterrupted flow of capital, through payment for the mine products and investment in mining properties.

Most of our metal mining enterprises have been compelled to suspend operations entirely or to operate at greatly reduced capacity. My information is that scarcely any of them now in operation are meeting expenses, and that most of them with commendable public spirit have for some time past been maintaining employment at their properties through drawing on their credit and on reserves accumulated in past years.

The situation of our silver producers is affected by special conditions, due to the fact that silver is largely used as money as well as for industrial purposes. The silver question is of great importance, on account of the fact that Utah normally is the largest silver producer among the States. Efforts have been in progress for some time to rehabilitate silver as money throughout the world, as well as to expand its industrial use.

It is obvious that, in view of the fact that almost all our Utah ores contain important amounts of silver in association with copper, lead and zinc, any substantial improvement of the silver situation would have a marked and beneficial effect on our entire metal mining industry, so that action directly for the advantage of silver would cause improvement of the whole mining situation in this State, and be reflected in industry generally independently of increased prices for the other metals.

I recommend that a joint memorial to the President and to Congress be adopted in behalf of silver.

Utah's iron industry and allied activifies have contributed over $800,000 in payroll and over $900,000 in freight during the past year. This contribution has been made with the steel industry throughout the United States operating at 81 per cent below normal.

Coal mining has felt the destructive forces of the depression. The production in 1932 was 15 per cent below that of 1931, 34 per cent below that of 1930 and 45 per cent below that of 1929. The production in 1929 was 5,100,000 tons.

MANUFACTURING

Utah is a manufacturing State. Available statistics show a constant growth up to 1929, which is the last year covered by official reports of the Department of Commerce census of manufactures for Utah.

Establishments having an output valued at $5,000 or more in 1929 numbered 651. These plants employed 15,601 persons and paid wages totaling $19,698,684. They took $157,902,021 worth of raw material (including cost of power) and converted it into products worth $214,-628,855, showing a value added by manufacture of $56,-726,834. The last figure represents the worth of manufacturing to the State.

Like all other activities, this industry is suffering under weight of the general depression. There is a spirit of optimism, however, and a confident expectation that better times are to come.

GENERAL BUSINESS

Business in general is passing through conditions so serious that it requires high courage to go forward. Few

are immune to losses. Bankers, merchants, salesmen, brokers, realtors, hotel men—all are feeling the present pinch. The railroad president and the taxi-driver are at opposite ends of the transportation game, but each has his troubles. The modern economic structure is so integrated that, like the human body, no one member can be injured without others suffering; nor can one prosper without others being benefitted.

There is basic soundness in the Utah business structure. A high order of integrity and intelligence is in control and when financial skies clear and buying power returns, Utah's business organizations will be ready for a rapid upward climb.

CONCLUSION

Ladies and gentlemen of the Legislature, I have but touched upon a few of the vital problems to which you will be giving consideration. It will be my pleasure to be always available for conference with you personally, or in groups, or committees; and in all matters affecting our mutual responsibility to the people of the State I shall be glad to co-operate with you, as I most sincerely ask your co-operation and support.

This Legislature has serious business ahead. It will require the close and conscientious application, which I am sure it is your wish to give to the tasks. In all your deliberations, it is hoped partisanship, sectionalism and community advantage will give place to State patriotism. After all, you each are part of the State Legislature, a body whose highest purpose should be to act for the good of all, while still preserving the right to represent each individual constituency. You cannot go far wrong if you think of, and act for, the State as a whole.

HENRY H. BLOOD.

The reading of the message was completed at 3:15 p. m.

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

Motion carried.

President Fowles extended to his Excellency, the Governor, the thanks of the Joint Assembly for his message.

Mrs. Lund as a representative of the Daughters of the Utah Pioneers presented to the Utah Legislature two flags to decorate the walls of the House of Representatives Chamber and the Senate Chamber during the sessions of these two bodies.

On motion of Mrs. Rich the flags were duly accepted and a vote of thanks extended to the Daughters of the Utah Pioneers for their contribution.

Upon invitation of Mr. Hoyt and the Joint Assembly Alvin Keddington sang the Utah State Song "Utah, We Love Thee."

The Governor was escorted back to the Executive Office by the Joint Committee.

Senator Keyser moved that the Joint Assembly adjourn.

Motion carried.

The Senate reconvened at 3:25 p. m.

On motion of Senator Booth the Senate adjourned.

FOURTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 12, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Wallace and Young.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
January 12, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the first and third days and found them correct with minor amendments noted on the final copies.

Respectfully,

ALBERT E. HOLMGREN.

Report adopted and filed.

Communication from Secretary of State M. H. Welling, transmitting communications from Governor George H. Dern and Secretary of State of the United States, Henry L. Stimpson, transmitting S. J. R. No. 14 of the United States Congress to the State of Utah.

THE STATE OF UTAH
OFFICE OF THE SECRETARY OF STATE
SALT LAKE CITY

January 12, 1933.

Hon. J. Francis Fowles,
President Utah State Senate,
20th Session of the Utah Legislature,
Building.

My Dear Mr. President:

Conforming to the laws of the State of Utah, I transmit to you herewith, for the appropriate action of the Legislature of this State, copy of a Joint Resolution Pro-

posing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress, filed with this office March 25, 1932.

Accompanying the Joint Resolution is the official certification of Henry L. Stimson, Secretary of State, and the letter of transmittal to me from Governor George H. Dern.

Very respectfully yours,

M. H. WELLING,
Secretary of State.

Communication filed.

STATE OF UTAH
OFFICE OF THE GOVERNOR
SALT LAKE CITY

March 22, 1932.

Hon. Milton H. Welling,
Secretary of State,
Building.

My Dear Mr. Secretary:

Enclosed herewith I am sending you a certified copy of a Resolution of Congress, entitled JOINT RESOLUTION Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress," received from the Secretary of State of the United States.

This resolution must be submitted to the next session of the Utah State Legislature for action by that body. Therefore, I respectfully request that you see that such action is taken.

Very truly yours,

GEO. H. DERN.

Communication filed.

No. 1069
UNITED STATES OF AMERICA
[SEAL]
DEPARTMENT OF STATE

To All to Whom These Presents Shall Come, Greeting:

I CERTIFY that the copy hereto attached is a true copy of a Resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress." the original of which is on file in this Department.

IN TESTIMONY WHEREOF, I, HENRY L. STIMSON, SECRETARY OF STATE, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said Department, at the City of Washington in the District of Columbia, this eighth day of March, 1932.

HENRY L. STIMSON,
Secretary of State,

By B. MacCOCHRAN,
Chief Clerk.

Communication filed and referred to Committee on Judiciary.

The President appointed Senators Bamberger and Day to revise the Journal for the fourth and fifth days.

INTRODUCTION OF RESOLUTION

S. J. R. No. 1. By Mrs. Burton W. Musser.

"A Joint Resolution ratifying an amendment to the Constitution of the United States proposed by the Joint Resolution of the Senate and House of Representatives of the United States, proposing an amendment to the Constitution of the United States fixing the commencement

of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Neslen the Senate adjourned.

FIFTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 13, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 11, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the fourth day and found it correct with minor corrections and amendments noted on the final copy.

Respectfully,

JULIAN M. BAMBERGER,
Chairman.

Report adopted and filed.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 13, 1933.

To the Senate and House of Representatives:

Your joint committee on procedure for consideration of the proposed Code Revision hereby recommends the following procedure in relation to reports of standing committees on titles of proposed Code referred to them:

1. That each title be reported upon separately.

2. That if any change is recommended by the committee, the committee report be made to contain a specific recommendation as to the exact wording of the amendment required to effect such change.

3. That recommended amendments contain exact references to title, chapter, section, subsection, and line or lines.

4. That consideration of committee reports on titles upon the floor of either house be deferred until committee hearings are completed or until further recommendation of this committee.

5. That as soon as the bill for adoption of the proposed revision is introduced, the chairman of each standing committee be prepared to make a supplemental report containing all proposed amendments to the titles considered by his committee with exact references to title, chapter, section, subsection and line or lines of the official bill for revision.

6. That amendments finally agreed upon and adopted by each house be inserted in the official bill for revision by interlineation or by means of typewritten stickers; that great care be exercised in the preparations of such amendments so as to avoid the possibility of error.

7. That when both houses have agreed upon amendments and have passed the bill for revision, corrected copies of all pages which have been amended or changed

be obtained from the printer and engrossment of the bill as passed be made by using the extra copy of the code revision bill which has been supplied by the Legislative Code Committee, substituting for each page which has been changed, a printed page in which has been incorporated amendments or changes adopted.

Respectfully submitted,

JOINT COMMITTEE ON PROCEDURE,

By DAN B. SHIELDS,
Chairman Senate Committee,

By B. W. MENDENHALL,
Chairman House Committee.

On motion of Senator Shields the report was adopted.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 12, 1933.

Mr. President:

We, your Committee on Rules, beg leave to report and recommend that the Joint and Senate Rules of the Special Session of the Twentieth Legislature, as amended by the Special Session, be adopted.

Respectfully,

MRS. BURTON W. MUSSER,
Chairman.

On motion of Senator Musser the report was adopted.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 13, 1933.

Mr. President:

Your committee on State and Municipal Affairs, to which was referred the appointment of a delegate to the

first Interstate Conference of Legislators, to be held by the American Legislators Association in Washington, D. C. on February 3, 1933, respectfully recommend that the Honorable Wilson McCarthy, former member of this body, be requested to act as our delegate.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

On motion of Senator Bamberger the report was adopted and the President authorized to notify Mr. McCarthy.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 12, 1933.

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. Maw, "AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE REGULAR SESSION OF THE TWENTIETH LEGISLATURE OF THE STATE OF UTAH," and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 1 was read the first time and on motion of Senator Maw the rules were suspended and H. B. No. 1 was read the second and third times and placed on its final passage.

On motion of Mrs. Musser the bill was amended on line 1, section 1 by changing the numerals from $50,000.00 to $45,000.00.

H. B. No. 1 as amended passed on the following roll call:

Yeas, 23; Nays, 0; Absent 0.

Those voting in the affirmative were Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young and Mr. President.

H. B. No. 1 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 12, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed as amended, under suspension of the rules, H. C. M. No. 1 by Mrs. Lund, "MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SUPPORT OR INITIATE A MOVEMENT TO STABILIZE THE MONETARY AND CREDIT BASES, SO AS TO IMPROVE WORLD COMMODITY PRICES," and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

H. C. M. No. 1 was read the first time and referred to Committee on Mining and Smelting.

INTRODUCTION OF MEMORIALS

S. C. M. No. 1. By Mr. Booth.

MEMORIALIZING CONGRESS TO APPROPRIATE TO FEDERAL AID FOR HIGHWAYS

"Memorializing the Congress of the United States to pass and the President to approve Senator Oddie's (of Nevada) bill authorizing appropriation $125,000,000 for highways," was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 2. By Mr. Patterson.

"Memorializing Congress to pass House Bill No. 11816 for the regulation and control of the public range of the United States and for the creation of grazing districts by the Secretary of Interior under the direct supervision of the users of the public range," was read the first time and on motion of Senator Patterson the rules were suspended and S. C. M. No. 2 was read the second and third times and placed on its final passage and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. C. M. No. 2 was transmitted to the House.

Senator Neslen moved that when the Senate adjourn it be until Monday, January 16, 1933, at 2:00 p. m.

Motion carried.

Senator Booth moved that S. C. M. No. 1 be recalled from the Committee on Revision and Enrolling and that the rules be suspended and S. C. M. No. 1 be read the second and third times and placed on its final passage.

Motion carried.

S. C. M. No. 1 passed on the following roll call.

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those absent and not voting were Senators Bamberger and Jefferson.

S. C. M. No. 1 was transmitted to the House.

On motion of Senator Miller the Senate adjourned.

EIGHTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 16, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the Chair.

Roll Call—All Senators present except Senator Young, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 15, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the

fifth day and we recommend that on Page 2, Sub-section 3, Line 2, the word "chapter" be added after the word "title."

On Page 2, Sub-section 5, Line 6, the word "Sub-section" be added after the word "section" and the words "or lines" be added after the word "line."

With these exceptions, we find the Journal correct.

Respectfully,

JULIAN BAMBERGER,
Chairman.

Report adopted and filed.

The president appointed Senators Huggins and Candland to revise the Journal for the eighth and ninth days.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 14, 1933.

Mr. President:

We, your Committee on Revision and Enrolling, to which was referred S. J. R. No. 1, by Mrs. Burton W. Musser, being A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE PRESIDENT AND MEMBERS OF CONGRESS AND FIXING THE TIME OF THE ASSEMBLING OF CONGRESS, reports the same back with a few minor changes consented to by the author, and the Title amended to read as follows:

A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE PRESIDENT AND MEMBERS OF CONGRESS AND FIXING THE TIME OF THE ASSEMBLING OF THE CONGRESS AND FILLING OF VACANCIES, and the Committee recommends that the same be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Ordered printed and referred to the Committee on Judiciary.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 1. By. Mr. Wallace.

"A Concurrent Resolution providing for a committee to make a study of the present organization and operation of the State Government to ascertain if it can be more economically conducted" was read the first time.

Senator Wallace moved that the rules be suspended and S. C. R. No. 1 be read the second and third times and placed on its final passage.

Motion carried.

On motion of Senator Candland S. C. R. No. 1 was amended as follows: after the word "resolution" on the last line change the period to a comma and insert the following words: "to administer oaths, summon witnesses and call for records of any of the departments or institutions of the State."

On motion of Senator Maw S. C. R. No. 1 was amended as follows: on the second line of the fourth paragraph after the word "departments" insert the words "and institutions."

S. C. R. No. 1 then passed on the following roll call.

Yeas, 22; Nays, 0; Absent 1.

Those voting in the affirmative were Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senator Young.

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

INTRODUCTION OF BILLS

S. B. No. 1. By Mr. Holbrook.

"An Act amending Section 2104, Compiled Laws of Utah, 1917, relating to the filling of vacancies in the Legislature of the State of Utah" was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Neslen the Senate adjourned.

NINTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 17, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 9, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the eighth day and found it correct with minor amendments noted on the final copy.

Respectfully,

I. A. HUGGINS,
W. D. CANDLAND,

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 16, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed under suspension of the rules, Senate Concurrent Resolution No. 1, by Mr. Wallace, as a substitute for House Concurrent Resolution No. 1, by Mr. Hoyt: A CONCURRENT RESOLUTION PROVIDING FOR A COMMITTEE TO MAKE A STUDY OF THE PRESENT ORGANIZATION AND OPERATION OF THE STATE GOVERNMENT TO ASCERTAIN IF IT CAN BE MORE ECONOMICALLY CONDUCTED, and the same is herewith submitted for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. 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, January 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. C. R. No. 1, by Mr. Wallace, entitled, "A CONCURRENT RESOLUTION PROVIDING FOR A COMMITTEE TO MAKE A STUDY OF THE PRESENT ORGANIZATION AND OPERATION OF THE STATE GOVERNMENT TO ASCERTAIN IF IT CAN BE MORE ECONOMICALLY CONDUCTED," properly engrossed and enrolled for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. C. 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.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 17, 1933.

To the Senate and House of Representatives:

Your Joint Committee on Procedure for consideration of the Proposed Code Revision recommends the hereunto annexed form for reports of standing committees on Code titles referred to such committees for consideration and report.

This committee further recommends that each standing committee report which calls for amendment of any Title of the Proposed Code Revision be referred by the President of the Senate and the Speaker of the House to this committee for consideration of possible printing difficulties involved in incorporation of such proposed amendments in the printed Revision.

Respectfully submitted,

JOINT COMMITTEE ON PROCEDURE,

By DAN B. SHIELDS,
Senate Chairman,

By B. W. MENDENHALL,
House Chairman.

RECOMMENDED FORM FOR COMMITTEE REPORTS ON PROPOSED CODE REVISION

Date.....

Mr. President (or Mr. Speaker):

Subject: Title No....., (Insert name of Title).

Your committee on .....
to which was referred the above title of the Proposed Code Revision hereby reports as follows:

1. This committee has carefully considered the provisions of the above title and has given opportunity for the presentation of protest and objections.

2. This committee recommends the following changes in said title, reference being made to the printed copy of the Proposed Code Revision:

(Give exact language of each amendment recommended, together with exact reference to chapter, section, subsection and line or lines.)

3. This committee recommends the approval and adoption of said title without change except as above mentioned.

Respectfully submitted,

COMMITTEE ON.....

By.....

Chairman.

(If a title is approved without any change or amendment, the above paragraph 2 and the last four words of paragraph 3 should be omitted.)

On motion of Senator Shields the report was adopted.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 1, by Mr. Holbrook, entitled, "AN ACT AMENDING SECTION 2104, COMPILED LAWS OF UTAH, 1917, RELATING TO THE FILLING OF VACANCIES IN THE LEGISLATURE OF THE STATE OF UTAH," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 1 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 17, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 1 by Mr. Maw, "AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE REGULAR SESSION OF THE TWENTIETH LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted for the signature of the President.

Respectfully,

ERNEST R. McKAY,
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.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 17, 1933.

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. R. No. 1 by Mr. Wallace, "A CONCURRENT RESOLUTION PROVIDING FOR A COMMITTEE TO MAKE A STUDY OF THE PRESENT ORGANIZATION AND OPERATION OF THE STATE GOVERNMENT TO ASCERTAIN IF IT CAN BE MORE

ECONOMICALLY CONDUCTED," and the same is herewith returned for transmission to the Governor.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication Filed.

S. C. R. No. 1 was transmitted to the Governor.

On motion of Senator Griffin the Senate adjourned.

TENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

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

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the ninth day and found it correct with minor amendments noted on the final copy.

Respectfully,

I. A. HUGGINS,
Chairman.

Report adopted and filed.

The President appointed Senators Calder and Griffin to revise the Journal for the tenth and eleventh days.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, January 17, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. C. R. No. 1, by Mr. Wallace, entitled, "A CONCURRENT RESOLUTION PROVIDING FOR A COMMITTEE TO MAKE A STUDY OF THE PRESENT ORGANIZATION AND OPERATION OF THE STATE GOVERNMENT TO ASCERTAIN IF IT CAN BE MORE ECONOMICALLY CONDUCTED."

Respectfully,

HENRY H. BLOOD.
Governor.

Communication filed.

The President appointed Senators Bamberger, Miller and Keyser as a Committee on S. C. R. No. 1 to act with a like Committee to be appointed by the Speaker of the House and by the Governor.

COMMUNICATIONS

DEPARTMENT OF STATE,
Bismarck, North Dakota.

President of the Senate
Legislative Assembly of the State of Utah
Salt Lake City, Utah.

Sir:

By direction of the Twenty-Third Legislative Assembly of the State of North Dakota now in session, we trans-

mit, attached hereto, a copy of Senate Resolution A-1, urging State Legislatures to memorialize Congress to pass Senate Bill 1197, known as the Frazier Bill.

Will you kindly arrange to have this resolution read at an early session?

Printed copies of Senate Bill 1197 will be mailed you direct from Washington, D. C., for distribution to your members.

Very respectfully yours,

ROBERT BYRNE,
Secretary of State.

Communication filed and referred to the Committee on Agriculture.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

Mr. President:

We your Committee on Mining and Smelting report back H. C. M. No. 1, by Mrs. Lund, "MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SUPPORT OR INITIATE A MOVEMENT TO STABILIZE THE MONETARY AND CREDIT BASES SO AS TO IMPROVE WORLD COMMODITY PRICES," and suggest the following amendments.

On page 2, line 11, strike the words "a greater" and insert the word "the".

On page 2, line 12, strike the following: "as a monetary supplement to gold" and insert the following: "in our monetary system as a basic money".

On page 2, lines 30 and 31, strike the following: "as the Legislative Body and Chief Executive of the State in which the production of silver is an important activity".

Respectfully,

KNOX PATTERSON,
Chairman.

Report adopted.

On motion of Senator Patterson the rules were suspended and H. C. M. No. 1 was read the second and third times and placed on its final passage.

On motion of Senator Maw the bill was amended on line 23, page 2, by striking the words "give serious consideration to" and inserting the word "take".

H. C. M. No. 1 then passed on the following roll call.

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Bamberger and Young.

H. C. M. No. 1 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. C. M. No. 1 by Mr. Booth, "MEMORIALIZING CON-

GRESS TO APPROPRIATE TO FEDERAL AID FOR HIGHWAYS," and the same is herewith returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

S. C. M. No. 1 was referred to the Committee on Revision and Enrolling to be engrossed.

COMMUNICATIONS FROM THE UNIVERSITY

UNIVERSITY OF UTAH,
Salt Lake City, Utah, January 18, 1933.

To the Members of the Senate
Utah State Capitol
City

My Dear Senators:

In behalf of the University of Utah I have the pleasure to invite your honorable body to visit the University some time during the present session of the Legislature, the date to fixed by your body.

Very sincerely yours,

GEORGE THOMAS,
President.

Referred to the Chairmen of the Committees on Public Institutions and Appropriations.

UNIVERSITY OF UTAH,
Salt Lake City, Utah, January 18, 1933.

To the Members of the Legislature
Utah State Capitol
City

Ladies and Gentlemen:

I have the pleasure to extend to you an invitation to attend the basketball games between the University and

other schools which are to be held in the city as per the schedule given below.

If you will leave your order for two tickets each with the Secretary of the Senate, the tickets will be set aside so that you can call for them as you enter the Gymnasium.

The Federal Tax Law requires that those who receive tickets shall pay a tax, which in this case amounts to seven cents per ticket.

Sincerely yours,

GEORGE THOMAS,
President.

All games will be played in the Deseret Gym and start at 8 p. m.

U. of U. vs. Utah Aggies .....Jan. 20 and 21
U. of U. vs. Montana State .....Feb. 3 and 4
U. of U. vs. B. Y. U. .....Feb. 17 and 18

Communication filed.

On motion of Senator Neslen the invitation was accepted with thanks.

On motion of Senator Booth the President appointed a committee consisting of Senators Neslen, Wallace and Day to wait upon the Governor in relation to recess appointments.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. J. R. No. 1 by Mr. Adams "A RESOLUTION PROVIDING THAT A SPECIAL JOINT COMMITTEE BE

APPOINTED TO STUDY AND ASCERTAIN THE EXTENT OF UNEMPLOYMENT IN THE STATE OF UTAH AND THE NATURE AND EXTENT OF RELIEF PROVIDED TO MEET IT FROM SUCH SOURCES AS ARE AVAILABLE", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

H. J. R. No. 1 was read the first time and referred to the Committee on Public Institutions, Health and Labor.

HOUSE OF REPRESENTATIVES,
State Capitol.
Salt Lake City, Utah, January 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the Senate amendments to H. C. M. No. 1, by Mrs. Lund, "MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SUPPORT OR INITIATE A MOVEMENT TO STABILIZE THE MONETARY AND CREDIT BASES, SO AS TO IMPROVE WORLD COMMODITY PRICES".

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

REPORT OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. C. M. No. 1 by Mr. Booth, entitled, "MEMO-

RIALIZING CONGRESS TO APPROPRIATE TO FEDERAL AID FOR HIGHWAYS," properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

On motion of Senator Neslen the Senate recessed.

The Senate reconvened at 3:40 p. m.

On motion of Senator Musser H. J. R. No. 1 was recalled from the Committee on Public Institutions, Health and Labor.

On motion of Senator Musser the rules were suspended and H. J. R. No. 1 was ordered read the second and third times and placed on its final passage.

On motion of Senator Huggins H. J. R. No. 1 was recommitted to the Committee on Public Institutions, Health and Labor.

The committee appointed to wait upon the Governor reported back and said that the Governor is preparing a letter and his communication will be in the hands of the secretary this afternoon.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of House, H. C. M. No. 1 by Mrs. Lund

"MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SUPPORT OR INITIATE A MOVEMENT TO STABILIZE THE MONETARY AND CREDIT BASES, SO AS TO IMPROVE WORLD COMMODITY PRICES", and the same is transmitted for the signature of the President.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

On motion of Senator Huggins the Senate adjourned.

ELEVENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 19, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 19, 1933.

Mr. President:

Your Committee on Revision of the Journal, respectfully report that we have read the Journal for the tenth

day and found it correct with minor amendments noted on the final copy.

Respectfully,

HYRUM B. CALDER,
W. H. GRIFFIN Jr.

Report adopted and filed.

INTRODUCTION OF BILLS

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

"An Act to revise, amend and codify the statutes of Utah" was read the first time and Senator Shields moved that it be considered introduced in the Senate and it take its place without assistance of the Revision and Enrolling Committee.

Motion carried.

S. B. No. 2 was referred to the Committee on Judiciary.

S. B. No. 3. By Mr. Holmgren.

"An Act to reduce the burden of taxation upon property and to repeal Section 2857, Compiled Laws of Utah, 1917, as amended by Chapter 57, Laws of Utah, 1919, and Section 2857x enacted by Chapter 58, Laws of Utah, 1919, relating to the authority of county commissioners to levy a tax upon property for State road purposes and to the Distribution and expenditure of the revenues so derived, and amending Section 5993 Compiled Laws of Utah, as amended by Chapter 69, Laws of Utah, 1929" was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 4. By Mr. Fennel.

"An Act amending Sections 15-7-7 and 15-7-8, Code of 1933, pertaining to bond issues in cities and towns, setting forth election requirements" was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5. By Mr. Fennel.

"An Act amending Sections 75-13-1 and 75-13-6 pertaining to school bond elections and setting forth rights to borrow, limits of borrowing and election requirements" was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6. By Mr. Fennel.

"An Act amending Section 19-10-1 pertaining to bonding and bond elections in counties setting forth qualification of electors, the number of votes required to pass a bond issue, notice of election, ballots, requirements for issuing of bonds, application of proceeds, qualifications for sale, kind of bonds which may be issued and requirements for refunding" was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7. By Mr. Holbrook.

"An Act amending Sections 1, 2, 3, and 5, chapter 38, Laws of Utah 1929, providing for the licensing, bonding and regulations of produce dealers, truckers and peddlers of produce by the State Board of Agriculture, providing the conditions under which license may be revoked, specifying the records to be kept and the account of sales to be rendered to producers, shippers and consigners, and adding Sections 6 and 7 thereto" was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM UTAH STATE AGRICULTURAL COLLEGE

UTAH STATE AGRICULTURAL COLLEGE,
Logan, Utah, January 11, 1933.

President J. Francis Fowles
Utah State Senate
State Capitol
Salt Lake City, Utah

Dear President Fowles:

Please accept this as a cordial invitation to members of the State Senate to visit the College at any time which meets their convenience. A similar invitation is being extended to members of the House of Representatives.

In past years the entire body has visited the College. We, of course, shall be pleased to have this practice continued, if it is the desire of the members of the Legislature. If you consider it preferable to have the appropriate committees visit the institutions, this will be equally agreeable to us. As soon as we hear from you as to your pleasure in the matter we shall make such arrangements as are necessary covering transportation and other details.

With good wishes for the Session.

Sincerely yours,

ELMER G. PETERSON,
President.

Referred to the Chairman of the Committees on Public Institutions and Appropriations.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 19, 1933.

Mr. President:

In 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. Booth, "MEMORIALIZING CONGRESS TO APPROPRIATE TO FEDERAL AID FOR HIGHWAYS," and the same is herewith returned for transmission to the Governor.

Respectfully,

ERNEST R. McKAY.
Chief Clerk.

Communication filed.

S. C. M. No. 1 was transmitted to the Governor.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, January 18, 1933.

To the Senate:

Since the last regular session of the Senate the following recess appointments to fill vacancies in the offices designated have been made by Governor George H. Dern, and I respectfully transmit their names.

FOR MEMBERS OF THE STATE TAX COMMISSION:

Pursuant to Section 5983, Chapter 53, Laws of Utah, 1931. To serve for the unexpired portion of the term ending March 31, 1935:

Roscoe E. Hammond .....Salt Lake City

To serve for the unexpired portions of the terms ending March 31, 1933:

George A. Critchlow .....Salt Lake City

Howard P. Leatham .....Wellsville

FOR MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH:

Pursuant to Section 5523, Compiled Laws of Utah, 1917. To fill the vacancy caused by the resignation of Mrs. J. W. Aird, and to serve for the unexpired term ending July 1, 1933:

Wilson McCarthy .....Salt Lake City

To fill the vacancy caused by the resignation of Mrs. Edward Rosenbaum, and to serve for the unexpired term ending July 1, 1933:

Mrs. A. J. Gorham .....Salt Lake City

FOR MEMBERS OF THE STATE LAND BOARD:

Pursuant to Section 5571, Chapter 37, Laws of Utah, 1931. To serve until the next meeting of the Senate and until his successor shall have been appointed and qualified:

George A. Fisher .....Keetley

To serve until April 1, 1933:
Elias A. Smith .....Salt Lake City

To serve until April 1, 1935:

L. R. Anderson .....Manti

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 Mrs. Lillie Greaves Eggertson, and to serve until April 1, 1933:

Mrs. Elmer G. Smith .....Tooele

FOR MEMBERS OF THE STATE GEOLOGICAL AND MINERALOGICAL SURVEY:

Pursuant to Section 1, Chapter 43, Laws of Utah, 1931:

R. B. Ketchum .....Salt Lake City

Ernest A. Hodges .....Salt Lake City

James C. Dick .....Salt Lake City

M. J. Dailey .....Salt Lake City

Elmer G. Peterson .....Logan

FOR MEMBER OF THE STATE ROAD COMISSION:

Pursuant to Chapter 61, Laws of Utah, 1921. To serve for a term of six years beginning December 1, 1931:

W. J. Parker .....Ogden

FOR MEMBER OF THE STATE INDUSTRIAL COMMISSION OF UTAH:

Pursuant to Section 3061, Compiled Laws of Utah, 1917. To serve for the unexpired term ending April 1, 1933:

Byron D. Nebeker .....Salt Lake City

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 resignation of Walter N. Farr, and to serve for the unexpired term ending April 1, 1935:

Dr. W. S. Payne .....Ogden

FOR STATE BANK COMMISSIONER:

Pursuant to Chapter 18, Laws of Utah, 1919. To fill the vacancy caused by the resignation of Walter H. Hadlock, and to serve for the unexpired term ending April 1, 1933:

John A. Malia .....Salt Lake City

FOR MEMBER 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 expiration of the term of Dr. Barnet E. Bonar, and to serve for a term of seven years, ending December 31, 1938.

Dr. Barnet E. Bonar .....Salt Lake City

FOR MEMBERS OF THE 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 J. R. Murdock, and to serve for the unexpired term ending April 1, 1933:

Jacob A. Kahn .....Salt Lake City

To fill the vacancy caused by the death of John G. M. Barnes, and to serve for the unexpired term ending April 1, 1933:

Frank Francis .....Ogden

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to a special Committee appointed by the President consisting of Senators Neslen, Shields, Wallace, Booth and Jefferson.

On motion of Senator Booth the Senate adjourned.

TWELFTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Mr. President:

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

Respectfully,

HYRUM B. CALDER,
W. H. GRIFFIN JR.

Report adopted.

REPORT OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 3, by Mr. Holmgren, entitled, AN ACT TO REDUCE THE BURDEN OF TAXATION UPON

PROPERTY AND TO REPEAL SECTION 2857 COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 57, LAWS OF UTAH, 1919, AND SECTION 2857x ENACTED BY CHAPTER 58, LAWS OF UTAH, 1919, RELATING TO THE AUTHORITY OF COUNTY COMMISSIONERS TO LEVY A TAX UPON PROPERTY FOR STATE ROAD PURPOSES AND TO THE DISTRIBUTION AND EXPENDITURE OF THE REVENUES SO DERIVED, AND AMENDING SECTION 5993 COMPILED LAWS OF UTAH AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1929, with a few minor changes consented to by author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 3 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 7, by Mr. Holbrook, entitled, "AN ACT AMENDING SECTIONS 1, 2, 3 and 5, CHAPTER 38, LAWS OF UTAH, 1929, PROVIDING FOR THE LICENSING, BONDING AND REGULATION OF PRODUCE DEALERS, TRUCKERS 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

OF SALES TO BE RENDERED TO PRODUCERS, SHIPPERS AND CONSIGNORS, AND ADDING SECTIONS 6 AND 7 THERETO", with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

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

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Mr. President:

Your committee on Judiciary to which was referred S. J. R. No. 1 by Mrs. Burton W. Musser entitled: "A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE-PRESIDENT AND MEMBERS OF CONGRESS AND FIXING THE TIME OF THE ASSEMBLING OF CONGRESS." reports back same favorably.

Senators voting "Yes": Huggins, Shields, Miller, Patterson.

Senators voting "No": Candland, Hunt, Young.

Adverse votes being only to the proposition of the bill being voted out favorably and not the proposition of the bill being voted out of the committee.

Respectfully,

I. A. HUGGINS,
Chairman.

Report filed and S. J. R. No. 1 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Mr. President:

Your committee on Judiciary to which was referred S. B. No. 1 by Mr. Holbrook, entitled "AN ACT AMENDING SECTION 2104, COMPILED LAWS OF UTAH, 1917, RELATING TO THE FILLING OF VACANCIES IN THE LEGISLATURE OF THE STATE OF UTAH." reports same back without recommendation.

Respectfully,

I. A. HUGGINS,
Chairman.

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

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, January 19, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State S. C. M. No. 1, by Mr. Booth, entitled "MEMORIALIZING CONGRESS TO APPROPRIATE TO FEDERAL AID FOR HIGHWAYS".

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

PRESENTATION OF RESOLUTIONS

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

"A Joint Resolution proposing an amendment to Section Three, Article Twenty-two of the Constitution of the State of Utah, relating to the sale of intoxicating liquors," was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 8. By Mr. Neslen.

"An Act providing for the issuance and disposal of state bonds and appropriating the proceeds of the sale thereof for the payment of the state's general fund deficit and refunding the state's outstanding tax notes, and providing a fund for the payment of interest and redemption of said bonds," was read the first time and on motion of Senator Neslen the rules were suspended and S. B. No. 8 was read the second and third times and placed on its final passage.

Senator Jefferson moved that S. B. No. 8 be committed to the Committee on Revision and Enrolling and the bill be printed and made a special order of business for 2:30 p. m., Monday, January 23.

Motion carried.

Senator Bamberger moved that when the Senate adjourn it be until Monday, January 23, at 2:00 p. m.

Motion carried.

Senator Wallace rose to a question of personal privilege and read a comprehensive statement of the unemployment situation and the financial condition of the State Government.

Senator Neslen moved that Senator Wallace be thanked for the information just read to the Senate and that it be mimeographed and placed on the desk of each Senator.

Motion carried.

On motion of Senator Shields the committee reports on Code titles were recalled from the Committee on Joint Procedure and referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Mr. President:

Your Committee on Judiciary to which was referred Senate Bill No. 2, by Mr. Shields, entitled, "PROPOSED REVISION OF THE UTAH STATUTES, 1933", recommends as follows:

That the Judiciary Committee consider the Titles contained in said Bill numerically, beginning with Title No. 1, together with the reports of the Senate Committees, and the reports from the House Committees, together with action, if any, taken by the House, on the respective Titles. That after harmonizing the reports of the respective House and Senate Committees, and the action of the House Committee, if any, that the Committee report back to this Body with its recommendations as to each Title respectively, and in the event the recommendation is to amend any title that the amendment be contained in full in the recommendation of this Committee, and that typewritten copies of all amendments recommended by the Committee be placed upon the desk of each Senator, prior to the time the same is to be considered.

Respectfully submitted,

I. A. HUGGINS,
Chairman

Report adopted and filed.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, January 20, 1933.

Hon. J. Francis Fowles, President,
Utah State Senate,
Building.

My Dear Senator:

I have the honor to inform you that in accordance with S. C. R. No. 1, by Mr. Wallace, entitled, "A CONCURRENT RESOLUTION PROVIDING FOR A COMMITTEE TO MAKE A STUDY OF THE PRESENT ORGANIZATION AND OPERATION OF THE STATE GOVERNMENT TO ASCERTAIN IF IT CAN BE MORE ECONOMICALLY CONDUCTED", I have this day appointed N. L. Wilson, of Salt Lake City, Robert H. Hinckley, of Ogden, and Paul Ray, of Salt Lake City, to act with a like committee appointed by yourself and the Speaker of the House.

Very respectfully,

HENRY H. BLOOD.
Governor.

Communication filed.

On motion of Senator Keyser the Senate adjourned.

FIFTEENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present except Senator Young.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the twelfth day and found it correct with minor amendments noted on the final copy.

Respectfully,

HYRUM B. CALDER.

Report adopted.

The President appointed Senators Maw and Booth to revise the Journal for the week ending January 28, 1933.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. J. R. No. 2, by Mr. Patterson, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION THREE, ARTICLE TWENTY-TWO OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE SALE OF INTOXICATING LIQUORS", with a few minor changes consented to by the author, being "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE TWENTY-TWO OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE MANUFACTURE AND SALE OF INTOX-

ICATING LIQUORS BY REPEALING SECTION THREE thereof", and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

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

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 4, by Mr. Fennell, entitled, "AN ACT AMENDING SECTIONS 15-7-7 and 15-7-8, CODE OF 1933, PERTAINING TO BOND ISSUES IN CITIES AND TOWNS, SETTING FORTH ELECTION REQUIREMENTS, with a few minor changes consented to by the author, being, "AN ACT AMENDING SECTIONS 15-7-7 and 15-7-8, REVISED STATUTES OF UTAH 1933, PERTAINING TO BOND ISSUES IN CITIES AND TOWNS, SETTING FORTH ELECTION REQUIREMENTS", and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report adopted and S. B. No. 4 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 5, by Mr. Fennell, entitled, "AN ACT

AMENDING SEC. 75-13-1 and 75-13-6, PERTAINING TO SCHOOL BOND ELECTIONS AND SETTING FORTH RIGHTS TO BORROW, LIMITS OF BORROWING AND ELECTION REQUIREMENTS", with a few minor changes consented to by the author, being, "AN ACT AMENDING SECS. 75-13-1 and 75-13-6, REVISED STATUTES OF UTAH 1933, PERTAINING TO SCHOOL BOND ELECTIONS AND SETTING FORTH RIGHTS TO BORROW, LIMITS OF BORROWING AND ELECTION REQUIREMENTS", and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

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

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 6, by Mr. Fennell, entitled, "AN ACT AMENDING SEC. 19-10-1 PERTAINING TO BONDING AND BOND ELECTIONS IN COUNTIES SETTING FORTH "QUALIFICATION OF ELECTORS, THE NUMBER OF VOTES REQUIRED TO PASS A BOND ISSUE, NOTICE OF ELECTION, BALLOTS, REQUIREMENTS FOR ISSUING OF BONDS, APPLICATION OF PROCEEDS, QUALIFICATIONS FOR SALE, KIND OF BONDS WHICH MAY BE ISSUED AND REQUIREMENTS FOR REFUNDING", with a few minor changes consented to by the author, being, "AN ACT AMENDING SEC. 19-10-1, REVISED STATUTES OF UTAH 1933,

PERTAINING TO BONDING AND BOND ELECTIONS IN COUNTIES, SETTING FORTH QUALIFICATION OF ELECTORS, THE NUMBER OF VOTES REQUIRED TO PASS A BOND ISSUE, NOTICE OF ELECTION, BALLOTS, REQUIREMENTS FOR ISSUING OF BONDS, APPLICATION OF PROCEEDS, QUALIFICATIONS FOR SALE, KIND OF BONDS WHICH MAY BE ISSUED AND REQUIREMENTS FOR REFUNDING", and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

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

INTRODUCTION OF BILLS

S. B. No. 9. By Mr. Calder.

"An Act authorizing the Governor of the State of Utah to convey certain lands in Salt Lake County to Salt Lake City, a municipal corporation", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 10. By Mr. Maw.

"An Act levying a license tax of twenty-five cents per telephone and telephone extension used in the transmission of telephone messages to, from, through, or in the State of Utah and providing for the collection and distribution of such tax: and for the forms and procedure to be used and followed; requiring reports of the number of telephones in use; prescribing penalties for the violation of

this act; prescribing the duties of the State Tax Commission under this Act; and requiring it to give a bond for the faithful performance of such said duties and the fixing thereof.", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11. By Mr. Patterson.

"An Act prescribing time for filing official bonds and providing for a right of sureties on official bonds to withdraw therefrom, and repealing all acts or parts of acts in conflict therewith," was read the first time and referred to the committee on Revision and Enrolling.

S. B. No. 12. By Mr. Holbrook.

"An Act to amend Chapter 39, Laws of Utah, 1931, known as the Franchise Tax Act of 1931, to increase the rate of taxation thereunder and to repeal the offset or credit for tangible property taxes paid," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13. By Mr. Holbrook.

"An Act to amend Chapter 44, Laws of Utah, 1931, known as the Income Tax Act of 1931, and to increase the rates, to eliminate the offset for property taxes paid, reduce the exemptions, and eliminate the filing fee," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Musser the rules were suspended and S. J. R. No. 1 was read the third time and placed on its final passage.

On motion of Senator Booth on line 27, page 2 the spelling of the word "Legislature" was corrected.

S. J. R. No. 1 then passed on the following roll call.

Yeas, 19; nays, 3; absent 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Candland, Hunt and Jefferson.

Absent and not voting: Senator Young.

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

On motion of Senator Neslen S. B. No. 8 was made a special order of business for Wednesday, January 25, at 2:30 p. m.

S. B. No. 1 was read the second time.

Committee report read and adopted.

S. B. No. 1 was placed on the third reading calendar on the following roll call:

Yeas, 20; nays, 1; absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senator Candland.

Absent and not voting: Senators Patterson and Young.

COMMUNICATIONS

CALVIN COOLIDGE,
Northhampton, Mass.
January 20, 1933.

Hon. J. Francis Fowles,
President of the Senate,
Hon. I. A. Smoot,
Speaker of the House, State Capitol,
Salt Lake City, Utah.

Dear Sirs:

Mrs. Coolidge has asked me to convey to you and to all the members of the Twentieth Session of the Legislature of the State of Utah, her grateful appreciation for their kind expression of sympathy.

Very truly yours,

HARRY E. ROSS,
Secretary.

Communication filed.

BRANCH AGRICULTURAL COLLEGE OF UTAH,
Cedar City, Utah,
January 21, 1933.

President J. Francis Fowles
Utah State Senate
State Capitol
Salt Lake City, Utah

Dear President Fowles:

If President E. G. Peterson has not already officially invited the appropriate committees from the Senate and House of Representatives to visit the Branch Agricultural College he will probably do so within the next day or two.

In the meantime, please accept this as a cordial invitation to accompany the other guests.

We would especially like to have this visit made on February 3, if it is at all convenient to make it then. We are holding our feeders' day on that date in connection with the lamb feeding experiment being conducted at the Branch Agricultural College.

If it is not convenient to make the visit on that date any time before that date would be agreeable to us.

Sincerely yours,

HENRY OBERHANSLEY,

Director.

Referred to the Chairmen of the Committees on Appropriations and Public Institutions, Health and Labor.

Senator Maw moved that the Senate as a whole do not visit the various institutions of the State.

Motion carried.

Senator Maw moved that the number to visit the institutions of the State be left to the discretion of the Appropriations Committee and the Committee on Public Institutions, Health and Labor.

Motion carried.

Senator Huggins moved that S. B. No. 2 be placed on the second reading calendar and immediately prior to the adjournment of the Senate the bill be recommitted to the Judiciary Committee.

Motion carried.

S. B. No. 2 was read the second time.

On motion of Senator Shields, Senator Keyser's name was added as a joint author of S. B. No. 2.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 2, by Messrs. Shields and Keyser, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH," have examined the reports of the standing committees in relation to the following:

Title 1, Entitled "ABSTRACTERS AND ABSTRACTS OF TITLE," without change.

Title 2, Entitled "AGRICULTURAL COOPERATIVE ASSOCIATIONS," without change.

Title No. 3, Entitled, "AGRICULTURAL DEPARTMENT."

Section 3-1-4, paragraph 5. The period be changed to a semicolon and the following words added: "provided that any product may be labeled or tagged and sold as unclassified."

Section 3-1-12, line 3. Beginning with the word "such" the following words be deleted: "Such rules and regulations shall be filed in the office of the commissioner of agriculture and shall take effect not less than ten days after such filing."

Section 3-3-16 be stricken.

Title No. 4, Entitled "AIRCRAFT AND AERONAUTS," without change.

Title No. 5, Entitled "ASSIGNMENT FOR BENEFIT OF CREDITORS," without change.

Title No. 6, Entitled "ATTORNEYS AND COUNSELORS."

That the period after the word "assignee", the last word in the last line of section 6-0-24, be changed to a semicolon, and add the following words: "nor shall anything herein contained prevent an unlicensed person duly elected to the office of county attorney from performing the duties of such office."

Title No. 9, Entitled "BOXING CONTESTS AND WRESTLING MATCHES," without change.

Title No. 12, Entitled, "CEMETERIES," without change.
Title No. 15, Entitled "CITIES AND TOWNS."

Section 15-6-6, page 141, that the last three lines thereof be deleted; which read as follows: "The city auditor in cities of the first and second class shall be ineligible to election as his own successor."

Section 15-6-40, page 146, in lines 2 and 3, the words, "City attorney, auditor, engineer," be deleted.

Section 15-6-61, page 149, delete "12,000 or more inhabitants" and insert in lieu thereof the words "The first or the second class."

Title No. 16, Entitled "COLLECTION AGENCIES," without change.

Title No. 17, Entitled "CONTRACTORS' BONDS," without change.

Title No. 18, Entitled "CORPORATION."

That in section 18-2-26, line 11, the word "outstanding" be placed between the words "of" and "stock", and the word "outstanding" in line 12 be stricken.

That in section 18-5-3, line 10, a comma be inserted after the word "railroad".

That in section 18-7-3, paragraph 3, line 1, page 214, the words "description and" be stricken so as to read the "estimated value of the property at the time of the making of the articles of incorporation."

That in section 18-7-6, page 214, line 5, after the word "created," insert a comma and add the words "a body politic and".

Title No. 20, Entitled "COURTS."

Change the comma after the word "court" in the third line of section 20-2-14 to a period and strike the following words: "and may appoint, remove at pleasure, and fix the compensation for, such deputy clerks and other assistants as may be necessary for the transaction of the business of the court."

Respectfully,

I. A. HUGGINS,
Chairman.

On motion of Senator Huggins the report was adopted.

Senator Bamberger moved that section 15-8-39 be stricken and section 570x38 of the Compiled Laws of Utah, 1917, as amended by Chapter 9, Section 1, Session Laws of Utah, 1931, be substituted in lieu thereof which reads as follows:

To license, tax, and regulate hawking, peddling, pawnbrokers, auctioneers, loan agencies, employment agencies, the keepers of the ordinaries, theatricals, and other exhibitions, shows, and amusements, and the business conducted by ticket scalpers, distilleries, breweries, money changers, brokers, keepers of public scales, runners for stages, cars, public houses, or other persons or things, and to revoke such license at pleasure; to license, tax, and regulate banks, bath houses, livery stables, skating rinks, smelters, crushers, express companies, restaurants, hotels, taverns, theatres, opera houses, music halls, boarding houses, eating houses, chop houses, lodging houses, auction houses, laundries, barber shops, second hand or junk houses, and to forbid the owners or persons in charge of said stores from purchasing or receiving any articles whatever from minors without the written consent of their guardians or

parents; and storage houses, and to require bond to the city for the benefit of bailers therein; to license, tax, and regulate the business conducted by hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, watermen, and all others pursuing like occupations, and to prescribe their compensation; to license, tax, and regulate the business conducted by merchants, retailers, shop and storekeepers, butchers, druggists, photographers, assayers, confectioners, furniture dealers, coal dealers, lumber dealers, fruit peddlers, and solicitors; to license, tax, and regulate billboards, billposting, and the distribution of advertising matter; to license, tax, and regulate the running of automobiles, street railway and steam cars, bicycles, and other vehicles.

Motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. J. R. No. 1 by Mrs. Burton W. Musser "A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE PRESIDENT AND MEMBERS OF CONGRESS AND FIXING THE TIME OF THE ASSEMBLING OF CONGRESS." and the same is herewith returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

REPORT OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith, S. J. R. No. 1, by Mrs. Burton W. Musser, "A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE PRESIDENT AND MEMBERS OF CONGRESS AND FIXING THE TIME OF THE ASSEMBLING OF CONGRESS," properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
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.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 23, 1933.

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. 1, by Mrs. Burton W. Musser, "A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE PRESIDENT AND MEMBERS OF CONGRESS AND FIXING THE TIME OF THE ASSEMBLING OF CONGRESS," and the same is herewith returned for transmission to the Secretary of State.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

On motion of Senator Bamberger the Senate adjourned.

SIXTEENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

The Senate was was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—all Senators present, except Senator Patterson.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the fifteenth day and found it correct with minor amendments noted on the final copy.

Respectfully,

HERBERT B. MAW,
JOHN E. BOOTH.

Report adopted.

REPORT OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill number 9, by Mr. Calder, entitled: "AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY CERTAIN LANDS IN SALT LAKE COUNTY TO SALT LAKE CITY, A MUNICIPAL CORPORATION", and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 9 was ordered printed and referred to the Committee on State and Municipal Affairs.

Senator Shields moved that the Committee on procedure of the Code be known as the Conference Committee

and that the said Committee meet each evening after the close of the session to discuss procedure of the Code.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 1 was read the third time and placed on its final passage and passed on the following roll call.

Yeas, 13; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Calder, Holbrook, Holmgren, Huggins, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Booth, Bowman, Candland, Day, Fennell, Griffin, Hunt, Jefferson.

Absent and not voting: Senators Patterson and Young.

Senator Keyser gave notice that tomorrow he would move to reconsider the vote by which S. B. No. 1 was passed.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, under suspension of the rules, H. C. R. No. 2, by Mr. Lamoreaux, "A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT-ELECT OF THE UNITED STATES TO APPOINT THE HONORABLE GEORGE H. DERN, A RESIDENT OF THE STATE OF UTAH, AS SECRETARY OF THE

INTERIOR", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. C. No. 2 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 10, By Mr. Maw, entitled "AN ACT LEVYING A LICENSE TAX OF TWENTY-FIVE CENTS PER TELEPHONE AND TELEPHONE EXTENSION USED IN THE TRANSMISSION OF TELEPHONE MESSAGES TO, FROM, THROUGH, OR IN THE STATE OF UTAH AND PROVIDING FOR THE COLLECTION AND DISTRIBUTION OF SUCH TAX; AND FOR THE FORMS AND PROCEDURE TO BE USED AND FOLLOWED; REQUIRING REPORTS OF THE NUMBER OF TELEPHONES IN USE; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT; PRESCRIBING THE DUTIES OF THE STATE TAX COMMISSION UNDER THIS ACT; AND REQUIRING IT TO GIVE A BOND FOR THE FAITHFUL PERFORMANCE OF SUCH SAID DUTIES AND THE FIXING THEREOF", with the following minor changes consented to by the author, being: "AN ACT LEVYING A LICENSE TAX OF TWENTY-FIVE CENTS PER

TELEPHONE AND TELEPHONE EXTENSION, USED IN THE TRANSMISSION OF TELEPHONE MESSAGES TO, FROM, THROUGH, OR IN THE STATE OF UTAH AND PROVIDING FOR THE COLLECTION AND DISTRIBUTION OF SUCH TAX: FOR THE FORMS AND PROCEDURE TO BE USED AND FOLLOWED; REQUIRING REPORTS OF THE NUMBER OF TELEPHONES IN USE; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT; PRESCRIBING THE DUTIES OF THE STATE TAX COMMISSION UNDER THIS ACT; AND REQUIRING ITS MEMBERS TO GIVE A BOND FOR THE FAITHFUL PERFORMANCE OF SUCH SAID DUTIES AND THE FIXING OF THE AMOUNT THEREOF", and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

Senators Huggins moved that S. B. No. 2 be placed on the second reading calendar and immediately prior to the adjournment of the Senate the bill be recommitted to the Judiciary Committee.

Motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

Mr. President:

We, your committee on Judiciary to which was referred Senate Bill No. 2, by Messrs. Shields and Keyser,

"AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH," have examined the reports of the Standing Committees in relation to the following:

Title No. 7, Entitled "BANKS AND BANKING."

Section 7-2-2, page 77. After the word "jurisdiction", the following words be deleted: "and control over all proceedings of the bank commissioner."

Section 7-3-31, paragraph 3, line 3. Strike "March 19, 1931" and insert "July 1, 1933;" and in line 6, strike "March 19, 1931" and insert "July 1, 1933".

Section 7-5-5, paragraph 4, line 2. After the word "investment" add the word "debenture".

Section 7-6-6, line 4. Strike the comma after the word "certificate" and substitute a period; deleting the following: "Which reserve shall be in credits in solvent commercial banks."

Title No. 8, Entitled "BONDS AND WARRANTS," without change.

Title No. 10, Entitled "BUILDING COMMISSION," without change.

Title No. 11, Entitled "CAPITOL GROUNDS," without change.

Title No. 13, Entitled "CHATTEL MORTGAGES," without change.

Title No. 14, Entitled "CHILD WELFARE," without change.

Title No. 19, Entitled "COUNTIES."

Section 19-5-62, page 238. Beginning on line 5, strike the following words "the amount fixed by Chapter

69, laws of Utah, 1929" and insert in lieu thereof "one mill on the dollar."

Section 19-13-1, page 251. The following words be deleted. "In counties having an assessed valuation of $20,000,000 or more the county auditor shall be ineligible to election as his own successor."

Section 19-22-1, page 271. Following the word "cities", the comma be changed to a period and the following words be deleted "except process affecting real property."

Title No. 21, Entitled "COURT REPORTERS," without change.

Title No. 22, Entitled "CRIMINAL IDENTIFICATION," without change.

Respectfully,

I. A. HUGGINS,
Chairman.

On motion of Senator Huggins the report was adopted.

Senator Neslen moved to amend Title No. 10 as follows:

Section 10-0-7, second paragraph, line 2, strike the words "either by its own employees or others" and insert the following: "by architects duly licensed under the laws of the State of Utah".

On motion of Senator Huggins the motion was laid on the table.

The President introduced Mr. Stevenson a member of the Legislature of the State of Kentucky.

On motion of Senator Keyser the Senate adjourned.

SEVENTEENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 25, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the Chair.

Roll Call—All Senators present except Senator Patterson.

Prayer by the Chaplain.

REPORTS OF SPECIAL COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 24, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the sixteenth day and found it correct with minor amendments noted on the final copy.

Respectfully,

HERBERT B. MAW,
JOHN E. BOOTH.

Report adopted.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 25, 1933.

To the Senate and House of Representatives:

Your Conference Committtee to which was referred the matter of the following sections of the Proposed Code Revision, to wit: Section 3-3-16, 14-5-11, 15-8-39, 18-5-3 and 20-4-22, hereby reports as follows:

(1) We recommend that the House concur in the action of the Senate in striking all of section 3-3-16.

(2) We recommend that the Senate concur in the action of the House in amending section 14-5-11 by adding the word "unmarried" before "women" on line 7.

(3) We recommend that the Senate concur in the House action in approving section 15-8-39 as printed in the Proposed Code Revision.

(4) We recommend that the House concur in the Senate action in omitting a comma after the word "inter-urban" on line 10 of section 18-5-3.

(5) We recommend that the Senate concur in the action of the House in striking the following proviso at the end of section 20-4-22: "provided, that all process affecting real property or any interest therein must be served by the sheriff" and change the "semi-colon" after "county" to a period.

Respectfully submitted,

JOINT CONFERENCE COMMITTEE ON CODE REVISION,

By DAN B. SHIELDS,
Chairman of Senate Committee,

By B. W. MENDENHALL,
Chairman of House Committee.

Report adopted.

On motion of Senator Neslen S. B. No. 8 was made a special order of business for Friday at 2:30 p. m., January 27, 1933.

Senator Huggins moved that S. B. No. 2 be placed on the second reading calendar and immediately prior to the adjournment of the Senate the bill be recommitted to the Judiciary Committee.

Motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 25, 1933.

Mr. President:

We, your committee on Judiciary to which was referred Senate Bill No. 2, by Messrs. Shields and Keyser, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH" have examined the reports of the Standing Committees in relation to the following:

Title No. 23, Entitled "DEPOSITARY BOARD," no change.

Title No. 24, Entitled "DOGS, INJURIES BY," no change.

Title No. 25, Entitled "ELECTIONS," no change.

Title 26, Entitled "BOARD OF EXAMINERS," no change.

Title No. 27, Entitled "FEDERAL JURISDICTION," no change.

Title No. 28, Entitled "FEES."

Strike all of line 14 from the bottom of the page 353, second column, "for filing each trademark, $3.00."

Title No. 29, Entitled "FIDUCIARIES AND TRUSTS," no change.

Title No. 30, Entitled "FISH AND GAME."

Section 30-0-7, line 3. After word "to" add words "open or".

Section 30-0-7, line 8. After the first word "to" add words "open or".

Section 30-0-10, line 7. After word "all" add word "furs."

Section 30-0-13, line 1. After words "United States" add words "who is a bona-fide resident of", and strike out words "residing in".

Section 30-0-13, line 2. After the word "Utah" add the word "and".

Section 30-0-13, line 6. After words "mountain sheep", add word "antelope,".

Section 30-0-13, line 6. After word "beaver" change word "and" to "or."

Section 30-0-14, line 1. After words "United States" add words, "who is a bona-fide resident of", and strike words, "residing in".

Section 30-0-14, line 2. After the word "Utah" insert the word "and".

Section 30-0-15, line 1. After words "United States" add words, "who is a bona-fide resident of", and strike words "residing in".

Section 30-0-15, line 1. After words "mountain sheep" add word "antelope,".

Section 30-0-16, line 1. After words "United States", add words, "who is a bona-fide resident of", and strike words "residing in".

Section 30-0-16, line 2. After the word "Utah" add the word "and".

Section 30-0-16, line 8. After words "mountain sheep" add word "antelope".

Section 30-0-17, line 1. After words "United States" add words "who is a bona-fide resident of", and strike words "residing in".

Section 30-0-22, line 8. After words "United States and", add words "bona-fide".

Section 30-0-25, lines 6 and 7. After word "catfish", strike out words "and non-resident big game hunting licenses,".

Section 30-0-33, Line 14. After words "diversion works", add words "and in Fish Creek and its tributaries above Pleasant Valley reservoir, near Scofield, in Carbon County,".

Section 30-0-34, line 21. After word "whitefish" add words "crappie, perch".

Section 30-0-35, line 4. Misprint—word "mount" for word "mouth".

Section 30-0-39, line 6. After word "catfish" add words "crappie, perch,".

Section 30-0-48, line 2. After word "trap" add words "trap for,".

Section 30-0-49, line 10. After words "property may" add words "under direction of Fish and Game Commissioner,".

Section 30-0-50, line 1. After word "trap" add words "trap for,".

Section 30-0-53, paragraph 6, line 9. Misprint—word "Knob" for word "Knoll".

Section 30-0-59. Strike lines 7 to 20, inclusive and words "any one day" on line 21, and add in lieu thereof the words "such number of said birds as may be fixed in a proclamation to be issued annually by the Fish and Game Commissioner fixing the season in accordance with Federal regulations;".

Section 30-0-59, line 36. After words "such birds" add words "than allowed by such proclamation".

Section 30-0-62, line 5. After word "all" add "furs".

Title No. 31, Entitled "FOREST RESERVE FUND," no change.

Title No. 32, Entitled "FOXES," no change.

Title No. 33, Entitled "FRAUD," no change.

Title No. 34, Entitled "GEOLOGICAL AND MINERALOGICAL SURVEY," no change.

Title No. 35, Entitled "HEALTH," no change.

Title No. 36, Entitled "HIGHWAYS," no change.

Title No. 37, Entitled "HOLIDAYS," no change.

Title No. 38, Entitled "HOMESTEADS," no change.

Title No. 39, Entitled "HOTEL KEEPERS' LIABILITY," no change.

Title No. 40, Entitled "HUSBAND AND WIFE," no change.

Title No. 41, Entitled "INDIAN WAR RECORDS," no change.

Title No. 42, Entitled "INDUSTRIAL COMMISSION."

Insert as Section 42-1-97: "Except as specifically provided in this chapter, no injunction shall issue suspending or restraining any order, award, classification, or rate adopted by the Commission, or any action of the State Auditor, State Treasurer, Attorney General, or the Auditor or Treasurer of any county, required to be taken by them or any of them by any of the provisions of this title; but, nothing herein shall affect any right or defense in any action brought by the Commission or the State in pursuance of authority contained in this title."

Title No. 43, Entitled "INSURANCE."

Section 43-3-5, subsection 3, line 1. Insert words "fire insurance" before the word "company"; insert a

period in line 4 instead of the comma, and delete the following beginning line 4: "nor shall any such company write in this state any other kind of insurance except of the second, seventh and eighth classes."

Section 43-3-7. To end of section add "all moneys collected by the State Tax Commission under this section shall be covered into the State Treasury to the credit of the State General Fund, except as provided in Section 42-4-2."

43-3-29, line 3. Delete "and the rates and rate book." Line 6, insert period instead of comma and delete the words "and approved by him." Before the word "The" in line 7, add the following sentence "The Commissioner shall have the right to disapprove any such forms and after the commissioner shall have notified any company of his disapproval of any forms, it shall be unlawful for such company to issue any policy in the form disapproved."

43-3-33. On line 3 strike the word "individuals" and add at that place "insurants of the same class or expectation of life,".

43-8-2, line 15. Insert a period instead of the comma after the word "business", and delete the remainder of the section.

Title No. 44, Entitled "INTEREST," no change.

Title No. 45, Entitled "INTERPARTY AGREEMENTS," no change.

Title No. 46, Entitled "INTOXICATING LIQUORS," no change.

Title No. 47, Entitled "JOINT OBLIGATIONS," no change.

Title No. 48, Entitled "JURORS, no change.

Title No. 49, Entitled "LABOR," no change.

Title No. 50, Entitled "LEGISLATURE, no change.

Title No. 51, Entitled "LIBRARIES," no change.

Title No. 52, Entitled "LIENS," no change.

Title No. 53, Entitled "LOAN COMMISSIONERS," no change.

Title No. 54, Entitled "MILITIA AND ARMORIES."

Section 54-1-35, line 2, that the word "enlisted" be deleted.

Section 54-1-30, line 31. The first word "day" should be changed to "pay".

Title No. 55, Entitled "MINES AND MINING."

Section 55-4-5, in the first line after the word "where" add "five or more."

Title No. 56, Entitled "MOSQUITO ABATEMENT DISTRICTS," no change.

Respectfully,

I. A. HUGGINS,
Chairman.

On motion of Senator Huggins the report was adopted.

Senator Keyser moved to reconsider the vote by which S. B. No. 1 was passed.

Motion carried.

On motion of Senator Candland S. B. No. 1 was made a special order of business for Monday at 2:30 p. m., January 30, 1933.

A communication was received from the United Spanish War Veterans inviting the Senators to attend a program honoring the memory of our martyred President, Major Wm. McKinley, Friday, January 27, 8:00 p. m., at the South High School.

On motion of Senator Keyser the Senate adjourned.

EIGHTEENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present except Senators Patterson and Huggins, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 25, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the Seventeenth day and found it correct with minor amendments noted on the final copy.

Respectfully,

HERBERT B. MAW,
JOHN E. BOOTH.

Report adopted.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 12 by Mr. Holbrook, entitled, "AN ACT TO AMEND CHAPTER 39, LAWS OF UTAH, 1931, KNOWN AS THE FRANCHISE TAX OF 1931, TO INCREASE THE RATE OF TAXATION THEREUNDER AND TO REPEAL THE OFFSET OR CREDIT FOR TANGIBLE PROPERTY TAXES PAID," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 12 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 13 by Mr. Holbrook, entitled, "AN ACT TO AMEND CHAPTER 44, LAWS OF UTAH, 1931, KNOWN AS THE INCOME TAX OF 1931, AND TO INCREASE THE RATES, TO ELIMINATE THE OFFSET FOR PROPERTY TAXES PAID, REDUCE THE EXEMPTIONS, AND ELIMINATE THE FILING FEE,"

with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 13 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 11, by Mr. Patterson, entitled, "AN ACT PRESCRIBING TIME FOR FILING OFFICIAL BONDS AND PROVIDING FOR A RIGHT OF SURETIES ON OFFICIAL BONDS TO WITHDRAW THEREFROM, AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH," and recommends the same be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 3. By Mr. Hunt.

"A Joint Resolution urging the employers of the State of Utah to pay their payrolls in gold coin as a means of giving to all citizens in practice as free access to the monetary gold stock of the nation as is enjoyed by the bankers," was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 14. By Mr. Miller.

"An Act providing that all monies received by the State of Utah from the United States on account royalties from the sale of coal shall be given to the counties for the construction and maintenance of roads and the support and maintenance of public schools," was read the first time and referred to the Committee on Revision and Enrolling.

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

"An Act providing for payment of public payrolls in gold coin was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16. By Mr. Hunt.

"An Act to amend Section 26-0-23 Proposed Code of 1933, relating to powers and duties of Board of Examiners in respect to the creation of deficits and providing for advertising and public hearings," was read the first time and referred to the Committee on Revision and Enrolling.

Senator Keyser moved that S. B. No. 2 be placed on the second reading calendar and immediately prior to the adjournment of the Senate the bill be recommitted to the Judiciary Committee.

Motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

Mr. President:

We, your committee on Judiciary to which was referred Senate Bill No. 2, by Messrs. Shields and Keyser, "AN ACT TO REVISE, AMEND AND CODIFY THE

STATUTES OF UTAH," have examined the reports of the standing committees in relation to the following:

Title No. 57, Entitled "MOTOR VEHICLES," and do recommend the report as made which is as follows:

Section 57-1-1, page 582, line 22. Strike the words "Secretary of State" and substitute words "State Tax Commission."

Section 57-2-23, page 586, lines 1 and 2. Delete the words "motor vehicle, trailer or semitrailer" and substitute therefor "passenger car". At the end of the section add the following, which is in effect the substance of section 57-2-25: "No certificate of registration issued pursuant to this section shall be valid after three months from the date of its issuance."

Section 57-2-24, page 586, lines 1 and 2. Delete the words "motor vehicle, trailer or semitrailer" and substitute therefor "passenger car". In the second and third lines delete "any such vehicle" and substitute therefor "it".

Section 57-2-25, page 586. Delete the whole of the text (because it has been added to Section 57-2-23) and substitute therefor the following: "No nonresident owner of a truck shall operate it, or cause or permit it to be operated, upon the public highways of this state unless it has been registered and the fees for registration prescribed in section 57-3-4 have been paid therefor."

Section 57-2-28, page 587. In lines 5, 9, 13 and 16, strike the words "Secretary of State" and substitute the words "State Tax Commission". In line 17, strike the word "he" and substitute the word "it". In line 18, strike the word "his" and substitute the word "its".

Section 57-3-4 (4) page 589. Delete the third line, reading "For 1 ton or less capacity.....$10.00" and substitute therefor "For ½ ton or less capacity..$2.50 for more than ½ ton and not more than 1 ton capacity .....$10.00".

Section 57-3-4 (6), page 589, last paragraph, line 3. After the word "rate" change the semicolon to a period and delete the remainder of the paragraph.

Section 57-5-1, page 590, line 9. Strike the words "Secretary of State" and substitute the words "State Tax Commission".

Section 57-5-3, page 590, line 5. Strike the words "Secretary of State" and substitute the words "State Tax Commission".

Section 57-6-1, page 590, line 5. Strike the words "Secretary of State" and substitute the words "State Tax Commission".

Section 57-6-2, page 590, lines 2 and 3. Strike the words "Secretary of State" and substitute the words "State Tax Commission".

Section 57-6-2, page 590, line 4. Strike the word "him" and substitute the word "it".

Section 57-6-2, page 591, line 17. Strike the words "Secretary of State" and substitute words "State Tax Commission".

Section 57-6-3, page 591, line 2. Strike the words "Secretary of State" and substitute words "State Tax Commission."

Section 57-7-16, page 593, (2). The committee recommends that this section be adopted as is, but that the special attention of the legislature be directed to this section. Your committee advises the legislature to consider new legislation clarifying this subject during present session.

Section 57-7-20, page 594. Delete the first paragraph, which reads: "No motor vehicle equipped with pneumatic tires shall be operated on any highway in excess of the following speeds:" and substitute therefor "No motor vehicle equipped with pneumatic tires and designed for carrying passengers shall be operated on any

highway in excess of 45 miles per hour. No motor vehicle equipped with pneumatic tires and designed for carrying freight shall be operated on any highway in excess of the following speeds:".

Section 57-7-29, page 596, line 19. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-55 (2), page 600, line 10. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-55 (3), page 600, line 7. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-55, (4), page 600, lines 4 and 5 and line 16. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-55 (5), page 600, line 17. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-56, page 601, line 24. Strike the words "Secretary of State" and substitute the words "State Road Commission."

Section 57-7-59, pages 601 and 602, lines 7, 9, 15, 20 and 21. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-60, page 602, line 1. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-60, page 602, line 8. Strike the word "he" and substitute the word "it".

Section 57-7-60, page 602, line 12. Strike the word "him" and substitute the word "it".

Section 57-7-60, page 602, lines 17 and 18. Strike the word "he" and substitute the word "it."

Section 57-7-61, page 602, lines 2 and 7. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-61, page 602, line 11. Strike the word "he" and substitute the word "it".

Section 57-7-61, page 602, lines 14, 22 and 23. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-61, page 602, line 25. Strike the word "he" and substitute the word "it".

Section 57-7-62, page 602, line 1. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-62, page 602, line 3. Strike the word "him" and substitute the word "it".

Section 57-7-62, page 602, line 9. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-63, page 602, line 1. Strike the words "Secretary of State" and substitute the words "State Road Commission", and strike the word "he" and substitute the word "it".

Section 57-7-63, page 602, lines 9 and 10. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-63, page 602, line 14. Strike the word "he" and substitute the word "it".

Section 57-7-65, pages 602 and 603, lines 1, 7 and 10. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-67, page 603, lines 18, 19 and 27. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-68, page 603, line 17. Strike the words "Secretary of State" and substitute the words "State Road Commission".

Section 57-7-73, page 604, line 1. Strike the words "Secretary of State" and substitute the words "State Road Commission", and strike the word "his" and substitute the word "its".

Section 57-11-5, page 607, line 1. Strike the words "Secretary of State" and substitute words "State Tax Commission".

Title No. 58, Entitled "NAMES," without change.

Title No. 59, Entitled "NATURAL GAS," without change.

Title No. 60, Entitled "NEGOTIABLE CERTIFICATES," without change.

Title No. 61, Entitled, "NEGOTIABLE INSTRUMENTS," without change.

Title No. 62, Entitled "NEWSPAPERS," without change.

Title No. 63, Entitled "NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS," without change.

Title No. 64, Entitled "NUISANCES," without change.

Title No. 65, Entitled "OFFICIAL OATHS AND BONDS," without change.

Title No. 66, Entitled "OLEOMARGARINE," without change.

Title No. 67, Entitled "PARDONS, BOARD OF," without change.

Title No. 68, Entitled "PARK COMMISSIONERS," without change.

Title No. 69, Entitled "PARTNERSHIP," without change.

Title No. 70, Entitled "PAWNBROKERS AND SECOND-HAND DEALERS."

In line two of the second column on page 663, delete the word "six" and insert "three" therefor, and in line four change the first word from "three" to "six".

Title No. 71, Entitiled "PENSIONS," without change.

Title No. 72, Entitled "PLAYGROUNDS," without change.

Title No. 73, Entitled, "POOLS AND TRUSTS," without change.

Title No. 74, Entitled "PUBLIC FUNDS AND ACCOUNTS," without change.

Title No. 75, Entitled "PUBLIC SCHOOLS."

Section 75-1-4. In line 6 strike the comma after the word "sectarian".

Section 75-4-21. After the word "professorship" on line 5, strike the words "and of nominating its first incumbent."

Section 75-4-22. Strike all of said section.

Section 75-4-23. Strike the following words at the end of said section "and of nominating its first incumbent".

Section 75-11-18. Change printed section number from 76-11-18 to read 75-11-18.

Section 75-11-19. Change printed section number from 76-11-19 to 75-11-19.

Section 75-9-7. Strike the first two lines of said section, also the following words in the third line "six and eighteen years, and", also the word "city" in the third line. In the fifth line strike the word "said" and

substitute the word "the". Strike the period at the end of the fifth line and add "of six and eighteen years". Capitalize the initial "I" in the word "in" in the third line.

Respectfully,

DAN B. SHIELDS,
for Chairman.

Report filed.

On motion of Senator Shields the report was adopted.

Senator Bamberger moved to amend Title No. 57 as follows: In section 57-12-9, line 10, strike the word "one-eighth" and insert the words "one-half cent per gallon." On lines 15 and 16, strike the word "seven-eighths" and insert the words "the remainder".

Motion carried.

Senator Miller moved to amend Title No. 75 as follows: In section 75-11-9, line 9, after the word "any" delete the remained of the section and insert the words "member violating the provisions of this section is guilty of a misdemeanor and shall forfeit his office."

Motion carried.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

Mr. President:

The Committee on Organization and Operation of State Government beg leave to report that during the course of its study of the problem of necessary retrenchments in

governmental cost, has given thought to the question of salaries of officials, both elective and appointive, which are fixed by law.

The Constitution provides that in such cases no salary may be changed of such official during his term of office. This restriction apparently makes it impossible to enforce, at once, salary reductions of such officials, and presents an obstacle in the path of the Governor and the Legislature against promptly adjusting salaries from time to time in accordance with the condition of the available governmental revenues. The Committee has decided that this obstacle may be removed by making changes in the various laws changed to state, "not to exceed" a certain salary.

It is realized that should this change be made at once, the salaries of existing officers may not be changed, but this elasticity in the law will make it possible for changes promptly to be made in the case of all officials whose terms of office begin after the date of the time the law goes into effect.

Inasmuch as this Legislature is now considering the revised Code, it has occurred to us that should it so decide, the words "not to exceed" might be added to all sections of the revised statutes just preceding the statutory salary named. Should this procedure be adopted, it will save a large amount of time and expense which would otherwise be necessary should subsequent bills have to be introduced to bring about the large number of changes necessary.

This Committee, therefore, recommends that serious consideration be given by the Legislature to make these appropriate changes in the Code during the progress of approving it.

With such a plan in effect, the Governor and the Legislature will be given more latitude toward the end that the salaries of all officials, as well as employees of

the State Government, may be adjusted in accordance with the condition of the State revenues.

JULIAN M. BAMBERGER,
Chairman,
ALVIN KEDDINGTON,
Vice Chairman.

Report filed.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 26, 1933.

To the Senate and House of Representatives:

Your Joint conference committee to which was referred the matters involved in Title 7, "Banks and Banking," and Title 40, "Intoxicating Liquors," hereby reports as follows:

1. We recommend that the House concur in the action of the Senate with reference to Title 7-2-2 on page 77, which has the affect of leaving this title to read as follows:

> "The district court in and for the county in which such institution or the principal office thereof is situated shall have jurisdiction in the liquidation of the affairs of such institution under the provisons of this chapter."

2. We recommend that the Senate concur in the action of the House in reinstating at the end of Section 46-0-42 the following language from the present law, Section 3365, The Compiled Laws of Utah 1917:

> "Any citizen, association, or society may employ any attorney or attorneys to assist the prosecuing attorney to perform his duties under this title, and such attorney shall be recognized by the court

and by the said prosecuting attorney as associate counsel in the proceedings."

And we further recommend that the remainder of Section 3365 Compiled Laws of Utah 1917, be deleted by the House.

Respectfully submitted,

JOINT CONFERENCE COMMITTEE ON CODE REVISION,

By DAN B. SHIELDS,
Chairman for the Senate,

By B. W. MENDENHALL,
Chairman for the House of Representatives.

Report adopted.

Senator Bamberger moved to amend section 75-7-4 by inserting after the word "receive" the following "not to exceed."

On motion of Senator Shields the motion of Senator Bamberger was placed on the table.

On motion of Senator Neslen the Senate adjourned.

NINETEENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Patterson, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee, on Revision of the Journal, respectfully report that we have read the Journal for the eighteenth day and found it correct with minor amendments noted on the final copy.

Respectfully,

Report adopted. JOHN E. BOOTH.

PRESENTATION OF PETITIONS

A petition from George B. Cox, President of San Pete County Taxpayers Association and 100 tax payers of said county asking for a reduction of the tax on tangible property, and for certain amendments to the income tax law.

Referred to the Committee on Revenue and Taxation.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Joint Conference Committee on Code Revision report dated January 27, 1933, referring to Sections 7-2-2 and 46-0-42, was adopted by the House this day.

Respectfully,
ERNEST R. McKAY,
Communication filed. Chief Clerk.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 25, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Joint Conference Committee on Code Revision report dated January 25, 1933, referring to sections 3-3-16, 14-5-11, 15-8-39, 18-5-3 and 20-4-22, was adopted by the House this day.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Revision and Enrolling to which was referred S. B. No. 14, by Mr. Miller, being "AN ACT PROVIDING THAT ALL MONIES RECEIVED BY THE STATE OF UTAH FROM THE UNITED STATES ON ACCOUNT OF ROYALTIES FROM THE SALE OF COAL SHALL BE GIVEN TO THE COUNTIES FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS AND THE SUPPORT AND MAINTENANCE OF PUBLIC SCHOOLS", report same back and recommend that it be printed.

Respectfully,

GEORGE M. MILLER,
Secretary.

Report filed.

S. B. No. 14 was ordered printed and referred to the Committee on Education.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Revision and Enrolling to which was referred S. B. No. 16, by Mr. Hunt, being "AN ACT TO AMEND SECTION 26-0-23 PROPOSED CODE OF 1933 RELATING TO POWERS AND DUTIES OF BOARD OF EXAMINERS IN RESPECT TO THE CREATION OF DEFICITS AND PROVIDING FOR ADVERTISING AND PUBLIC HEARINGS.", report the same back with a few minor corrections, consented to by the author, being: "AN ACT TO AMEND SECTION 26-0-23 REVISED STATUTES OF UTAH 1933, RELATING TO POWERS AND DUTIES OF BOARD OF EXAMINERS IN RESPECT TO THE CREATION OF DEFICITS AND PROVIDING FOR ADVERTISING AND PUBLIC HEARING." and recommend that same be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 16 ordered printed and referred to the Committee on Appropriations.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Revision and Enrolling to which was referred S. B. No. 15 by Mr. Hunt being "AN ACT PROVIDING FOR PAYMENT OF PUBLIC

PAYROLLS IN GOLD COIN," report the same back and recommend it be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Revision and Enrolling to which was referred S. J. R. No. 3 by Mr. Hunt being "A JOINT RESOLUTION URGING THE EMPLOYERS OF THE STATE OF UTAH TO PAY THEIR PAYROLLS IN GOLD COIN AS A MEANS OF GIVING TO ALL CITIZENS IN PRACTICE AS FREE ACCESS TO THE MONETARY GOLD STOCK OF THE NATION AS IS ENJOYED BY THE BANKERS," report the same back and recommend it be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. J. R. No. 3 ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred Senate Bill No. 7, by Mr. Holbrook,

entitled, "AN ACT AMENDING SECTIONS 1, 2, 3 AND 5, CHAPTER 38, LAWS OF UTAH, 1929, PROVIDING FOR THE LICENSING, BONDING AND REGULATION OF PRODUCE DEALERS, TRUCKERS 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 OF SALES TO BE RENDERED TO PRODUCERS, SHIPPERS AND CONSIGNORS, AND ADDING SECTIONS 6 AND 7 THERETO.", beg leave to report the following:

Page 1, line 7, that the following wording be eliminated "other than exclusively at retail", and the following words inserted, "other than persons, firms or corporations duly and regularly licensed to sell exclusively at retail".

Page 2, line 4, that after the word "retail" at end of the line, insert "as hereinbefore provided".

Page 2, line 22, that the comma after the word "truck" be stricken.

Page 3, line 7, strike the words "Five Thousand Dollars", and insert in lieu thereof the following: "Two Thousand Five Hundred ($2500.00) Dollars, for bona fide residents of the State of Utah and domestic corporations, or a good and sufficient surety bond in the sum of Five Thousand ($5000.00) Dollars, for non-residents and foreign corporations not authorized to do business in the State of Utah as provided by law,".

Respectfully submitted,

WARD C. HOLBROOK,
Chairman.

Report filed.

S. B. No. 7 placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 17. By Mr. Maw.

"An Act levying a license tax of three cents per thousand cubic feet of natural gas sold for lighting, heating or power purposes within the State of Utah, providing for the collection and distribution of such tax, for the forms and procedure to be used and followed, requiring reports of the number of thousand cubic feet sold, prescribing penalties for the violation of this Act, prescribing the duties of the State Tax Commission under this Act, and requiring the members thereof to give bonds for the faithful performance of their duties," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18. By Mr. Neslen.

"An Act amending Section 15-8-27 Revised Laws of Utah, 1933, relating to powers of city commissions and city councils in connection with the free distribution of handbills, dodgers and circulars," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 19. By Mr. Neslen.

"An Act to amend Chapter 49, Session Laws of Utah, 1931, by adding thereto a new section to be known as Section 73x prescribing non-shatterable type glass windshields for motor vehicles operated for hire on the highways, and prescribing for school busses said non-shatterable type for all glass windows; defining said terms, and fixing the time for this section to take effect," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20. By Mr. Neslen.

"An Act to amend Section 103-33-1 and Section 103-33-2 of the Revised Statutes of Utah, 1933, relating to kidnapping and providing the punishment thereof," was

read the first time and referred to the Committee on Revision and Enrolling.

Senator Huggins moved that S. B. No. 2, be taken from the Judiciary Committee and placed on the second reading calendar.

Motion carried.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

To the Senate and House of Representatives:

Your Joint Conference Committee to which was referred the matters involved in Title 43-7-9, "Annual Statement to Commissioners", hereby report as follows:

1. We recommend that the Senate concur in the action of the House with reference to such title 43-7-9, which has the following effect, strike the "period" following the word "expense" on line 11, substitute a "comma", and add the words "provided, however, such attorney shall not be required to furnish list of names and addresses of any subscribers except in case of unpaid final judgment."

2. We also recommend that in title 33, chapter 4, section 1, on the 10th line following the word "executed", there shall be added the words "without oath or acknowledgement", and in section 2, of title 33, chapter 4, on the 4th line thereof following the word "oath", add the words "acknowledgement, oath or".

Respectfully submitted,

JOINT CONFERENCE COMMITTEE
ON CODE REVISION,
By DAN B. SHIELDS,
Chairman for the Senate.
By B. W. MENDENHALL,
Chairman for the House.

On motion of Senator Shields the report was recommitted to the Joint Conference Committee.

SPECIAL ORDER

S. B. No. 8 on third reading.

Senator Neslen moved to amend the Bill as follows: On page 2 strike all of line 31 to and including the word "each" on line 32.

Motion carried.

S. B. No. 8 then passed on the following roll call.

Yeas, 12; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Holbrook, Huggins, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Booth, Bowman, Candland, Day, Griffin, Holmgren, Hunt, Jefferson, Keyser, Young.

Absent and not voting, Senator Patterson.

S. B. No. 8 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, under suspension of the rules, H. B. No. 19 by Mr. Keddington, "AN ACT FIXING AND DETERMINING MAXIMUM SALARIES OF STATE OFFICERS, OFFICIALS, AND EMPLOYEES AND EMPOWERING AND REQUIRING

THE STATE BOARD OF EXAMINERS TO FIX SALARIES OF OFFICERS, OFFICIALS AND EMPLOYEES HEREAFTER ELECTED OR APPOINTED WITHIN LIMITS FIXED BY STATUTE", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 19 was read the first time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 19 was read the second and third time and placed on its final passage.

Senator Keyser moved to amend the bill as follows: On line 10, section 1, after the word "officials" a semicolon be inserted.

Motion carried.

On motion of Senator Maw H. B. No. 19 was made a special order of business for Saturday at 10:30 a. m., January 28, 1933.

Senator Bamberger moved that when the Senate adjourn it be until Saturday at 10:00 a. m., January 28, 1933.

Motion carried.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

To the Senate and House of Representatives:

Your Joint Conference Committee to which was referred the matters involved in Title 43-7-9, "Annual Statement to Commissioners.", hereby report as follows:

1. We recommend that the Senate concur in the action of the House with reference to such title 43-7-9, which has the following effect, strike the "period" following the word "expense" on line 11, substitute a comma, and add the words "provided, however, such attorney shall not be required to furnish list of names and addresses of any subscribers except in case of unpaid final judgment."

Respectfully submitted,

JOINT CONFERENCE COMMITTEE
ON CODE REVISION,

By DAN B. SHIELDS,
Chairman for the Senate,

By B. W. MENDENHALL,
Chairman for the House.

On the request of Senator Maw four Senators joined in demanding a roll call on the adoption of the Joint Conference Committee report and the report was rejected on the following roll call:

Yeas, 8; Nays, 12; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Candland, Griffin, Holbrook, Holmgren, Maw, Wallace, Mr. President.

Those voting in the negative were: Senators Booth, Bowman, Calder, Fennell, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Shields, Young.

Absent and not voting, Senators Day, Neslen, Patterson.

On motion of Senator Huggins the Senate adjourned.

TWENTIETH DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 28, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Holbrook, Patterson and Young. Senators Patterson and Holbrook excused.

Prayer by the Chaplain.

REPORTS OF SPECIAL COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 28, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the nineteenth day and found it correct with minor amendments noted on the final copy.

Respectfully,

HERBERT B. MAW,
JOHN E. BOOTH.

Report adopted.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

To the Senate and House of Representatives:

Your Joint Conference Committee to which was referred the matters involved in Title No. 30, "FISH AND GAME,," hereby report as follows:

1. Section 30-0-49. We recommend that the Senate concur in the action of the house in adopting this paragraph without amendment.

2. We recommend that the House concur in the action of the Senate as follows:

Section 30-0-15. In line 2 after the word "Utah" strike the comma and add the word "and".

Section 30-0-17. In line 2 after the word "Utah" strike the comma and add the word "and".

Section 30-0-18. In line 1, before the word "resident" insert the word "bona-fide".

Section 30-0-25. In line 5 after the word "seine" strike the comma and insert the word "and".

Respectfully submitted,

JOINT CONFERENCE COMMITTEE
ON CODE REVISION,

By DAN B. SHIELDS,
Chairman for the Senate,

By B. W. MENDENHALL,
Chairman for the House.

Report adopted.

Senator Shields moved to amend Title 20 as follows: Section 20-2-14, line 3, after the word "court" change the comma to a semicolon and insert the following: "and may appoint and remove at pleasure such deputy clerks, stenographers, and other assistants as may be

necessary for the transaction of the business of the court, not to exceed three such deputy clerks, stenographers, or other assistants, at a salary or compensation not to exceed $2,000.00 each per annum and one not to exceed $1200.00 per annum".

Motion carried.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred Senate Bill No. 2, by Messrs. Shields and Keyser, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH" have examined the reports of the standing committees in relation to the following:

Title No. 76, Entitled, "PUBLIC UTILITIES," and do recommend the report as made which is as follows:

Section 76-2-1 (4), line 2 page 715. Insert a comma after the word "firm" and insert the words "a corporation".

Section 76-2-1 (6) page 715, last two lines the word "companies" be stricken and the word "corporations" be added in lieu thereof.

Section 76-2-1 (28), line 7, page 717. The words "or any portion thereof" be inserted after the word "Generally".

Section 76-3-2, page 718, line 31. After the word "passenger" place a comma, and insert the word, "Shipper".

Section 76-4-11, page 726. The section reference 76-3-19 appearing in the fourth and eighth lines should be "76-3-20."

Section 76-4-15, page 727, line 1. The word "of" be deleted and the word "or" inserted in lieu thereof.

Section 76-5-2. "No motor transport corporation shall establish or begin operation of a line or route outside of cities or towns or any extension of any line or route outside of cities or towns without having first obtained from the Public Utilities Commission a permit therefor. The Public Utilities Commission in determining whether such permit shall be granted or refused, or granted in part, shall take into consideration the character of the highway over which the motor transport company proposes to operate and the effect thereon, and upon the traveling public using the same; it shall also take into consideration the facilities already in existence for the transportation of passengers, freight, merchandise, or other property along the proposed route, and between the termini and intermediate points upon said route".

Section 76-5-7. "Every person operating under a single contract for compensation and every motor transport corporation operating on any public road between any two or more cities or towns within this state, except any motor transport corporation operating as a delivery system of merchants, shall pay special taxes as follows:"

Section 76-5-11, page 733, line 8, the comma after the word "school" be changed to a period and the remainder of the section be deleted.

Respectfully,

I. A. HUGGINS,
Chairman.

Report adopted.

SPECIAL ORDER

H. B. No. 19 on third reading.

On motion of Senator Maw the bill was amended as follows: After the word "appointment" on line 12, sec-

tion 1, change the period to a comma and insert the following:

"Provided that should the Board of Examiners fail to fix the salary of any state officer, official or employee as provided for in this act, the salary of the predecessor of said officer, official or employee, whose salary has not been fixed, shall apply."

H. B. No. 19 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Day, Holbrook, Patterson, Young.

H. B. No. 19 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

In view of the fact that the report of this Committee will not be completed for about two weeks, and that in the interim undoubtedly a great number of bills will be introduced into the Legislature, the Committee suggests, that as a matter of economy the following suggestions be considered for immediate action by the Legislature:

1. That the two houses cooperate, so that whenever a bill is printed in one house, and an identical bill is offered in the other house, that the bill only be printed in one house.

2. That before having any bill printed the proposed bill be referred to the attorney of the code revision committee for suggestions as to changes in language and

form of bill, so that it will conform to and fit in with the code.

Respectfully,

JULIAN M. BAMBERGER,
Chairman Committee on Organization and Operation of State Government.

ALVIN KEDDINGTON,
Vice Chairman Committee on Organization and Operation of State Government.

Referred to the Committee on Revision and Enrolling.

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

At 11:55 a. m. the Committee of the Whole dissolved and the Senate went into regular session.

On motion of Senator Wallace the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate was called to order at 2: p. m. President Fowles in the chair.

Roll Call—All Senators present except Senators Patterson, Holbrook and Young.

Prayer by the Chaplain.

Senator Bamberger moved that the rules be suspended and the members from the Senate on the Committee, to make a study of Organization and Operation of the State Government consisting of Senators Bamberger, Miller and Keyser, be excused from meeting in session with the Senate from January 30, to and including February 10, 1933.

Motion carried.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the report of the Joint Conference Committee, dated January 27, 1933, including the following specific matter:

> We recommend that the Senate concur in the action of the House with reference to such title 43-7-9, which has the following effect, strike the period following the word "expense" on line 11, substitute a comma, and add the words "provided however, such attorney shall not be required to furnish list of names and addresses of any subscribers except in case of unpaid final judgment."

Respectfully submitted,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

COMMUNICATION

THE STATE OF UTAH,
UTAH SCHOOL FOR THE DEAF AND BLIND,
Ogden, Utah,

January 27, 1933.

Hon. J. Francis Fowles,
President State Senate,
State Capitol,
Salt Lake City, Utah.
My Dear Mr. President:

It would please the Board of Trustees and myself to have you and the members of the Senate visit the school,

whenever convenient, "to see and to hear" what the State is doing for the care and training of its deaf and blind children. We would especially appreciate having any special committee you may have or select come at any time.

Most sincerely,

FRANK M. DRIGGS,
Superintendent.

Referred to the Chairmen of the Committees on Appropriations and Public Institutions, Health and Labor.

A communication was received from the Utah Art Institute inviting the Senators to attend the art exhibit in the building from January 29 to February 12, 1933.

S. B. No. 2, on second reading.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 27, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 2, by Messrs. Shields and Keyser, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH," have examined the report of the Standing Committee in relation to

Title No. 77, Entitled "RAILROADS".

Section 77-0-6, lines 7 and 8, page 744. The words "or other transportation facility" be deleted and the words, "ships, vessels, or boats," be added in lieu thereof.

Title No. 78, Entitled "REAL ESTATE," without change.

Title 79, Entitled "DEPARTMENT OF REGISTRATION."

Section 79-1-36, "Recourse to the Courts", line 7, after word "government," insert the following words: "or in the county of the aggrieved persons residence,".

Section 79-3-8. New paragraph. Insert Section 286 C. L. 1917. "Benefits of Lien Laws Restricted. "The benefits and privileges of the lien laws of this state in so far as they apply to architects are hereby restricted to architects who shall comply with the provisions of this title."

Section 79-6-7. In line 23 after the word "teeth" strike the following words "unless he practices the extraction or treatment of teeth as a specialty" and insert therefore the following words "in case of an emergency when there is no licensed dentist available." In line 26 after the word "laboratory"; strike the following words "or a student of a licensee from assisting his preceptor in dental operations while in the presence of, and under the personal supervision of his instructor."

Section 79-8-13. Beginning on the 6th line after the word "any" add the words "such Shop". Delete the following words "building wherein such shop is located." In line 7 after the word "purpose", delete (comma) and substitute "period" after word "purposes". Delete on the same line the word (unless) on line 8 after the word "building" insert words, "in which such shop is located,". Delete the same line, the word (has) and substitute the words "must have". On the 10th line, delete the word "is" and substitute the words "must be". On the 11th line between the words "which" and "must" add the word "shop".

79-9-11 L. D. Times for Holding. In line 1, after the word "held" strike the following words "at least quarterly at times and places fixed by the director of which the applicant shall be notified in writing" and insert therefore the following words "as provided in section 79-1-7 of this Code and shall be in the English Language and may be partly or wholly in writing."

Section 79-9-17, subdivision 6, after word "chiropody" delete (period)) add following words "by any legally licensed chiropodist."

Section 79-9-18, subdivision 4, after "substance comma", in the 2nd line, delete the following words "by any sign, card, newspaper advertisement or other written or printed sign or advertisement."

Section 79-11-2, subdivision 4, at the end of the 6th line the word, "ophthalmoscope". In line 7, the word "ophthalmeter" is misspelled.

Section 79-11-4. In second line after word "optomerterists" strike the following words "on the third Monday of January and of July of each year" and insert therefor the following words "as provided in section 79-1-7 of this code.

Section 79-11-11, subsection 4, in line 6, the word "ophthalmic" is misspelled twice.

Section 79-11-12. In line 4 the word "ophthalmoscope" is misspelled.

Section 79-11-13, subsection 3, on line 10, between the words "exclusive" and optical" the word "wholesale" should be inserted.

Section 79-11-14, subsection 6, on 2nd line, delete the word "false" before the word "name", delete the "period" and add "Other than His own".

Title No. 80, Entitled "REVENUE AND TAXATION."

80-3-1 (b), line 1, insert comma between words "minerals" and "quarries".

80-5-46, subsection 18, insert "carefully" after word "examine".

80-12-16 I. D. In line 2, insert words "not to Exceed" before word "$5.00".

80-13-5 subsection 10, subsection (b), line 23, after word "reserve" insert "or surplus". In line 33 of the same subsection, insert word "agricultural" before word "producers".

80-14-1. In first paragraph under subsection 7, figure "8" should be inserted.

80-14-5, subsection 1, line 9, word "meals" inserted instead of "means".

80-14-9, subsection 6, word "plan" should be inserted instead of word "plain".

Title No. 81, Entitled "SALES," without change.

Title No. 82, Entitled "SECURITIES COMMISSION," without change.

Title No. 83, Entitled "STATE FISCAL YEAR," without change.

Title No. 84, Entitled "STATE FLAG AND STATE FLOWER," without change.

Title No. 85, Entitled, "STATE INSTITUTIONS," without change.

Title No. 86, Entitled "STATE LANDS," without change.

Title No. 87, Entitled "STATE OFFICERS," without change.

Title No. 88, Entitled "STATUTES."

Section 88-1-2 be changed to read as follows: "Chapter 68, Laws of Utah, 1919, as amended by Chapter 73, Laws of Utah, 1921, and by Chapter 9, Laws of Utah, 1923, and by Chapter 98 and 107, Laws of Utah, 1925, and by Chapters 68 and 80, Laws of Utah, 1929. Also title 26, Compiled Laws of Utah, 1917, as amended by Chapter 41, Laws of Utah, 1919, and by Chapter 47, Laws of Utah, 1921, and by Chapters 48 and 73 Laws of Utah, 1923, and by Chapters 69 and 109, Laws of Utah, 1925, and by Chapters 32, 33 and 82, Laws of Utah, 1929; relating to Irrigation, Drainage and Conservation Districts."

The blank line in Section 88-1-2 in line 3 be filled with the words "twentieth regular".

The blank line in line 2 of Section 88-1-1 be filled with the words "Revised Statutes of Utah, 1933".

The blank line in line 5 of Section 88-1-1 be filled with the words "thirty-three" also that in line 4, strike the words "thirty-first" and "December" and insert the words "thirtieth" and "June" so as to read: "This revision of the laws of Utah shall be known as the Revised Statutes of Utah, 1933, and shall take effect at twelve o'clock, midnight, on the thirtieth day of June, 1933."

The blank line in line 3 of section 88-1-3 be filled with the words "twentieth regular".

Title No. 89, Entitled "STERILIZATION," without change.

Title No. 90, Entitled "SUPPLIES AND PURCHASE, BOARD OF," without change.

Title No. 91, Entitled "SUPPORT OF POOR BY RELATIVES," without change.

Title No. 92, Entitled "TELEGRAPHIC AND TELEPHONIC TRANSACTIONS," without change.

Title No. 93, Entitled "TOBACCO," without change.

Title No. 94, Entitled "TOWNSITES," without change.

Title No. 95, Entitled "TRADE-MARKS AND TRADE NAMES," without change.

Title No. 96, Entitled "TRADING STAMPS," without change.

Title No. 97, Entitled "UNIFORMITY OF LEGISLATION," without change.

Title No. 98, Entitled "VETERANS," without change.

Title No. 99, Entitled "WAREHOUSE RECEIPTS," without change.

Title No. 100, Entitled "WATER AND IRRIGATION."

The general repeal statute contained in Title 88, in the proposed revision be so amended as to avoid the repeal of the present irrigation district laws of Utah, also so as to avoid the repeal of the present drainage laws of Utah.

Title No. 101, Entitled "WILLS AND SUCCESSION," without change.

Title No. 102, Entitled "PROBATE CODE," without change.

Title No. 103, Entitled "PENAL CODE."

Section 103-51-12. In the title change the word "protection" to "prostitution".

Title No. 104, Entitled "CODE OF CIVIL PROCEDURE."

Section 104-5-13. After the word "newspaper" in line three of said section, add the following words: "most likely to give notice to the person to be served"; and after the word "designated" in the same line strike "as most likely to give notice to the person to be served."— and insert in lieu thereof "by the plaintiff". In line 7 thereof, strike the word "clerk" and insert the word "plaintiff" in lieu thereof, so that the section will read as follows:

> "The order must direct the publication to be made five times, once in each week for five successive weeks in a newspaper most likely to give notice to the person to be served to be designated

by the plaintiff. In case of publication where the residence of a nonresident or absent defendant is known, the plaintiff must forthwith deposit a copy of the summons and complaint in the post-office, postage prepaid, directed to the person to be served at his place of residence. The service of the summons is complete on the thirtieth day after the first publication. Personal service of a copy of the summons and complaint outside of the state is equivalent to publication and deposit in the postoffice and shall be complete on the tenth day after such service."

Section 104-19-1. That all of said section be deleted, substituting Chapter 25, Session Laws of Utah, 1919; and to also insert as Section 104-19-27, Section C. L. 17 6756, Chapter 17, Laws of 1925.

After Section 104-51-6, sections 7169 to 7177 inclusive "Compiled Laws of Utah, 1917" should be inserted to include the right to take depositions on oral interrogatories.

Section 104-62-4. After the word "county" in line 8 of said title, strike the following "such notice must be published, if in a daily newspaper, not less than twenty consecutive days, and if in a weekly newspaper, not less than five times.", and insert in lieu thereof "such notice must be published in a newspaper of general circulation not less than five times, once each week for five consecutive weeks."

Section 104-63-4. After the word "county" in line 8 of said title, strike the following "such notice must be published, if in a daily newspaper, not less than twenty consecutive days, and if in a weekly newspaper, not less than five times.", and insert in lieu thereof "such notice must be published in a newspaper of general circulation not less than five times, once each week for five consecutive weeks."

Title No. 105, Entitled, "CODE OF CRIMINAL PROCEDURE," without change.

Respectfully,

I. A. HUGGINS,
Chairman.

On motion of Senator Huggins Titles No. 88 and 100 were referred back to the Judiciary Committee.

On motion of Senator Huggins, the report was adopted with the exception of Titles No. 88 and 100.

On motion of Senator Shields the Senate recessed.

The Senate reconvened at 4:40 p. m.

On motion of Senator Booth, the Senate adjourned.

TWENTY-SECOND DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 30, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Bamberger, Keyser and Miller, excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 30, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the

twentieth day and found it correct with minor amendments noted on the final copy.

Respectfully,

HERBERT B. MAW,
JOHN E. BOOTH.

Report adopted.

The President appointed Senators Holbrook and Bowman to revise the Journal for the week ending February 4, 1933.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 30, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 17, by Mr. Maw, entitled: "AN ACT LEVYING A LICENSE TAX OF THREE CENTS PER THOUSAND CUBIC FEET OF NATURAL GAS SOLD FOR LIGHTING, HEATING OR POWER PURPOSES WITHIN THE STATE OF UTAH, PROVIDING FOR THE COLLECTION AND DISTRIBUTION OF SUCH TAX; FOR THE FORMS AND PROCEDURE TO BE USED AND FOLLOWED; REQUIRING REPORTS OF THE NUMBER OF THOUSAND CUBIC FEET SOLD; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT; PRESCRIBING THE DUTIES OF THE STATE TAX COMMISSION UNDER THIS ACT, AND REQUIRING THE MEMBERS THEREOF TO GIVE BONDS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES," with a few minor changes consented

to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 17 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 30, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 18, by Mr. Neslen, entitled, "AN ACT AMENDING SECTION 15-8-27, REVISED STATUTES OF UTAH, 1933, RELATING TO POWERS OF CITY COMMISSIONS AND CITY COUNCILS IN CONNECTION WITH THE FREE DISTRIBUTION OF HANDBILLS, DODGERS AND CIRCULARS," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE. M. MILLER,
Chairman.

Report filed.

S. B. No. 18 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 30, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 20, by Mr. Neslen, entitled, "AN ACT TO AMEND SECTION 103-33-1 AND SECTION 103-33-2 of the REVISED STATUTES OF UTAH, 1933, RELATING TO KIDNAPING AND PROVIDING THE PUNISHMENT THEREOF", with a few minor changes consented to by the author, being: "AN ACT TO AMEND SECTION 103-33-1 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO KIDNAPING AND PROVIDING THE PUNISHMENT THEREOF", and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 20 was ordered printed and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 21. By Mr. Neslen.

"An Act to amend section 15-8-87 Revised Statutes of Utah, 1933, relating to annual tax levies in cities", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22. By Mr. Holmgren.

"An Act to provide for the payment of property taxes in installments, to provide for a discount upon property

taxes paid in advance of delinquency, and to reduce the rate of interest upon delinquent taxes from 1% per month to 8% per annum, and amending section 6015 Compiled Laws of Utah, 1917, as amended by chapter 119, Laws of Utah, 1919, and as further amended by chapter 97, Laws of Utah, 1923, and section 6023 Compiled Laws of Utah, 1917, as amended by chapter 122, Laws of Utah, 1919, and section 6024, Compiled Laws of Utah, 1917", was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING.

S. B. No. 7 was read the second time and on motion of Senator Holbrook was referred back to the Committee on Agriculture.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, January 28, 1933.

To the Twentieth Legislature:

I am pleased to transmit to you a tentative budget covering, as fully as seems proper and desirable at this time, the matters required to be presented in the Governor's Biennial Budget. For reasons that will be apparent to you, no appropriation bill accompanies this message.

This legislature was courteous enough to provide for a Committee on Organization and Operation of State Government, as suggested in my first message, and this committee has been and is devoting a great deal of time and study to the subjects assigned to it. It is fair to assume that the Committee will report on or about February 10, 1933, with specific recommendations that may materially affect costs of operation of boards, commissions,

organizations and institutions that draw support in whole or in part from general fund revenues.

In deference to the Committee, and to avoid interfering in the slightest way with its freedom of action or with its conclusions and recommendations, I deem it proper to make no attempt at this time to allocate available funds to the several governmental departments.

After the Committee has made its report to both Houses and to the Governor, I shall be pleased to give full consideration to its recommendations, and thereafter, with your consent, submit an amended and supplemental budget as provided by Law.

There are submitted to you statements covering the following matters:

1. Bonded indebtedness and accumulated redemption funds for the ten-year period ending June 30, 1932.

2. Departmental and miscellaneous requests for appropriations from the general fund for the biennium July 1, 1933, to June 30, 1935; expenditures 1929-1931 and 1931-1933 (the latter partly estimated).

3. Departmental requests for appropriations from special funds for the biennium July 1, 1933, to June 30, 1935; expenditures 1929-1931 and 1931-1933 (the latter partly estimated).

4. State Auditor's estimate of the financial condition of the State general fund as of June 30, 1933.

5. State Auditor's estimate of revenues of the State general fund available for appropriation for biennium July 1, 1933, to June 30, 1935.

Permit me to direct particular attention to some features of the statements herein mentioned.

It will be noted the State Auditor has estimated general fund revenues of $4,646,550 for the ensuing biennium, based on returns from present sources. Departmental

and special requests total $6,168,488, to which should be added $30,000 to cover expenses of the Twenty-first (1933) Legislature. The excess of demands over revenues is, therefore, $1,571,938 for the biennium.

That is not the whole story. When attempt is made to apply the revenues to meet the needs, it is found that fixed charges, consisting of interest and redemption fund requirements, salaries fixed by law, and expenses of the Legislature, amount to a total of $1,306,092.18, which leaves only $3,340,437.82 of the total general fund revenue to meet $4,912,395.82, which is the balance of requests for appropriations, after deducting fixed charges. This would seem to require a 32 per cent average cut in the reducible items.

But here comes in another element of great moment. My belief is that the State Auditor has been too optimistic in setting up anticipated revenues. In fact, overestimating of expected income in the past, has caused part, at least, of our present financial difficulty. Estimates made under conditions obtaining recently, and now, cannot be safely relied upon. This should be carefully considered when making appropriations. I particularly call your attention to the provisions of the budget law that "the total appropriations made and expenditures authorized by the budget must not exceed the estimated revenues."

With reference to the departmental requests for the coming biennium, it should be said in fairness that some departments have voluntarily reduced their estimated requirements, while others have not. Some have asked for larger appropriation than were requested formerly. In the subsequent budget message these matters will be given full consideration.

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication filed.

SPECIAL ORDER

S. B. No. 1 on third reading.

Senator Neslen moved that S. B. No. 1 be referred to a special committee consisting of Senators Holbrook and Booth, to endeavor to adopt a satisfactory amendment to the bill.

Motion carried.

On motion of Senator Maw the Senate recessed.

The senate reconvened at 4:00 p. m.

REPORT OF SPECIAL COMMITTEE

January 30, 1933.

To the Senate and House of Representatives:

Your Joint Conference Committee, to which was referred various matters with reference to the proposed Code Revision, report as follows:

We recommend that the Senate concur in the action of the House in the following particulars:

1. 42-1-97, page 464. At the beginning of this section delete the following words: "Except as otherwise provided in this chapter".

2. 70-0-2, page 663. Delete the Senate amendments and adopt this section as it appears in the Code.

3. 75-4-24, page 675. Delete this section.

4. 75-11-9, page 690. At the end of this section delete the period and insert the following: "and any member convicted of such violation shall forfeit his office.

5. 75-5-33, page 679. In line 3, after the colon insert the following: 'An Act of Congress known as the Morrell act, approved July 2, 1862, being an act establishing land grant colleges and making appropriations for their maintenance;".

6. 75-9-7, page 687. Delete the amendments heretofore made and adopt this section as printed in the Code.

7. 76-2-1, subsection 6. That the Senate rescind its action which changes the last word in this subsection from "company" to "corporation", and restore the text as printed.

8. 76-2-1, subsection 28, page 717. That the Senate rescind its action in inserting the clause "or any portion thereof" after the word "generally" which would have the effect of restoring this section as printed.

9. 30-0-13, page 371, line 4. After the word "license to" add "angle for fish and" also in the sixth line after the word "beaver" restore the printed text "and".

Also in the last line, strike the words "and to angle for fish".

10. 30-0-25, page 373, line 5. After the word "seine" strike the comma and insert the word "and".

11. 30-0-59, page 382. In the amendment previously adopted change the word "season" to the word "seasons".

We recommend that the House concur in the action of the Senate as follows:

1. 55-4-5, page 577. In line 1, strike out the word "three" and insert the word "five".

2. 75-11-11, page 690. In line 1, after the word "meeting" insert the words "in June". Line 3, after the word "meeting", insert the words "in June".

3. 43-7-9, page 495. That the House concur in the action of the Senate in adopting this section as printed in the Code.

That the Senate and the House of Representatives each make the following changes:

88-1-1, page 994. That each change its own action in respect to this section and adopt the following to be the language of such section:

> "This revision of the laws of Utah shall be known as the "Revised Statutes of Utah 1933" and shall take effect at the time designated by the Governor by proclamation as may be provided by law."

42-1-51, page 452, line 3. After the word "pay" insert the following: annually, on or before the first day of September in each year,".

On the tenth line delete the period and add "as provided in Section 43-3-7.

20-2-14, page 273. Reinstate the printed text of the Code. After the last word change period to semi-colon and add "but not to exceed 3 at a salary of not more than $1,800.00 per year each, and one at a salary of not more than $1,200.00 per year".

42-2-16, page 467. In line 3, after the word "shall" insert "annually, on or before the first day of September in each year,".

In line 6 change the period to a semi-colon and add "such tax to be deposited by the tax commission with the state treasurer and credited by him to the state general fund."

76-5-7, page 732. Strike first four lines and insert in lieu thereof the following:

> "Every motor transport corporation and every person, his lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in the business of transporting passengers or freight, merchandise or other property by means of motor vehicles or motor vehicle trailers for compensation or hire, whether holding a certificate of convenience and necessity issued by the public utilities commission or not, on any public streets, roads, or

highways, between any two or more cities or towns within this state, except any motor transport corporation operating as a delivery system of merchants, shall pay special taxes as follows:".

Respectfully submitted,

JOINT CONFERENCE COMMITTEE,
By DAN B. SHIELDS,
Chairman for the Senate,
By B. W. MENDENHALL,
Chairman for the House.

On motion of Senator Shields the report was adopted.

On motion of Senator Huggins, Titles 88 and 100 were adopted as amended by the Joint Conference Committee.

S. B. No. 2 was placed on the third reading calendar on the following roll call.

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Keyser, Miller.

On motion of Senator Patterson, the Senate adjourned.

TWENTY-THIRD DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 31, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Bamberger, Keyser and Miller, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 31, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the twenty-second day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
O. C. BOWMAN.

Report adopted.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
State Capitol,
Salt Lake City, Utah, January 30, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the report and the recommendations of the Joint Conference Committee on Code Revision, dated January 30, 1933, and signed by Dan B. Shields, Chairman of the Senate and B. W. Mendenhall, Chairman of the House.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 31, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed, as amended, under suspension of the rules, H. B. No. 2, by Mr. Hoyt, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Shields stated that H. B. No. 2 and S. B. No. 2 are identical and moved that both bills be referred to the Committee on Revision and Enrolling for comparison.

Motion carried.

H. B. No. 2 and S. B. No. 2 were referred to Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, January 31, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 19, by Mr. Neslen, entitled: "AN ACT TO AMEND CHAPTER 49, SESSION LAWS OF UTAH, 1931, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 73x PRESCRIBING NON-SHATTERABLE TYPE GLASS WINDSHIELDS FOR MOTOR VEHICLES OPERATED FOR HIRE ON THE HIGH-

WAYS, AND PRESCRIBING FOR SCHOOL-BUSSES SAID NON-SHATTERABLE TYPE FOR ALL GLASS WINDOWS; DEFINING SAID TERMS, AND FIXING THE TIME FOR THIS SECTION TO TAKE EFFECT," with a few minor changes consented to by the author, being: "AN ACT PRESCRIBING NON-SHATTERABLE TYPE GLASS WINDSHIELDS FOR MOTOR VEHICLES OPERATED FOR HIRE ON THE HIGHWAYS, AND PRESCRIBING FOR SCHOOL BUSSES SAID NON-SHATTERABLE TYPE FOR ALL GLASS WINDOWS; DEFINING SAID TERMS, AND FIXING THE TIME FOR THIS SECTION TO TAKE EFFECT," and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 19 was ordered printed and referred to the Committee on Highways and Bridges.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 31, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 21, by Mr. Neslen, entitled, "AN ACT TO AMEND SECTION 15-8-87, REVISED STATUTES OF UTAH, 1933, RELATING TO ANNUAL TAX LEVIES IN CITIES," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 21 was ordered printed and referred to the Committee on State and Municipal Affairs.

INTRODUCTION OF BILLS

S. B. No. 23. By Mr. Calder.

"An Act to amend Section 30-0-33, Revised Statutes of Utah 1933, relating to fish and game; dates of fishing season," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 24. By Mr. Calder.

"An Act to amend Section 30-0-44, Revised Statutes of Utah 1933, relating to fish and game; guides; licenses; penalty," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25. By Mr. Booth.

"An Act to amend Section 15-8-80, Revised Statutes of Utah 1933, relating to the power of cities and towns, to license, tax and regulate businesses," 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 15-12-6, Revised Statutes of Utah 1933, relating to powers of towns to license, tax, and regulate businesses," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Shields the Senate recessed.

The Senate reconvened at 3:40 p. m.

On motion of Senator Griffin, the Senate adjourned.

TWENTY-FOURTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 1, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the Chair.

Roll Call—All Senators present except Senators Bamberger, Keyser, Miller and Young, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 1, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the twenty-third day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
O. C. BOWMAN.

Report adopted.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, January 31, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, S. B. No. 8, by Mr. Neslen, "AN ACT PROVIDING FOR THE ISSUANCE AND DISPOSAL OF STATE BONDS AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PAYMENT OF THE STATE'S GENERAL FUND DEFICIT AND REFUNDING THE STATE'S OUTSTANDING TAX NOTES, AND PROVIDING A FUND FOR THE PAYMENT OF INTEREST AND REDEMPTION

OF SAID BONDS", and the same is herewith returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 8 was referred to the Committee on Revision and Enrolling to be engrossed.

COMMUNICATION FROM THE STATE INDUSTRIAL SCHOOL

STATE INDUSTRIAL SCHOOL,
Ogden City, Utah,
January 27, 1933.

Honorable Frank Fowles
President of Senate
Utah State Legislature
Salt Lake City, Utah

Dear Sir:

Permit me to extend, through you, an invitation for yourself and members of the Senate to visit the State Industrial School at Ogden, Utah, and view the work we are doing in our various departments.

If it is impossible for the entire membership to attend, we would count it a real pleasure to welcome to this institution, as many as can arrange to be our guests.

Anticipating your further friendship and kindly cooperation, I am

Sincerely yours,

F. A. CHILD,
Superintendent.

Communication referred to the chairmen of the Committees on Appropriations and Public Institutions.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 1, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 22, by Mr. Holmgren, entitled "AN ACT TO PROVIDE FOR THE PAYMENT OF PROPERTY TAXES IN INSTALLMENTS, TO PROVIDE FOR A DISCOUNT UPON PROPERTY TAXES PAID IN ADVANCE OF DELINQUENCY, AND TO REDUCE THE RATE OF INTEREST UPON DELINQUENT TAXES FROM 1% PER MONTH TO 8% PER ANNUM, AND AMENDING SECTION 6015, COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 119, LAWS OF UTAH, 1919, AND AS FURTHER AMENDED BY CHAPTER 97, LAWS OF UTAH, 1923, AND SECTION 6023, COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 122, LAWS OF UTAH, 1919, AND SECTION 6024, COMPILED LAWS OF UTAH, 1917.", with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully submitted,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 22 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 1, 1933.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred Senate Bill No. 7, by Mr. Holbrook entitled:

"AN ACT AMENDING SECTIONS 1, 2, 3 AND 5, CHAPTER 38, LAWS OF UTAH, 1929, PROVIDING FOR THE LICENSING, BONDING AND REGULATION OF PRODUCE DEALERS, TRUCKERS 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 OF SALES TO BE RENDERED TO PRODUCERS, SHIPPERS AND CONSIGNORS, AND ADDING SECTIONS 6 AND 7 THERETO.", beg leave to report the same favorably with the following amendments:

Page 1, line 4. After the word "corporation" insert a comma and add the following: "other than those duly and regularly licensed to sell exclusively at retail".

Page 1, line 7, strike the words "other than exclusively at retail".

Page 1, line 8. Strike the word "in" and substitute the word "within".

Page 1, lines 10, 11 and 12. Strike the last four words of line 10, all of line 11, and all of line 12, and insert the following: "Organized and operating in this state in accordance with Chapter 42, Laws of Utah, 1929, commonly called the 'Agricultural Co-operative Associations Act' or to persons, firms, or corporations engaged in the manufacture of sugar or in the business of canning."

Page 1, line 15. After the word "stations" strike the comma and insert a semicolon.

Page 2, line 1. After the word "governments" strike the comma and the word "also" and insert a semicolon.

Page 2, line 2. After the word "chapter" strike the comma and the word "and", and insert a semicolon.

Page 2, line 4. At the end of the line insert the words "as hereinbefore provided,".

Page 2, line 5. After the word "cars" strike the comma and the word "and", and insert a semicolon.

Page 2, line 7. After the word "year" strike the comma and insert a semicolon.

Page 2, line 20. After the period following the word "products", insert the following: "provided that any applicant whose application for license has been rejected by decision of the Board of Agriculture and any licensee whose license has been revoked by said Board, may appeal from such decision to the Third Judicial District Court in and for Salt Lake County".

Page 2, line 20. At the end of the line strike the comma and insert the word "further".

Page 2, line 22. Strike the comma after the word "truck".

Page 3, line 6. After the word "board", insert the following words "And said Board shall accept".

Page 3, line 7. Strike the word "five" and insert the word "three".

Page 3, line 8. Strike the figures "$5,000.00" and insert "$3,000.00."

Page 3, line 13. After the period following the word "peddler" insert the following: "Such surety bond is to run to the State of Utah for the benefit of all persons, firms, or corporations with which such produce dealer or peddler shall do business within the State of Utah and any such person, firm, or corporation which shall suffer a loss because of violation of this Act by reason of doing business with any such licensed produce dealer or peddler shall have the right to sue on such bond in his or its own name in any court of competent jurisdiction and the principal and the surety may be joined in such action."

Page 3, line 30. The sentence beginning on this line contains the penalty provision of the Act. It would

be much clearer if the penalty provision were placed in the new section, because they have nothing to do with the rest of Section 5. We recommend that you begin Section 6 with the words "any person" and then change the numbers of the following sections.

Page 4. Section 7 should read as follows: "This act shall take effect upon approval."

Respectfully submitted,

WARD C. HOLBROOK,
Chairman.

Report filed.

S. B. No. 7 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 27. By Mr. Huggins.

"An Act requiring licenses for the operation, maintenance, opening and establishment of stores in this State prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Tax Commission in connection therewith, and prescribing penalties for the violation thereof," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Holbrook, the rules were suspended and S. B. No. 7 was considered on second reading.

Committee report read and adopted.

Senator Patterson moved to amend the bill by striking from the committee amendment following line 20, page 2, the following words "Third Judicial District Court in and for Salt Lake County" and inserting in lieu thereof "District Court in the county where such applicant resides."

Motion carried.

S. B. No. 7 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Bamberger, Candland, Keyser, Miller, Young.

On motion of Senator Wallace, the Senate adjourned.

TWENTY-FIFTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present except Senators Bamberger, Keyser, Young and Miller, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the

twenty-fourth day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
O. C. BOWMAN,

Report adopted.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, and amended by the House in Title and Body, H. B. No. 19 by Mr. Keddington, "AN ACT FIXING AND DETERMINING MAXIMUM SALARIES OF STATE OFFICERS, OFFICIALS, AND EMPLOYEES AND EMPOWERING AND REQUIRING THE STATE BOARD OF EXAMINERS TO FIX SALARIES OF OFFICERS, OFFICIALS AND EMPLOYEES HEREAFTER ELECTED OR APPOINTED WITHIN LIMITS FIXED BY STATUTE", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins, H. B. No. 19 was placed on the table until 2:30 p. m., February 13, 1933.

COMMUNICATIONS

NATIONAL WOMAN'S RELIEF SOCIETY,
OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS,
Salt Lake City, Utah, February 1, 1933.

Utah State Senate
State Capitol Bldg.
Salt Lake City, Utah

Gentlemen:

The Utah Division of the National Women's Committee for Law Enforcement respectfully invite you, and the members of the Senate Judiciary Committee, to attend a Women's Mass Meeting to be held in the Salt Lake Assembly Hall, Thursday evening, February 2nd, at 8 o'clock. Seats will be reserved for you.

Respectfully,
MRS. LOUISE Y. ROBISON,
Chairman, Utah Division.

Communication filed.

Salt Lake City, Utah, February 1, 1933.

To the Honorable,
President and Members Senate,
State Capitol Building,
City.

Gentlemen:

On Saturday, February 11th, the wealth producers and payroll builders of this state will meet in common council at the Hotel Utah for a discussion of their respective problems. Spokesmen have been selected by each organized branch of business and industry in the state, including agriculture, manufacturing, banking, utilities, mines, transportation, etc., to describe, each in turn, the problems that confront them in their struggle for existence and survival.

The session will be known as UTAH'S ECONOMIC COUNCIL, which has been called by the signatory group to meet this present emergency.

It is the hope that as a result of this gathering of the heads of all of these constructive agencies in the State a clear cut picture can be had of their interdependence and will lead to some co-operative action to bring about their economic recovery.

We believe that those in attendance will obtain a clear cut, composite picture of their whole present economic situation as a basis for determining any action calculated to promote the best interests of the State.

We take this means of inviting your honorable body to attend this conference, Sessions will be held at 2:00 p. m. and 7:30 p. m., in the Ballroom of the Hotel Utah.

Furthermore, we ask that you be special guests of the Council at a luncheon at 12:00 sharp at the Hotel Utah, preceding the afternoon session.

Your presence will lend encouragement to this endeavor and we express the hope that we are to be favored and honored with the attendance of your entire body.

Respectfully,

UTAH STATE FARM BUREAU,
UTAH ASSOCIATED INDUSTRIES,
UTAH BANKERS ASSOCIATION,
UTAH CHAPTER, AMERICAN
MINING CONGRESS,
UTAH MANUFACTURERS ASSOCIATION,
ASSOCIATED MERCHANTS
UTAH COAL PRODUCERS ASSOCIATION,
UTAH CANNERS ASSOCIATION,
UTAH WOOL GROWERS ASSOCIATION,
RAILROADS,
PUBLIC UTILITIES,
Sponsors and General Committee,

By TRACY WELLING,
HAROLD JENNINGS,
A. C. REES,
Committee on Arrangements.

Communication filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 23, by Mr. Calder entitled: "AN ACT TO AMEND SECTION 30-0-33, REVISED STATUTES OF UTAH, 1933, RELATING TO FISH AND GAME; DATES OF FISHING SEASON," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 23 was ordered printed and referred to the Committee on Fish and Game.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 24, by Mr. Calder, entitled: "AN ACT TO AMEND SECTION 30-0-44, REVISED STATUTES OF UTAH, 1933, RELATING TO FISH AND GAME; GUIDES; LICENSES; PENALTY," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 24 was ordered printed and referred to the Committee on Fish and Game.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 25, by Mr. Booth entitled: "AN ACT TO AMEND SECTION 15-8-80, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWER OF CITIES AND TOWNS, TO LICENSE, TAX AND REGULATE BUSINESSES," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 25 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 26, by Mr. Booth, entitled: "AN ACT TO AMEND SECTION 15-12-6, REVISED STATUTES OF UTAH, 1933, RELATING TO POWERS OF TOWNS TO LICENSE, TAX AND REGULATE BUSINESSES," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 26 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 1, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 8, by Mr. Neslen, entitled, "AN ACT PROVIDING FOR THE ISSUANCE AND DISPOSAL OF STATE BONDS AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PAYMENT OF THE STATE'S GENERAL FUND DEFICIT AND REFUNDING THE STATE'S OUTSTANDING TAX NOTES, AND PROVIDING A FUND FOR THE PAYMENT OF INTEREST AND REDEMPTION OF SAID BONDS", properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 8 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, February 1, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred S. J. R. No. 2 by Mr. Patterson, being: "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE TWENTY-TWO OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS BY REPEALING SECTION

THREE THEREOF", beg leave to report same back and recommend that it be referred to the Judiciary Committee.

Respectfully,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. J. R. No. 2 was referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol.
Salt Lake City, Utah, February 1, 1933.

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 20, by Mr. Neslen, entitled: "AN ACT TO AMEND SECTION 103-33-1 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO KIDNAPPING, AND PROVIDING THE PUNISHMENT THEREOF." recommends the following amendment:

In line 22, page 1, that the word "five" be stricken and the word "one" inserted therefor, and recommended the same out favorably.

I. A. HUGGINS,
Chairman.

Report filed.

S. B. No. 20 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred S. B. No. 18 by Mr. Neslen entitled: "AN ACT AMENDING SECTION 15-8-27 REVISED

STATUTES OF UTAH 1933, RELATING TO POWERS OF CITY COMMISSIONS AND CITY COUNCILS IN CONNECTION WITH THE FREE DISTRIBUTION OF HANDBILLS, DODGERS AND CIRCULARS.", beg leave to report the same favorably with the following amendments:

In the first line of the Title after "15-8-27", place a comma.

Section 2 should be amended to read, "This act shall take effect upon approval."

Respectfully submitted,

C. CLARENCE NESLEN,
Acting Chairman.

Report filed.

S. B. No. 18 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred S. B. No. 9 by Mr. Calder, entitled: "AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY CERTAIN LANDS IN SALT LAKE COUNTY TO SALT LAKE CITY, A MUNICIPAL CORPORATION.", beg leave to report the same favorable with the following amendment:

Change the word "northwest" to "northeast" on line 7, page 1.

Respectfully submitted,

C. C. NESLEN,
Acting Chairman.

Report filed.

S. B. No. 9 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your committee on Appropriations and Claims to which was referred S. B. No. 16 by Mr. Hunt entitled: "AN ACT TO AMEND SECTION 26-0-23, REVISED STATUTES OF UTAH 1933, RELATING TO POWERS AND DUTIES OF BOARD OF EXAMINERS IN RESPECT TO THE CREATION OF DEFICITS AND PROVIDING FOR ADVERTISING AND PUBLIC HEARINGS:", beg leave to report the same back and recommend it be referred to the Committee on State and Municipal Affairs.

Respectfully,

HERBERT B. MAW,
Chairman.

Report filed.

S. B. No. 16 was referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred S. B. No. 16 by Mr. Hunt entitled: "AN ACT TO AMEND SECTION 26-0-23, REVISED STATUTES OF UTAH 1933, RELATING TO POWERS AND DUTIES OF BOARD OF EXAMINERS IN RESPECT TO THE CREATION OF DEFICITS AND PROVIDING FOR ADVERTISING AND PUBLIC HEARINGS:", beg leave to report the same favorable with the following amendment:

That section 2 be amended to read, "This act shall take effect upon approval."

Respectfully submitted,

C. C. NESLEN,
Acting Chairman.

Report filed.

S. B. No. 16 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred H. C. R. No. 2 by Mr. Lamoreaux entitled: "A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT-ELECT OF THE UNITED STATES TO APPOINT THE HONORABLE GEORGE H. DERN, A RESIDENT OF THE STATE OF UTAH, AS SECRETARY OF THE INTERIOR.", beg leave to report the same back without any comment.

Respectfully submitted,

C. CLARENCE NESLEN,
Acting Chairman.

Report filed.

H. C. R. No. 2 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 28. By Mr. Griffin and Mr. Holmgren.

"An Act providing for refund of motor fuel tax paid in case of motor fuels used for purposes other than in motor vehicles.", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29. By Mr. Huggins.

"An Act amending section 25-6-5 of the Revised States of Utah 1933, relating to form of ballot.", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30. By Mr. Miller.

"An Act amending chapter 2 of title 7, Revised Statutes of Utah 1933, relating to the suspension and liquidation of banks by adding to such chapter new sections to be numbered sections 24, 25, and 26, and to provide for the protection of rights of depositors in the liquidation of banks and to permit of the transfer of assets of banks to depositors or a corporation organized by them.", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31. By Mr. Jefferson and Mr. Bowman.

"An Act to amend Section 36-6-2, Revised Statutes of Utah 1933, relating to secondary roads," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 32. By Mr. Jefferson and Mr. Bowman.

"An Act to amend Section 57-12-9, Revised Statutes of Utah 1933, relating to motor fuels; tax payable monthly; distribution of receipts," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 7 was read the third time and placed on its final passage.

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

Page 1, line 2, after the word "amended" insert the following words: "and new sections 6 and 7 be added."

Page 3, line 30, beginning with the words "any person" start section 6.

Page 4, change section 6 to section 7 and section 7 to section two.

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

On page 3, lines 7 and 8, the words and figures "three thousand dollars ($3,000.00)" be made to read "2,500.00."

On motion of Senator Patterson, S. B. No. 7 was made a special order of business for Friday, February 3.

COMMUNICATIONS FROM THE SECRETARY OF STATE

THE STATE OF UTAH,
STATE BOARD OF EXAMINERS,
Salt Lake City, Utah, February 2, 1933.

To the Senate:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim of Mr. Elwood G. Winters covering damages sustained in a collision on the State highway.

This claim was duly filed with the Board and acted upon as provided in Sections 2476 and 2477 of the Compiled Laws of Utah, 1917, and rejected.

Claimant has appealed from the decision of this Board to the Legislature under the provisions of Section 2481 of the Compiled Laws of 1917, and all papers filed with the Board together with notice of appeal are transmitted to you herewith for your consideration.

Respectfully yours,

M. H. WELLING,
Secretary, State Board of Examiners.

Referred to the Appropriations and Claims Committee.

THE STATE OF UTAH,
STATE BOARD OF EXAMINERS,
Salt Lake City, Utah, February 2, 1933.

To the Senate:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body, following claims for refund of inheritance taxes paid the State:

Estate of Emma Smith Hodge, deceased.

Estate of Addie N. Burbush, deceased.

Estate of Percy R. Pyne, deceased.

Estate of Ellen Marie Williams, deceased.

Estate of Sarah Harriet Wilson, deceased.

Estate of Franklin O. Watson, deceased.

Estate of Charlotte L. Frelinghuysen, deceased.

Estate of Nettie S. Clements, deceased.

These claims were duly filed with the Board and acted upon as provided in Sections 2476 and 2477 of the Compiled Laws of Utah, 1917, and rejected. Claimants have appealed from the decision of this Board to the Legislature under the provisions of Section 2481 of the Compiled Laws of 1917, and all papers filed with the Board together with notices of appeal are transmitted to you herewith for your consideration.

Respectfully yours,

M. H. WELLING,
Secretary, State Board of Examiners.

Referred to the Appropriations and Claims Committee.

THE STATE OF UTAH,
STATE BOARD OF EXAMINERS,
Salt Lake City, Utah, February 2, 1933.

To the Senate:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body, claim of Mrs. Mae De-

Nevers covering damages for injuries sustained in an accident which occurred on the State Capitol Grounds.

This claim was duly filed with the Board and acted upon as provided in Sections 2476 and 2477 of the Compiled Laws of Utah, 1917, and rejected. Claimant has appealed from the decision of this Board to the Legislature under the provisions of Section 2481 of the Compiled Laws of 1917, and all papers filed with the Board together with notice of appeal are transmitted to you herewith for your consideration.

Respectfully yours,

M. H. WELLING,
Secretary, State Board of Examiners.

Referred to the Appropriations and Claims Committee.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

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. 8, by Mr. Neslen, "AN ACT PROVIDING FOR THE ISSUANCE AND DISPOSAL OF STATE BONDS AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PAYMENT OF THE STATE'S GENERAL FUND DEFICIT AND REFUNDING THE STATE'S OUTSTANDING TAX NOTES, AND PROVIDING A FUND FOR THE PAYMENT OF INTEREST AND REDEMPTION OF SAID BONDS," and the same is herewith returned for transmission to the Governor.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 8 was transmitted to the Governor.

On motion of Senator Wallace the Senate adjourned.

TWENTY-SIXTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present except Senators Bamberger, Keyser and Miller, excused.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the twenty-fifth day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
O. C. BOWMAN.

Report adopted.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

Your Committee on Revenue and Taxation, to whom was referred S. B. No. 3 by Mr. Holmgren, entitled "AN ACT TO REDUCE THE BURDEN OF TAXATION UPON PROPERTY AND TO REPEAL SECTION 2857 COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 57, LAWS OF UTAH, 1919, AND SECTION 2857x ENACTED BY CHAPTER 58, LAWS OF UTAH, 1919, RELATING TO THE AUTHORITY OF COUNTY COMMISSIONERS TO LEVY A TAX UPON PROPERTY FOR STATE ROAD PURPOSES AND TO THE DISTRIBUTION AND EXPENDITURE OF THE REVENUES SO DERIVED, AND AMENDING SECTION 5993 COMPILED LAWS OF UTAH AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1929." beg to report the same without recommendation and recommend the following amendments:

On line 31, page 2, following end of the paragraph, change the period to a semicolon and add: "provided however, that whenever any county is indebted at the time of the passage of this Act for moneys advanced for state road work by the state road commission, under the law existing prior to this Act, the board of county commissioners in such county may levy a tax of not to exceed 3 mills on the dollar on the property of said county for state road purposes to recover the delinquent amount due to the state road commission."

Respectfully submitted,

DAN B. SHIELDS,
Chairman.

Report filed.

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

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

Your Committee on Revenue and Taxation, to whom was referred S. B. No. 4, by Mr. Fennell, entitled: "AN ACT AMENDING SECTIONS 15-7-7 AND 15-7-8, REVISED STATUTES OF UTAH 1933, PERTAINING TO BOND ISSUES IN CITIES AND TOWNS, SETTING FORTH ELECTION REQUIREMENTS, beg leave to report the same favorably.

Respectfully submitted,

DAN B. SHIELDS,
Chairman.

Report filed.

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

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

Your Committee on Revenue and Taxation, to whom was referred S. B. No. 5, by Mr. Fennell, entitled "AN ACT AMENDING SECTION 75-13-1 and 75-13-6, REVISED STATUTES OF UTAH 1933, PERTAINING TO SCHOOL BOND ELECTIONS AND SETTING FORTH RIGHTS TO BORROW, LIMITS OF BORROWING AND ELECTION REQUIREMENTS.", beg leave to report the same favorably.

Respectfully submitted,

DAN B. SHIELDS,
Chairman.

Report filed.

S. B. No. 5 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

Your Committee on Revenue and Taxation, to whom was referred S. B. No. 6, by Mr. Fennell, entitled: "AN ACT AMENDING SECTION 19-10-1, REVISED STATUTES OF UTAH 1933, PERTAINING TO BONDING AND BOND ELECTIONS IN COUNTIES, SETTING FORTH QUALIFICATION OF ELECTORS, THE NUMBER OF VOTES REQUIRED TO PASS A BOND ISSUE, NOTICE OF ELECTION, BALLOTS, REQUIREMENTS FOR ISSUING OF BONDS, APPLICATION OF PROCEEDS, QUALIFICATIONS FOR SALE, KIND OF BONDS WHICH MAY BE ISSUED AND REQUIREMENTS FOR REFUNDING," beg leave to report the same favorably.

Respectfully submitted,

DAN B. SHIELDS,
Chairman.

Report filed.

S. B. No. 6 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

Your Committee on Revenue and Taxation, to whom was referred S. B. No. 22, by Mr. Holmgren, entitled: "AN ACT TO PROVIDE FOR THE PAYMENT OF PROPERTY TAXES IN INSTALLMENTS, TO PROVIDE FOR A DISCOUNT UPON PROPERTY TAXES PAID IN ADVANCE OF DELINQUENCY, AND TO

REDUCE THE RATE OF INTEREST UPON DELINQUENT TAXES FROM 1 PER CENT PER MONTH TO 8 PER CENT PER ANNUM, AND AMENDING SECTION 6015 COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 119, LAWS OF UTAH, 1919, AND AS FURTHER AMENDED BY CHAPTER 97, LAWS OF UTAH, 1923, AND SECTION 6023 COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 122, LAWS OF UTAH, 1919, AND SECTION 6024, COMPILED LAWS OF UTAH, 1917," beg leave to report the same favorably.

Respectfully submitted,

DAN B. SHIELDS,
Chairman.

Report filed.

S. B. No. 22 was placed on the second reading calendar.

On motion of Senator Neslen S. B. No. 18 was recommitted to the Committee on State and Municipal Affairs.

INTRODUCTION OF BILLS

S. B. No. 33. By Mrs. Musser.

"An Act concerning contracts to treat human ailments existing between any person or organization or persons, or any corporation, or any lodge, or any benevolent association, or any mutual welfare organization; and any physician or physicians, dentist or dentists, or partnership, or corporation employing physicians or dentists for the purpose of treating bodily ailments by any means coming under the meaning and jurisdiction of the medical practice act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 34. By Mr. Miller.

"An Act authorizing the State Land Board to merge and consolidate the properties, rights, privileges, and franchises acquired by the State through foreclosure of the mortgage of the Carbon Water Company to the State of Utah with the properties, rights, privileges, and franchises of the Price River Water Conservation District and other corporations, associations and individuals owning storage rights in the reservoir of the Price River Water Conservation District; to exchange such properties for the capital stock of the consolidated corporation; to reserve a portion of such stock for the irrigation of state lands; to sell or lease the excess stock; to vote the stock of the consolidated corporation, and defining the manner in which the proceeds from the sale or lease of said stock shall be applied," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35. By Mr. Fennell.

"An Act to prohibit the release, or manufacture or possession with intent to release, in a public place of offensive or injurious gases or other substance and providing a penalty for the violation thereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 36. By Mrs. Musser.

"An Act relating to transportation by motor vehicles over the public highways of Utah; providing for the issuance of certificates of convenience and necessity, permits and licenses by the Public Utilities Commission; providing for the payment of a tax for the use of the highways; providing for the furnishing of insurance by motor carriers and repealing Sections 25, 26, and 27 of Chapter 4, Title 76, and all of Chapter 5, Title 76, Revised Statutes of Utah 1933, insofar as such chapter is in conflict with the provisions of this Act and also repealing all other acts or parts of acts in conflict herewith," was read the

first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37. By Mr. Day.

"An Act amending Section 19-15-1 Revised Statutes of Utah 1933, defining the duties of county attorneys and repealing Chapter 8, Title 87, Revised Statutes of Utah, 1933, providing for district attorneys and assistant district attorneys," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 38. By Mr. Day.

"An Act to amend Section 87-6-1, Revised Statutes of Utah 1933, relating to the duties of the attorney general," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39. By Mr. Day.

"An Act authorizing the killing of dogs attacking, chasing or worrying domestic animals or fowls," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40. By Mr. Booth.

"An Act to amend section 19-13-11, Revised Statutes of Utah 1933, relating to official bonds of county officers," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Shields, S. B. No. 2 was recalled from Committee on Revision and Enrolling and placed on third reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 2 on final passage.

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

Section 7-5-5, subdivision 4, page 92. After the word "investment" on the second line, strike the word "debenture".

Section 33-4-1, page 391. At the end of the section, add the following new sentence: "Neither such bill of sale nor such agreement need be acknowledged or verified".

Section 79-3-8, page 767. Strike the section.

Section 85-6-7, page 941. In the fourth line, before the word "provided", strike the semi-colon, add a period and strike the balance of the section.

Section 85-7-33, page 949. On the 4th line, strike the first six words: "for not more than thirty days".

Section 104-5-13, page 1180. Strike all amendments and restore the original section.

Then strike, beginning with the word "to", after the word "newspaper" on the third line, the rest of the sentence which reads: "to be designated as most likely to give notice to the person to be served" and add in lieu thereof: "having general circulation, published in the county in which the action is brought, or if no newspaper is published in such county, then in a newspaper having general circulation in such county".

On motion of Senator Shields S. B. No. 2 was recommitted to Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 2, 1933.

Mr. President:

We, your Committee on Revision and Enrolling, to which was referred H. B. No. 2, by Mr. Hoyt, and S. B. No. 2, by Messrs. Shields and Keyser, both entitled "AN ACT TO REVISE, AMEND AND CODIFY THE STAT-

UTES OF UTAH," beg leave to report that we have carefully examined H. B. No. 2 in comparison with S. B. No. 2 and find them to be identical.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

Senator Shields moved that H. B. No. 2 be substituted for S. B. No. 2.

Motion carried.

S. B. No. 2 was placed on the file of unfinished business.

On motion of Senator Shields the rules were suspended and H. B. No. 2 was read the second and third time and placed on its final passage.

Senator Shields moved to amend H. B. No. 2 as follows:

Section 7-5-5 (4), page 92. After the word "execute", on the first line, insert the word "debenture,".

Section 80-13-6 (2) (D) (3rd), page 833, first column, second line. After the word "Congress", strike the comma and add a period. On the third line, strike the word "but", capitalize "such", and make a new paragraph.

Section 80-14-4 (2) (D) (3rd), page 851, second column, in third line. Beginning with the word "such", after the word "congress", set up a new paragraph.

Section 104-19-1. Delete section 104-19-1 and substitute section 6730, Compiled Laws of Utah 1917, as amended by chapter 106, Laws of Utah 1925.

Motion carried.

H. B. No. 2 then passed on the following roll call:

Yeas, 21; nays, 1; absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Jefferson.

Absent and not voting: Senator Bamberger.

H. B. No. 2 was transmitted to the House.

SPECIAL ORDER

S. B. No. 7 on final passage.

On motion of Senator Maw, S. B. No. 7 was made a special order of business Tuesday, February 7, 1933, at 2:30 p. m.

Senator Neslen moved that H. C. R. No. 2 now be placed at the head of the second reading calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. C. R. No. 2 was read the second time.

Committee report read and adopted.

H. C. R. No. 2 was placed on the third reading calendar on the following roll call.

Yeas, 17; nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Day, Griffin, Jefferson, Keyser and Miller.

On motion of Senator Maw the rules were suspended and H. C. R. No. 2 was read the third time and placed on its final passage.

H. C. R. No. 2 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Day, Keyser and Miller.

H. C. R. No. 2 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,

Salt Lake City, Utah, February 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected S. C. M. No. 2 by Mr. Patterson "MEMORIALIZING CONGRESS TO PASS HOUSE BILL NO. 11816 FOR THE REGULATION AND CONTROL OF THE PUBLIC RANGE OF THE UNITED STATES AND FOR THE CREATION OF GRAZING DISTRICTS BY THE SECRETARY OF THE INTERIOR UNDER THE DIRECT SUPERVISION OF THE USERS OF THE PUBLIC RANGE", and the same is returned herewith.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Secretary of Senate:

Please return S. C. M. No. 2 transmitted to you this afternoon, as motion has been passed just now for reconsideration of said Memorial next Monday.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 2 was transmitted to the House.

On motion of Senator Neslen the Senate adjourned until Monday, February 6, 1933, at 2 p. m.

TWENTY-NINTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Bamberger, Keyser, Miller, and Fennell, excused.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the

twenty-sixth day and found it correct with minor amendments noted on the final copy.

Respectfully,

WARD C. HOLBROOK,
O. C. BOWMAN.

Report Adopted.

The President appointed Senators Shields and Day to revise the Journal for the week ending February 11, 1933.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 28, by Mr. Griffin and Mr. Holmgren, entitled, "AN ACT PROVIDING FOR REFUND OF MOTOR FUEL TAX PAID IN CASE OF MOTOR FUELS USED FOR PURPOSES OTHER THAN IN MOTOR VEHICLES," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 28 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 29, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 25-6-5 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO FORM OF BALLOT," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 29 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 30, by Mr. Miller, entitled, "AN ACT AMENDING CHAPTER 2 OF TITLE 7, REVISED STATUTES OF UTAH 1933, RELATING TO THE SUSPENSION AND LIQUIDATION OF BANKS BY ADDING TO SUCH CHAPTER NEW SECTIONS TO BE NUMBERED SECTIONS 24, 25 and 26, TO PROVIDE FOR THE PROTECTION OF RIGHTS OF DEPOSITORS IN THE LIQUIDATION OF BANKS AND TO PERMIT OF THE TRANSFER OF ASSETS OF BANKS TO DEPOSITORS OR A CORPORATION ORGANIZED BY THEM," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 30 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 5, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 31, by Mr. Jefferson and Mr. Bowman, entitled, "AN ACT TO AMEND SECTION 36-6-2, REVISED STATUTES OF UTAH 1933, RELATING TO SECONDARY ROADS," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 31 was ordered printed and referred to the Committee on Highways.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 32, by Mr. Jefferson and Mr. Bowman, entitled, "AN ACT TO AMEND SECTION 57-12-9, REVISED STATUTES OF UTAH 1933, RELATING TO MOTOR FUELS. TAX PAYABLE MONTHLY; DISTRIBUTION OF RECEIPTS," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 32 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 35, by Mr. Fennell, entitled "AN ACT TO PROHIBIT THE RELEASE, OR MANUFACTURE OR POSSESSION WITH INTENT TO RELEASE, IN A PUBLIC PLACE OF OFFENSIVE OR INJURIOUS GASES OR OTHER SUBSTANCE AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF," with a few minor changes consented to by the author, being: "AN ACT TO PROHIBIT THE DISSEMINATION, MANUFACTURE OR POSSESSION WITH INTENT TO DISSEMINATE, IN A PUBLIC PLACE, OFFENSIVE OR INJURIOUS GASES OR OTHER SUBSTANCE AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF," and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 35 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 33, by Mrs. Burton W. Musser, entitled, "AN ACT CONCERNING CONTRACTS TO TREAT

HUMAN AILMENTS EXISTING BETWEEN ANY PERSON OR ORGANIZATION OF PERSONS, OR ANY CORPORATION, OR ANY LODGE, OR ANY BENEVOLENT ASSOCIATION, OR ANY MUTUAL WELFARE ORGANIZATION, ANY PHYSICIAN OR PHYSICIANS, DENTIST OR DENTISTS, OR PARTNERSHIP, OR CORPORATION EMPLOYING PHYSICIANS OR DENTISTS FOR THE PURPOSE OR TREATING BODILY AILMENTS BY ANY MEANS COMING UNDER THE MEANING AND JURISDICTION OF THE MEDICAL PRACTICE ACT," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 33 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

Your Committee on Judiciary to which was referred S. J. R. No. 2, by Senator Patterson, entitled: "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE TWENTY-TWO OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS BY REPEALING SECTION THREE THEREOF," recommends the same out favorably.

Respectfully,

I. A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 2 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 41. By Mr. Wallace.

"An Act for the protection of deposits of public funds, creating a State Depository Board and defining its powers and duties; providing for the designation of public depositories and the depositing of public funds therein; creating a State reserve fund for public deposits, and repealing title 23 and chapter 1 of title 74, Revised Statutes of Utah, 1933", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42. By Mr. Holmgren.

"An Act to provide for payments to be made upon account of the redemption of property sold for delinquent taxes and amending section 80-10-59 Revised Statutes of Utah, 1933", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43. By Mr. Griffin.

"An Act amending section 20, chapter 68, Session Laws of Utah, 1919, as amended by Chapter 68, Session Laws of Utah, 1929, and 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.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments

to House Bill No. 2, by Mr. Hoyt, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 20 was read the second time.

Committee report read and adopted.

S. B. No. 20 was placed on the third reading calendar on the following roll call.

Yeas, 18; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting; Senators Bamberger, Booth, Fennell, Keyser and Miller.

S. B. No. 16 was read the second time.

Committee report read and adopted.

On motion of Senator Neslen the bill was amended as follows: After the word "effect" in section 2, strike the following words: "upon approval", and insert in lieu thereof the following: "when Revised Statutes of Utah 1933, become effective".

On motion of Senator Hunt the bill was amended as follows: Page 1, line 17, after the word "emergencies" strike the following words: "as above set forth".

On motion of Senator Wallace the bill was amended as follows: Page 1, lines 12 and 13, after the word "institutions" strike the following words: "when such

requests have already been denied in whole or in part by the preceding legislature". Line 17, after the word "appropriations" insert the word "accept", and after the word "emergencies" insert the following words: "hereinabove provided".

On motion of Senator Huggins the bill was amended as follows: Page 2, line 5, after the word "shall" strike the following words: "vote for any expenditure or".

On motion of Senator Holbrook S. B. No. 16 was recommitted to the Committee on State and Municipal Affairs.

S. B. No. 9 was read the second time.

Committee report read and adopted.

S. B. No. 9 was placed on the third reading calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Griffin, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Booth, Fennell, Holbrook, Keyser, Miller.

S. B. No. 3 was read the second time.

Committee report read and adopted.

On motion of Senator Jefferson the bill was amended as follows: Page 2, line 29, after the word "dollar" strike the "period" and add the following: "semi-colon" "provided,".

On motion of Senator Maw S. B. No. 3 was recommitted to the Committee on Revenue and Taxation.

On motion of Senator Neslen the Committees on Appropriation and Claims, Public Institutions, Health and

Labor were instructed to select the members of the Senate to visit the Agriculture College, Wednesday, February 8, 1933.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
February 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. C. R. No. 2, by Mr. Lamoreaux, "A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT-ELECT OF THE UNITED STATES TO APPOINT THE HONORABLE GEORGE H. DERN, A RESIDENT OF THE STATE OF UTAH, AS SECRETARY OF THE INTERIOR," and the same is transmitted for the signature of the President.

Respectfully,

ERNEST R. McKAY,
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,
February 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. C. M. No. 3, by Mrs.

Bosone, "MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO TAKE IMMEDIATE ACTION TO PUT INTO EFFECT THE PLAN OF ONE J. PARLEY WHITE, TO RELIEVE UNEMPLOYMENT", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. C. M. No. 3 was read the first time and referred to the Committee on Public Institutions, Health and Labor.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 1, line 20. The word "the" be stricken and insert the word "such".

Page 2, line 22, the word "the" be stricken and insert the word "such".

S. B. No. 4 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Fennell, Holbrook, Keyser, Miller.

S. B. No. 5 was read the second time.

Committee report read and adopted.

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

Page 1, line 19, the second word "the" be stricken and the word "such" be inserted. Page 2, line 6, after the word "of" strike the word "the" and insert the word "such".

S. B. No. 5 was placed on the third reading calendar on the following roll call.

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Fennell, Keyser, Miller.

S. B. No. 6 was read the second time.

Committee report read and adopted.

S. B. No. 6 was placed on the third reading calendar on the following roll call.

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Fennell, Keyser.

Senator Holmgren moved that S. B. No. 22 be placed at the bottom of the second reading calendar.

Motion carried.

Senator Holbrook moved that when the Senate adjourn it be until 1:00 p. m., Tuesday February 7, 1933.

Motion carried.

Senator Holbrook moved that the Committee on Procedure bring in a set of rules governing the introduction of bills amending the Revised Statutes of Utah 1933.

Motion carried.

On motion of Senator Shields the Senate recessed.

The Senate reconvened at 4:40 p. m.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 2, by Mr. Hoyt, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH," as amended by the House and by the Senate, and the same is transmitted for the signature of the President.

Respectfully,

ERNEST R. McKAY,
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.

On motion of Senator Griffin the Senate adjourned.

THIRTIETH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

The Senate was called to order at 1:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Bamberger, excused.

Prayer by Senator Calder.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the twenty-ninth day and found it correct with minor amendments noted on the final copy.

Respectfully,

DAN. B. SHIELDS,
WILFORD DAY.

Report Adopted.

REPORT OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 27, by Mr. Huggins, entitled, "AN ACT REQUIRING LICENSES FOR THE OPERATION, MAINTENANCE, OPENING AND ESTABLISHMENT OF STORES IN THIS STATE PRESCRIBING THE

LICENSE AND FILING FEES TO BE PAID THEREFOR, AND THE DISPOSITION THEREOF, AND THE POWERS AND DUTIES OF THE STATE TAX COMMISSION IN CONNECTION THEREWITH, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 27 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 36, by Mrs. Burton W. Musser, entitled, "AN ACT RELATING TO TRANSPORTATION BY MOTOR VEHICLES OVER THE PUBLIC HIGHWAYS OF UTAH; PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF CONVENIENCE AND NECESSITY, PERMITS AND LICENSES BY THE PUBLIC UTILITIES COMMISSION; PROVIDING FOR THE PAYMENT OF A TAX FOR THE USE OF THE HIGHWAYS; PROVIDING FOR THE FURNISHING OF INSURANCE BY MOTOR CARRIERS AND REPEALING SECTIONS 25, 26 AND 27 OF CHAPTER 4, TITLE 76, AND ALL OF CHAPTER 5, TITLE 76, REVISED STATUTES OF UTAH 1933, INSOFAR AS SUCH CHAPTER IS IN CONFLICT WITH THE PROVISIONS OF

THIS ACT AND ALSO REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,

Chairman.

Report filed.

S. B. No. 36 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 37, by Mr. Day, entitled, "AN ACT AMENDING SECTION 19-15-1, REVISED STATUTES OF UTAH 1933, DEFINING THE DUTIES OF COUNTY ATTORNEYS AND REPEALING CHAPTER 8, TITLE 87, REVISED STATUTES OF UTAH 1933, PROVIDING FOR DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,

Chairman.

Report filed.

S. B. No. 37 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 38, by Mr. Day, entitled, "AN ACT TO AMEND SECTION 87-6-1, REVISED STATUTES OF UTAH 1933, RELATING TO THE DUTIES OF THE ATTORNEY-GENERAL," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 38 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 39 by Mr. Day, entitled, "AN ACT AUTHORIZING THE KILLING OF DOGS ATTACKING, CHASING OR WORRYING DOMESTIC ANIMALS OR FOWLS," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO M. MILLER,
Chairman.

Report filed.

S. B. No. 39 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 40, by Mr. Booth, entitled, "AN ACT TO AMEND SECTION 19-13-11, Revised Statutes of Utah 1933, RELATING TO OFFICIAL BONDS OF COUNTY OFFICERS," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 40 was ordered printed and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 44. By Mr. Booth.

"An Act to regulate the practice of contracting and to provide for the examination and licensing of contractors; providing for the issuance of licenses in certain cases; providing for the revoking of licenses; fixing fees to be paid; authorizing the Department of Registration to make and enforce rules and regulations; providing for appeal in the event of the suspension or revocation of license; and prescribing penalties for violation of the Act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45. (Substitute for S. B.'s Nos. 22 and 42.)
By Mr. Holmgren.

"An Act to provide for the payment of property taxes in installments, to provide for a discount upon property taxes paid in advance of delinquency and to reduce the

rate of interest upon delinquent taxes from 1 per cent per month to 8 per cent per annum and amending Sections 80-10-25 and 80-10-59 of the Revised Statutes of Utah 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46. (Substitute for S. B. No. 3.)

By Mr. Holmgren.

"An Act to reduce the burden of taxation upon property and to repeal Sections 36-2-7, 36-2-8 and 36-2-9 of the Revised Statutes of Utah 1933, relating to the authority of cities and counties to levy a tax upon property for State road purposes and to the distribution and expenditure of the revenues so derived and amending Section 80-9-5 of the Revised Code," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Holmgren, Senate Bills Nos. 3, 22 and 42 were withdrawn and S. B. No. 45 substituted for Senate Bills Nos. 22 and 42. S. B. No. 46 was substituted for S. B. No. 3.

On motion of Senator Patterson S. J. R. No. 2 was made a special order of business for Friday, February 10, 1933, at 2:30 p. m.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred Senate Joint Resolution No. 3 by Mr. Hunt entitled: "A JOINT RESOLUTION URGING THE EMPLOYERS OF THE STATE OF UTAH TO PAY THEIR PAYROLLS IN GOLD COIN AS A MEANS OF GIVING TO ALL CITIZENS IN PRACTICE AS FREE

ACCESS TO THE MONETARY GOLD STOCK OF THE NATION AS IS ENJOYED BY THE BANKERS," beg leave to report the same out without recommendation.

Respectfully submitted,

C. CLARENCE NESLEN,
Acting Chairman.

Report filed.

S. J. R. No. 3 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

We your Committee on State and Municipal Affairs to which was referred Senate Bill No. 15 by Mr. Hunt entitled: "AN ACT PROVIDING FOR PAYMENT OF PUBLIC PAYROLLS IN GOLD COIN.", beg leave to report the same favorably.

Respectfully submitted,

C. CLARENCE NESLEN,
Acting Chairman.

Report filed.

S. B. No. 15 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 6, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred Senate Bill No. 16 by Mr. Hunt, entitled: "AN ACT TO AMEND SECTION 26-0-23, REVISED STATUTES OF UTAH 1933, RELATING TO POWERS AND DUTIES OF BOARD OF EXAMINERS IN RESPECT TO THE CREATION OF DEFICITS AND PROVIDING FOR ADVERTISING AND PUBLIC HEAR-

INGS," beg leave to report the same favorably with the following amendments:

Page 1, line 8, insert the following after the word "except": "upon the unanimous consent of the State Board of Examiners."

Page 1, line 17, following the first word of this line, strike "to meet emergencies as herein above provided".

Page 2, line 7, after the word "and" strike the words "shall be" and insert the word "personally".

Page 2, line 9. Strike the words "person to" insert "Attorney General of the State of Utah".

Page 2, line 10, strike all of the line, and insert "and restored to the fund overdrawn".

Respectfully submitted,

C. CLARENCE NESLEN,
Acting Chairman.

Report filed.

S. B. No. 16 was placed on the second reading calendar.

On motion of Senator Hunt the rules were suspended and S. B. No. 16 was placed at the head of the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 16 on second reading.

Committee report read and adopted.

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

Page 1, line 17, after the word "appropriations" insert the following words "to exceed the budget."

S. B. No. 16 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Booth, Keyser, Maw, Miller.

SPECIAL ORDER

On motion of Senator Huggins, S. B. No. 9 was read the third time and placed on its final passage.

S. B. No. 9 passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Booth, Candland, Keyser, Miller, Neslen.

S. B. No. 9 was transmitted to the House.

On motion of Senator Holbrook, the rules were suspended and printed bills reported out of Standing Committees today were considered on second reading.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 3 was read the second time.

Committee report read and adopted.

S. J. R. No. 3 was placed on the third reading calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw,

Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Miller.

S. B. No. 15 was read the second time.

Committee report read and adopted.

S. B. No. 15 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Day, Keyser, Miller.

Senator Griffin moved that when the Senate do adjourn it be until Thursday, February 9, 1933, at 2:00 p. m.

Motion carried.

On motion of Senator Neslen, S. B. No. 7 was made a special order of business for Thursday, February 9, 1933, at 2:30 p. m.

On motion of Senator Neslen the Senate adjourned.

THIRTY-SECOND DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Griffin.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the thirtieth day and found it correct with minor amendments noted on the final copy.

Respectfully,

DAN B. SHIELDS,
WILFORD DAY.

Report adopted.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, February 7, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 8, by Mr. Neslen, entitled "AN ACT PROVIDING FOR THE ISSUANCE AND DISPOSAL OF STATE BONDS AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PAYMENT OF THE STATE'S GENERAL FUND DEFICIT AND REFUNDING THE STATE'S OUTSTANDING TAX NOTES, AND PROVIDING A FUND FOR THE PAYMENT OF INTEREST AND REDEMPTION OF SAID BONDS."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 43, by Mr. Griffin, entitled, "AN ACT AMENDING SECTION 20, CHAPTER 68, SESSION LAWS OF UTAH 1919, AS AMENDED BY CHAPTER 68, SESSION LAWS OF UTAH 1929, AND 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," with a few minor changes consented by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 43 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 45, substitute for S. B. Nos. 22 and 42, by Mr. Holmgren, entitled, "AN ACT TO PROVIDE FOR THE PAYMENT OF PROPERTY TAXES IN INSTALLMENTS; TO PROVIDE FOR A DISCOUNT UPON PROPERTY TAXES PAID IN ADVANCE OF DELIN-

QUENCY AND TO REDUCE THE RATE OF INTEREST UPON DELINQUENT TAXES FROM 1 PER CENT PER MONTH TO 8 PER CENT PER ANNUM AND AMENDING SECTIONS 80-10-25 AND 80-10-59 OF THE REVISED STATUTES OF UTAH 1933," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 45 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling report back S. B. No. 41, by Mr. Wallace, entitled, "AN ACT FOR THE PROTECTION OF DEPOSITS OF PUBLIC FUNDS, CREATING A STATE DEPOSITORY BOARD AND DEFINING ITS POWERS AND DUTIES; PROVIDING FOR THE DESIGNATION OF PUBLIC DEPOSITORIES AND THE DEPOSITING OF PUBLIC FUNDS THEREIN; CREATING A STATE RESERVE FUND FOR PUBLIC DEPOSITS, AND REPEALING TITLE 23 AND CHAPTER 1 OF TITLE 74, REVISED STATUTES OF UTAH 1933, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 41 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling report back S. B. No. 44, by Mr. Booth, entitled, "AN ACT TO REGULATE THE PRACTICE OF CONTRACTING AND TO PROVIDE FOR THE EXAMINATION AND LICENSING OF CONTRACTORS; PROVIDING FOR THE ISSUANCE OF LICENSES IN CERTAIN CASES; PROVIDING FOR THE REVOKING OF LICENSES; FIXING FEES TO BE PAID; AUTHORIZING THE DEPARTMENT OF REGISTRATION TO MAKE AND ENFORCE RULES AND REGULATIONS; PROVIDING FOR APPEAL IN THE EVENT OF THE SUSPENSION OR REVOCATION OF LICENSE; AND PRESCRIBING PENALTIES FOR VIOLATION OF THE ACT, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 44 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 46, by Mr. Holmgren, substitute for S. B. No. 3, entitled, "AN ACT TO REDUCE THE BURDEN OF TAXATION UPON PROPERTY AND TO RE-

PEAL SECTIONS 36-2-7, 36-2-8 and 36-2-9 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO THE AUTHORITY OF CITIES AND COUNTIES TO LEVY A TAX UPON PROPERTY FOR STATE ROAD PURPOSES AND TO THE DISTRIBUTION AND EXPENDITURE OF THE REVENUES SO DERIVED AND AMENDING SECTION 80-9-5 OF THE REVISED STATUTES 1933," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 46 was ordered printed and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 47. By Mr. Holmgren.

"An Act relating to the sale of property for delinquent taxes and to prescribe the terms upon which such property may be sold and amending Section 80-10-68 of the Revised Statutes of Utah 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 48. By Mr. Neslen.

"An Act amending Section 7-5-5 and Section 7-5-11 of Revised Statutes of Utah 1933, relating to building and loan corporations," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49. By Mr. Huggins.

"An Act amending Section 18-8-5, Revised Statutes of Utah 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50. By Mr. Booth.

"An Act requiring the employment of a registered pharmacist in pharmacies or drug stores prohibiting advertising, providing for certain exceptions and providing a penalty for the violation thereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51. By Mr. Wallace.

"An Act to require certain qualifications and segregations of capital of banks and loan and trust companies which shall receive commercial or savings deposits according to the practice of banks and also act as fiduciaries, and to provide for greater safety for deposits in such corporations and of property held by such corporations as trustees, and to regulate their business in certain particulars, and repealing sections 7-3-34 and 7-3-35 of the Revised Statutes of Utah 1933, and all other Acts or parts of Acts in conflict herewith," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52. By Mrs. Musser.

"An Act amending sections 79-8-1, 79-8-2, 79-8-8, 79-8-9, 79-8-10, 79-8-11, 79-8-12, 79-8-13, 79-8-14, 79-8-15, and 79-8-16, Revised Statutes of Utah, 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53. By Mr. Maw.

"An Act levying a license tax of one-half mill per kilowatt hour on electricity and electrical energy generated, manufactured or produced in the state of Utah for barter, sale or exchange; providing for the collection and distribution of such tax; and for forms and procedure to be used and followed, requiring reports of the production of electricity and electrical energy and the

furnishing of equipment for measuring the same, prescribing penalties for violation of this Act, prescribing the duties of the State Tax Commission over this Act, requiring the members thereof to give a bond for the faithful performance of their duties and fixing the amount of said bond," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 54. By Mr. Wallace.

"An Act to amend sections 74-2-1, 74-2-2 and 74-2-3 of the Revised Statutes of Utah 1933, relating to independent audits of public accountants," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55. By Mrs. Musser.

"An Act to repeal chapter 6, title 14 of the Revised Statutes of Utah 1933, relating to child labor, and regulating the employment of minors, and providing a penalty for violation of said Act," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 56. By Mr. Shields.

"An Act fixing the time when the Revised Statutes of Utah 1933, take effect, and authorizing and directing the Governor to announce by proclamation the fact and time of the official publication of said Revised Statutes and making such proclamation conclusive evidence of the fact and time of such official publication," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57. By Mr. Shields.

"An Act authorizing the President of the Senate and the Speaker of the House of Representatives to certify to the Secretary of State the statute book containing the text of the Revised Statutes of Utah 1933," was read the

first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58. By Mr. Shields.

"An Act approving, adopting and legalizing the Statute Book containing the text of the Revised Statutes of Utah 1933, for the purpose of amending or repealing said text in whole or in part", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59. By Mr. Huggins.

"An Act to amend section 79-10-2 of the Revised Statutes of Utah 1933, relating to the requirements of applicants for license to practice as graduate or registered nurses", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60. By Mr. Huggins.

"An Act to amend section 79-10-3 of the Revised Statutes of Utah 1933, defining training schools for graduate or registered nurses", was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Shields the rules were suspended and S. B. Nos. 56, 57 and 58 were recalled from the Committee on Revision and Enrolling and placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 56 was read the second time.

S. B. No. 56 was placed on the third reading calendar on the following roll call.

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Booth, Candland, Fennell, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Hunt, Young.

S. B. No. 57 was read the second time.

On motion of Senator Shields the bill was amended as follows: the word "Legislature" be capitalized.

S. B. No. 57 was placed on the third reading calendar on the following roll call.

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Booth, Candland, Fennell, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Hunt.

S. B. No. 58 was read the second time.

On motion of Senator Shields the bill was amended as follows: On line 1 strike the first word "that" and capitalize the word "the". On line 5 strike the following words: "be and the same hereby".

S. B. No. 58 was placed on the third reading calendar on the following roll call.

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Hunt.

On motion of Senator Shields the rules were suspended and S. B. No. 56 was read the third time and placed on its final passage.

S. B. No. 56 passed on the following roll call.

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Hunt.

S. B. No. 56 was transmitted to the House.

On motion of Senator Shields the rules were suspended and S. B. No. 57 was read the third time and placed on its final passage.

S. B. No. 57 passed on the following roll call.

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Hunt.

S. B. No. 57 was transmitted to the House.

On motion of Senator Shields the rules were suspended and S. B. No. 58 was read the third time and placed on its final passage.

S. B. No. 58 passed on the following roll call.

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Hunt.

S. B. No. 58 was transmitted to the House.

SPECIAL ORDER

S. B. No. 7 was read the third time and placed on final passage.

On motion of Senator Holbrook, the bill was amended as follows:

In line 1 of the title after the word "sections", strike the balance of the line and insert in lieu thereof "3-9-1, 3-9-2, 3-9-3, 3-9-5, Revised Statutes and strike the numerals and the first word on line 2, and on line 2, change the numerals, "1929", to read "1933." Last line of the title, strike "6 and 7", and insert in lieu thereof "3-9-6" and "3-9-7".

On page 1, line 1, after the word "Sections" strike "1, 2, 3 and 5, Chapter 38 Laws" and insert in lieu thereof "3-9-1, 3-9-2, 3-9-3 and 3-9-5, Revised Statutes". On line 2, strike the numerals, "1929", and insert "1933" and after the word "amended" on line 2, insert "and new sections 3-9-6 and 3-9-7 be added". On line 3, page 1, after the word "Sec.", strike the numeral "1" and insert the numerals "3-9-1". On line 13, page 1, after the word "Sec.", strike the numeral "2" and insert the numerals "3-9-2". On page 3, line 4, after the word "Sec.", strike the numeral "3" and insert the numerals "3-9-3"

On page 3, line 24, after the word "Sec.", strike the numeral "5" and insert the numerals "3-9-5". On page 3, line 30, after the word "act" insert "Sec. 3-9-6". On page 4, line 9, after the word "Sec.", strike the numeral "6" and insert the numerals "3-9-7".

On motion of Senator Candland S. B. No. 7 was made a special order of business for tomorrow, February 10, 1933, at 2:15 p. m.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 20 was read the third time and placed on its final passage.

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

Page 1, line 9, after the word "a", insert the word "minor", and strike the following words "child under the age of twelve years". Lines 13 and 14, strike the word "child", and insert in lieu thereof the word "minor".

On motion of Senator Candland, S. B. No. 20 was made a special order of business for tomorrow, February 10, 1933, to follow S. B. No. 7.

S. B. No. 16 was read the third time and placed on its final passage.

On motion of Senator Hunt, the bill was amended as follows:

Page 1, line 17, strike the word "except".

On motion of Senator Shields, the bill was amended as follows:

Page 2, line 7, after the word "liable" insert the words "and liable".

On motion of Senator Candland, S. B. No. 16 was made a special order of business for tomorrow, February 10, 1933, to follow S. B. No. 20.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred Senate Bill No. 32, by Mr. Jefferson and Mr. Bowman, entitled: "AN ACT TO AMEND SECTION 57-12-9, REVISED STATUTES OF UTAH 1933, RELATING TO MOTOR FUELS, TAX PAYABLE MONTHLY; DISTRIBUTION OF RECEIPTS.", beg leave to report the same favorably.

Respectfully submitted,
DAN B. SHIELDS,
Chairman.

Report filed.

S. B. No. 32 was placed on the second reading calendar.

On motion of Senator Neslen, the Senate recessed.

The Senate reconvened at 3:30 p. m.

On motion of Senator Neslen the Senate adjourned.

THIRTY-THIRD DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the thirty-second day and found it correct with minor amendments noted on the final copy.

Respectfully,

DAN B. SHIELDS,
WILFORD DAY.

Report adopted.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. B. No. 56 by Mr. Shields, "AN ACT FIXING THE TIME WHEN THE REVISED STATUTES OF UTAH 1933, TAKE EFFECT, AND AUTHORIZING AND DIRECTING THE GOVERNOR TO ANNOUNCE BY PROCLAMATION THE FACT AND TIME OF THE OFFICIAL PUBLICATION OF SAID REVISED STATUTES AND MAKING SUCH PROCLAMATION CONCLUSIVE EVIDENCE OF THE FACT AND TIME OF SUCH OFFICIAL PUBLICATION," and the same is herewith returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 56 was referred to the Committee on Revision and Enrolling to be engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. B. No. 57, by Mr. Shields, "AN ACT AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

TO CERTIFY TO THE SECRETARY OF STATE THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933," and the same is herewith returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 57 was referred to the Committee on Revision and Enrolling to be engrossed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. B. No. 58, by Mr. Shields, "AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART," and the same is herewith returned for your further action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 58 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 56, by Mr. Shields, entitled, "AN ACT FIXING THE TIME WHEN THE REVISED STATUTES OF UTAH 1933, TAKE EFFECT, AND AUTHORIZING AND DIRECTING THE GOVERNOR TO ANNOUNCE BY PROCLAMATION THE FACT AND TIME OF THE OFFICIAL PUBLICATION OF SAID REVISED STATUTES AND MAKING SUCH PROCLAMATION CONCLUSIVE OF THE FACT AND TIME OF SUCH OFFICIAL PUBLICATION," properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 56 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, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 57, by Mr. Shields, entitled, "AN ACT AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CERTIFY TO THE SECRETARY OF

STATE THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933," properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 58, by Mr. Shields, entitled, "AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART," properly enrolled and engrossed for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 58 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, February 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. M. No. 1 by Mr. Hall entitled, "MEMORIAL TO THE MEMBERS OF STATE LEGISLATURES, URGING STATE LEGISLATURES TO MEMORIALIZE CONGRESS TO PASS SENATE BILL 1197, KNOWN AS THE FRAZIER BILL," and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. M. No. 1 was read the first time and referred to the Committee on Judiciary.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 56 by Mr. Shields, "AN ACT FIXING THE TIME WHEN THE REVISED STATUTES OF UTAH 1933, TAKE EFFECT, AND AUTHORIZING AND DIRECTING THE GOVERNOR TO ANNOUNCE BY PROCLAMATION THE FACT AND TIME OF THE OFFICIAL PUBLICATION

OF SAID REVISED STATUTES AND MAKING SUCH PROCLAMATION CONCLUSIVE EVIDENCE OF THE FACT AND TIME OF SUCH OFFICIAL PUBLICATION," and the same is herewith returned for transmission to the Governor.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 56 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 57, by Mr. Shields, "AN ACT AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CERTIFY TO THE SECRETARY OF STATE THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933," and the same is herewith returned for transmission to the Governor.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 57 was transmitted to the Governor.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 58, by Mr. Shields, "AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART," and the same is herewith returned for transmission to the Governor.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 58 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 34, by Mr. Miller, entitled, "AN ACT AUTHORIZING THE STATE BOARD OF LAND COMMISSIONERS TO MERGE AND CONSOLIDATE THE PROPERTIES, RIGHTS, PRIVILEGES, AND FRANCHISES ACQUIRED BY THE STATE THROUGH FORECLOSURE OF THE MORTGAGE OF THE CARBON WATER COMPANY TO THE STATE OF UTAH

WITH THE PROPERTIES, RIGHTS, PRIVILEGES, AND FRANCHISES OF THE PRICE RIVER WATER CONSERVATION DISTRICT AND OTHER CORPORATIONS, ASSOCIATIONS AND INDIVIDUALS OWNING STORAGE RIGHTS IN THE RESERVOIR OF THE PRICE RIVER WATER CONSERVATION DISTRICT; TO EXCHANGE SUCH PROPERTIES FOR THE CAPITAL STOCK OF THE CONSOLIDATED CORPORATION; TO RESERVE A PORTION OF SUCH STOCK FOR THE IRRIGATION OF STATE LANDS; TO SELL OR LEASE THE EXCESS STOCK; TO VOTE THE STOCK OF THE CONSOLIDATED CORPORATION, AND DEFINING THE MANNER IN WHICH THE PROCEEDS FROM THE SALE OR LEASE OF SAID STOCK SHALL BE APPLIED," with a few minor changes consented to by the author, and recommends the same to be printed.

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 34 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 47, by Mr. Holmgren, entitled, "AN ACT RELATING TO THE SALE OF PROPERTY FOR DELINQUENT TAXES AND TO PRESCRIBE THE TERMS UPON WHICH PROPERTY MAY BE SOLD AND AMENDING SECTION 80-10-68 OF THE REVISED

STATUTES OF UTAH 1933," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 47 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 49, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 18-8-5, REVISED STATUTES OF UTAH 1933," with a few minor changes consented to by the author, being: "AN ACT AMENDING SECTION 18-8-5, REVISED STATUTES OF UTAH 1933, RELATING TO DISABILITIES OF NONCOMPLYING FOREIGN CORPORATIONS," and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 49 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 50, by Mr. Booth, entitled, "AN ACT REQUIRING THE EMPLOYMENT OF A REGISTERED

PHARMACIST IN PHARMACIES OR DRUG STORES; PROHIBITING ADVERTISING; PROVIDING FOR CERTAIN EXCEPTIONS AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
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, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 51, by Mr. Wallace, entitled, "AN ACT TO REQUIRE CERTAIN QUALIFICATIONS AND SEGREGATIONS OF CAPITAL OF BANKS AND LOAN AND TRUST COMPANIES WHICH SHALL RECEIVE COMMERCIAL OR SAVINGS DEPOSITS ACCORDING TO THE PRACTICE OF BANKS AND ALSO ACT AS FIDUCIARIES, AND TO PROVIDE FOR GREATER SAFETY FOR DEPOSITS IN SUCH CORPORATIONS AND OF PROPERTY HELD BY SUCH CORPORATIONS AS TRUSTEES, AND TO REGULATE THEIR BUSINESS IN CERTAIN PARTICULARS, AND REPEALING SECTIONS 7-3-34 AND 7-3-35 OF THE REVISED STATUTES OF UTAH 1933, AND ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT HERE-

WITH," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 51 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 52, by Mrs. Musser, entitled, "AN ACT AMENDING SECTIONS 79-8-1, 79-8-2, 79-8-8, 79-8-9, 79-8-10, 79-8-11, 79-8-12, 79-8-13, 79-8-14, 79-8-15, AND 79-8-16 REVISED STATUTES OF UTAH 1933," with a few minor changes consented to by the author, being: "AN ACT AMENDING SECTIONS 79-8-1, 79-8-2, 79-8-8, 79-8-9, 79-8-10, 79-8-11, 79-8-12, 79-8-13, 79-8-14, 79-8-15 AND 79-8-16, REVISED STATUTES OF UTAH 1933, PERTAINING TO BEAUTY CULTURISTS, ELECTROLOGISTS, THEIR QUALIFICATIONS, REQUIREMENTS, SCHOOLS, APPRENTICESHIPS, POSTING OF CARDS, FEES, SHOPS, SERVING OF DISEASED PERSONS, UNPROFESSIONAL CONDUCT, REVOCATION OF LICENSE, AND DEFINITION OF TERMS," and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 52 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 56, by Mr. Shields, entitled, "AN ACT FIXING THE TIME WHEN THE REVISED STATUTES OF UTAH 1933, TAKE EFFECT, AND AUTHORIZING AND DIRECTING THE GOVERNOR TO ANNOUNCE BY PROCLAMATION THE FACT AND TIME OF THE OFFICIAL PUBLICATION OF SAID REVISED STATUTES AND MAKING SUCH PROCLAMATION CONCLUSIVE EVIDENCE OF THE FACT AND TIME OF SUCH OFFICIAL PUBLICATION."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 57, by Mr. Shields, entitled, "AN ACT AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CERTIFY TO THE SECRETARY OF STATE THE STATUTE BOOK CONTAIN-

ING THE TEXT OF THE REVISED STATUTES OF UTAH 1933."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 58, by Mr. Shields, entitled, "AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONTAINING THE TEXT OF THE REVISED STATUTES OF UTAH 1933, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

CERTIFICATE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

State Capitol
State of Utah

We, the undersigned, J. Francis Fowles, President of the Senate, and I. A. Smoot, Speaker of the House of Representatives, of the Legislature of the State of Utah

in Twentieth Regular Session, hereby certify to the Secretary of State, that the within book is the statute book described and referred to in Senate Bill No. 57, approved February 10, 1933, as containing the text of the Revised Statutes of Utah 1933.

Dated: This 10th day of February, 1933.

J. FRANCIS FOWLES,
President of the Senate,
I. A. SMOOT,
Speaker of the House of Representatives.

Attest:
LYNN S. RICHARDS,
Secretary of the Senate,
ERNEST R. McKAY,
Chief Clerk of the House of Representatives.

Senator Miller moved that the Senate hear the report of the Committee on Organization and Operation of the State Government at 4:00 p. m.

Motion carried.

SPECIAL ORDER

S. B. No. 7 on final passage.

S. B. No. 7 passed on the following roll call.

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting, Senators Bamberger, Day, Maw, Patterson.

S. B. No. 7 was transmitted to the House.

S. B. No. 20 on final passage.

On motion of Senator Jefferson, the bill was amended as follows: Page 1, line 12, strike the following words: "or to extort or obtain money or reward for the return or disposition of the minor or".

On motion of Senator Candland, S. B. No. 20 was made a special order of business for Monday, February 13, 1933, at 2:30 p. m.

S. B. No. 16 on final passage.

On motion of Senator Bamberger S. B. No. 16 was made a special order of business for Monday, February 13, 1933, to follow S. B. No. 20.

S. J. R. No. 2 was read the second time.

Committee report read and adopted.

Senator Candland dissented from the report of the majority.

On motion of Senator Patterson S. J. R. No. 2 was made a special order of business for Monday, February 13, 1933, at 3:00 p. m.

REPORT OF COMMITTEE ON ORGANIZATION AND OPERATION OF STATE GOVERNMENT

Salt Lake City, Utah,
February 10, 1933.

To the Governor and the Legislature:

We, the Committee on Organization and Operation of State Government, beg leave to submit the following report:

How to balance the State budget for the next biennium has been the fundamental object of this study. It is regretted that time did not permit us to include an

analysis of county, city and school district units of government, and it must be realized that until economies are effected in this broader field, no appreciable relief can come to the taxpayer. Attention is called to the fact that even if all of the functions of State government were discontinued, less than seven cents out of every property tax dollar would be saved. But this did not deter the committee from attempting to point the way for State government to live within its greatly reduced income. This, in itself, in addition to being an absolute necessity, should set a wholesome example for other governmental subdivisions. Lack of time precluded the possibility of going beyond the field of State government and the problems affecting the State general fund. Attention is called to the great possibilities which lie in the way of a future and extended study in the realms of counties, cities, school districts and the various other subdivisions.

As to State government, if time permitted, the scope of such a study as this might well enter the field of radical reorganization. Although we have a comparatively modern government, it is not denied that there are possibilities for improvement by reorganization. The committee felt that the available time between January 23rd and February 10th did not permit of a study which would do justice to a comprehensive reorganization plan. We are recommending, therefore, only such changes in organization as, in our opinion, will lead to economies necessary to meet the existing emergency. Our guiding principle has been that retrenchment in keeping with the certain decline in revenues is imperative.

CONTROL OF EXPENDITURES

The condition of the State general fund and the necessity of voting the issuance of bonds for $2,000,000 to meet the deficit therein, have brought forcibly to light the need, in fact the absolute necessity, for establishing in this State a strong executive control of expenditures. This is all the more necessary when it is realized that the

bonded debt limit of the State, based on conservative estimates of valuation, has been practically reached.

Our present budget law does not permit of effective control of expenditures after appropriations are made, to keep them within declining revenues. Recently many states have found it necessary to place in the hands of the chief executive the power to restrict outlays which have been authorized by legislative appropriation. The following is quoted from a report of New Jersey:

> "An appropriation is not a mandate by the legislature to a department to spend, rather it is only an authorization to spend, if necessary. * * * As revenues fall off, or other factors change, it is highly desirable that someone responsible for the State's finances shall have the power to prevent a department from spending its full appropriation when sound economy from the standpoint of the State as a whole requires it. The Governor is the logical person to exercise this power."

This scheme of executive control should also include the principle of the work plan and allotment system. With the legislative appropriation as a foundation, every spending agency should be required to submit to the Governor an outline of expenditure revised to meet the appropriation, which program should indicate in detail the amount the department or institution proposes to spend during each quarter of the year. By means of executive review and approval of quarterly allotments, reductions may then be made in keeping with available revenues, and the Governor will be able to prevent expenditures which, in view of existing circumstances, would be unwise and unjustifiable. Revolutionary as this program may be, it must be borne in mind that in the present emergency the people have a right to expect, and they will demand, some such broad gauge fiscal control.

We, therefore, recommend that our budget law be amended to authorize this system of executive allotments

and assert that this is indispensable as an economy measure if the State government is to live within its income during the next biennium. We cannot emphasize this fact too strongly.

In this connection we call attention to certain features of emergency legislation which have recently been adopted in several states. In Colorado the present session of the Legislature has placed in the hands of the Governor authority,

> "in the exercise of his discretion, by executive order, to suspend or discontinue, in whole or in part, the functions or services of any department, commission, board or bureau of the State government. Such discontinuance or suspension shall become effective upon the first day of the calendar month following the entry of such executive order, and shall continue for such period of time, not to exceed three months, as shall be determined by such executive order. And if, during any such period of time, it shall again be made to appear to the Governor that such deficiency of revenues still persists, he may, from time to time, extend the operation of such executive order for a like period of time not to exceed three months. Provided, that the State shall not be liable for the payment of any claim for salaries or expenses purporting to have accrued against any such department, commission, board or bureau during any such period of suspension, and the Auditor of State shall not issue any warrant therefor. Elective officers shall not be subject to the provisions of this Act."

A similar idea is expressed in the following quotation from an Act passed by the Legislature of New Jersey in 1932:

> "The Governor shall have power, after investigation, to order, in writing, the temporary reduction of the personnel or the staggering of

time of employment of the employees of any department, office or division of the government of the State that he shall deem to be advisable or necessary."

Modern State governmental practice also demands:

1st. Centralized purchasing.
2nd. Uniform accounting systems.
3rd. Systematic deposit of all State moneys.

With reference to centralized purchasing, we urge a strict compliance with present law which requires that all purchasing by State agencies be done under the control of the Department of Supplies and Purchase.

A uniform accounting system should be established. It should provide for proper classification of all receipts and expenditures in order that an adequate balance sheet can be prepared which will indicate all financial transactions and reveal the actual condition of State finances at any time. The committee feels that the lack of such a system has contributed to the present deficit in the State general fund.

At present, State funds in the form of fees and other miscellaneous revenues are received by diferent agencies and deposited in banks to the account of such agencies. Subsequently, at intervals in some cases as long as six months, they are transferred to the State treasurer. The treasurer is unable to state definitely, and cannot even make a close approximation of the funds that the State has on hand at any particular date. We recommend legislation which will require:

(a) Every State officer collecting State revenue promptly to deposit the same in accredited depositories to the account of the State treasurer.

(b) That all checks to the State be made payable to the State treasurer; that a duplicate deposit slip be forwarded immediately to the State treasurer.

SALARY REDUCTION

Outlay for salaries represents upwards of two-thirds of the total general fund expenditure. It follows that substantial salary reductions are necessary. To accomplish this result we urge:

1. That the entire pay schedule of the State be overhauled to provide a reduction of at least fifteen per cent in the general level of wages below the base of January 1, 1932. At our request the department of Supplies and Purchase has prepared a graduated scale to accomplish this change, affecting salaries above $70 per month. Such a plan, based on present payroll will result in a saving of approximately $280,000 per year; or $320,000 per year if likewise applied to heads of departments and elective officers.

2. That all sick leaves and vacations with pay be discontinued during the emergency.

3. That salary expenditure be reduced further by:

(a) Continuing the practice of not hiring new employees;

(b) Adhering to the policy of creating no new positions;

(c) Vigorously pursuing a positive program of eliminating unnecessary positions;

(d) Continuing the practice of granting no salary increases.

4. That employment be rotated wherever possible.

5. That heads of departments and institutions study the possibilities of requiring vacations without pay.

6. That wherever the salary of an appointive officer is fixed by statute, that the words "not to exceed" be inserted before such sum. This will

permit the Legislature to fix salaries through its adoption of the appropriation bill.

7. With regard to elective and holdover officials, we hope that, recognizing the present emergency, they will accept voluntarily temporary reductions proportionate to the salary reductions recommended herein.

Recommended Adjustments in State Departments and Institutions

Drastic economies, in addition to the above, will be absolutely necessary to confine the expenditures within the available revenue. This leads to the necessity of readjustments in State departments and institutions, and in some cases the suspension of functions. As emergency measures, we recommend the following changes:

Board of Agriculture

That the board of trustees of the Utah State Agricultural College be made the State Board of Agriculture, and that the President of the Agricultural College act as Commissioner of Agriculture, with all his powers and duties except that dairy inspection, hotel and lodging inspection and weights and measures inspection, be placed under the direction of the Board of Health. That consideration be given by the Legislature to providing fees to be charged for this latter inspection work to the end that it may become self-supporting. It is suggested that much of this inspection work be handled by the State highway patrol and that unnecessary duplication of such work between State, county and city health officials be avoided. It is likewise suggested that the county agricultural agents be authorized to call upon sheriffs and other local police officers to enforce regulatory measures connected with the inspection work which would come under their jurisdiction.

Agricultural College
Branch Agricultural College
Snow College

That for the coming biennium, no State appropriation be allowed for the Branch Agricultural College at Cedar City, nor for the Snow College at Ephraim, and that the buildings of the Branch Agricultural College be temporarily turned over to the school authorities of Iron County to be used for high school purposes. That no junior colleges be authorized or maintained during the next biennium. That arrangements be made so that but one summer school is held for the Agricultural College and the University of Utah. That the Superintendent of Public Instruction take the place of the Secretary of State as ex-officio member of the Board of Trustees of the Agricultural College. Our proposed budget includes $60,000 which, in addition to the fees connected with the work transferred, should be turned over to the Agricultural College for carrying on, as far as possible, the essential work of the Department of Agriculture allotted to the College.

Attorney General

That the Attorney General handle all legal matters for State departments and institutions, including the Land Board and the Banking Department.

Auditor

That the Auditor be removed from all ex-officio boards.

Bank Commissioner

That the Bank Commissioner become Director of the Securities Commission. That the fees of this department be raised so as to make it self-supporting and that the Commissioner be given more discretionary power as to the interval between bank examinations.

Building Commission

That for the next binnium no new building construction be undertaken and that the activities of this Commission be suspended; that no buildings be constructed, with R. F. C. funds or otherwise, unless after a thorough study and investigation it is certain that such projects will be self-liquidating and will not become a burden on State revenue after completion; that such part of the electrical survey as may be unfinished at the time of the completion of the present construction program be completed by the Public Utilities Commission.

Chemist

That the Board of Health take over the duties of the State Chemist.

District Courts

That juror fees be reduced from $4 to $3; that in minor cases the number of jurors be reduced from 8 to 4; that the law be amended to permit one charged with crime to elect whether his trial be by court or by jury, except in capital cases; that the jury fee charged litigants in civil cases be substantially increased.

Juvenile Court

That during the coming biennium the Juvenile Court and Probation Commission be suspended as a State department, and the maintenance of a Juvenile Court be made optional with the counties of the State.

Supreme Court

That the fee for filing transcript on appeal in civil cases, provided in Title 28-1-4 as $12, be raised to $15 and be made to include the issuing of the remittitur to the court below.

Regarding the activities of the Supreme Court, the Committee's study has disclosed the following: First, That

there are many cases which have been pending in this court for a period of several years. Second, That the number of cases decided per year has but slightly exceeded the number disposed of by the three Judge court prior to 1917. Third, That during the past four years a surprisingly large portion of the decisions have been rendered by but three of the Justices. Fourth, That the work of the court will be materially expedited if cases are more carefully and adequately briefed upon presentation.

Criminal Identification

That the Department of Criminal Identification and Investigation be suspended and that its work be turned over to the State Board of Corrections. We suggest that this latter board, with the cooperation of the Board of Supplies and Purchase, develop some plan whereby various police functions of the State, including many of its inspection and regulatory activities, may be combined in some form of State constabulary, using the State Highway Patrol as a nucleus.

School for the Deaf and Blind

That the Superintendent of Public Instruction replace the Attorney General as ex-officio member of the Board of Trustees of this institution.

Adult Blind

That the Legislature consider the advisability of discontinuing the appropriation for this activity; and that if continued, it be placed under a local commission as originally, and the brooms made by this department be used wherever feasible by governmental agencies.

Board of Education

That all appropriations from the general fund be suspended, and the work of this department be supported by the school funds. That a non-salaried committee of

citizens, not allied with any of the State educational activities, be appointed to study the present curricula with a view to eliminating and preventing unnecessary duplication of courses within and between educational institutions of the State.

State Engineer

That the fees provided for in Title 100-2-14, for examination prior to issuance of a certificate, be increased so that they will be more nearly proportionate to the cost of the work.

State Fair

That no State Fair be held during the biennium, and that the maintenance of the grounds and buildings be placed under the direction of the Board of Supplies and Purchase.

Fish and Game

That this department continue to limit its expenditures so as not to require any appropriation from the general fund.

Governor

That the Governor be made an ex-officio member of the State Road Commission.

Board of Health

That the dairy and food inspection,weights and measures inspection and hotel and lodging inspection, now handled by the Department of Agriculture, be transferred to this department as suggested above, and that the State highway patrol and local agencies cooperate where necessary to assist the Board of Health in the discharge of these duties. That the work of the State Chemist be absorbed by the Board of Health and that the Superintendent of Public Instruction be a member of the Board of Health.

That the Secretary of the Board of Health be a member of the proposed State Hospital Board.

Industrial Commission

That the Legislature consider the advisability of making this commission self-supporting by increasing the premium tax paid by self-insurers and the State Insurance Fund from 1½ per cent to 4 per cent.

Board of Insanity

That the name of this board be changed to the State Hospital Board, to consist of the Governor, Superintendent of Public Instruction, Secretary of the Board of Health and six resident citizens of the State, and that this Board have control of both the State Hospital at Provo, and the State Training School at American Fork. That these institutions be considered as educational and not penal. That the financial status of patients and their families be more closely checked, so that increased fees may be obtained which will more nearly pay the cost of their care.

Department of Insurance

That the position of Insurance Commissioner be suspended and that the work of the department be transferred to the Bank Commissioner, the Secretary of State or the Tax Commission. That the Legislature consider the advisability of raising the fees now collected by the department.

Land Board

That all litigation of the department be handled by the Attorney General's office. That the per diem paid a Commissioner be reduced to not to exceed $10, with a maximum annual limit of $2,000 each.

Legislature

The Committee calls the attention of the Legislature to its communication submitted January 27, 1933, sug-

gesting that the two houses cooperate in printing of bills to reduce printing costs. It further suggests that as an example to the rest of the State all unnecessary expense be eliminated.

Loan Commissioners

That the Board of Loan Commissioners be required by law to give notice by publication a reasonable time prior to the sale of any State bond issues.

Public Utilities Commission

That the Public Utilities Commission consist of two full time members and a third per diem or ex-officio member as decided by the Governor. This member, if on a per diem basis shall receive not to exceed $10, with a maximum annual limit of $2,000.

Road Commission

That this commission consist of the Governor as ex-officio member and two full time members. That the members of the State highway patrol assist wherever practicable in the inspection services of other departments of State. That the cost of right-of-way for State highway purposes be taken from the State highway funds and the counties relieved of this burden.

Secretary of State

That the Secretary of State be relieved of his duties as a member of the Board of Trustees of the Agricultural College and the Board of Regents of the University of Utah and that he assume the functions of the Director of Registration.

Securities Commission.

That the Bank Commissioner become the Director of the Securities Commission and that the State Treasurer instead of the Attorney General, be made a member of this commission.

Tax Commission

That the Tax Commission consist of two full-time members and two per diem members, the latter to receive not to exceed $10 per day each, with a maximum annual limit of $2,000 each. That this commission during the present emergency, to save the cost of survey and reorganization, appoint the Secretary of State its agent to administer, as at present, the Motor Vehicle Registration Act. That the Legislature give consideration to the fact that recent income tax legislation is costing a disproportionate amount for collection.

Training School

That this institution be consolidated with the State Hospital under the proposed State Hospital Board and that such board supervise the consolidation of activities of these two institutions. Such consolidation is left to such board because it involves scientific consideration beyond the scope of the study of this Committee.

Treasurer

That the Treasurer instead of the Attorney General, be made a member of the Securities Commission.

University of Utah

That the Superintendent of Public Instruction, instead of the Secretary of State, be made a member of the Board of Regents.

SUGGESTED BUDGET

Based on the above readjustment program, this Committee devoted careful attention to the attached proposed budget. The State Auditor estimates the general fund revenue for the biennium beginning July 1, 1933, and ending June 30, 1935, as $4,646,550. The Committee's proposed budget totals $4,635,700, leaving a balance of less than $11,000. This budget will permit retention of

the most essential activities of State government, and, with the proposed budgetary control, will keep expenditures within the general fund revenues. Drastic cuts and eliminations proposed are justified only by the assumption that the present emergency demands drastic action. The next Legislature meeting, as we hope, in better times, can restore such needed State services as its judgment then dictates.

Members of this Legislature will differ with the judgment of this Committee as to details; but any addition to one item must necessarily mean corresponding reduction in others, unless additional sources of revenue are provided. To do this would be entirely out of harmony with the present public demand.

Departments used different methods in compiling their budget request. Some voluntarily reduced their total in view of declining revenue, while others increased their request knowing that reductions were inevitable. To apply a uniform percentage reduction would be both discriminatory and unjust.

The Committee suggest that for the coming biennium the Governor and the Legislature consider the advisability of making lump sum appropriations for each institution and department, rather than sub-divide each of such appropriations under the usual sub-headings. This will permit such latitude in expenditure as will encourage the most efficient operation under the reduced appropriation, bearing in mind that all expenditures should be subject to the proposed budgetary control.

MISCELLANEOUS COMMENTS

The Committee invites careful consideration of the following:

That all State departments supported by special funds pay the general fund for office rent in the Capitol, and for services furnished by other State departments.

That there be no out-of-State travel at State expense by officials or employees of departments or institutions

COMMITTEE ON ORGANIZATION AND OPERATION OF STATE GOVERNMENT

SUGGESTED BUDGET FROM GENERAL FUND

(Biennial Periods Ending June 30th) (Continued)	Appropriation 1931-1933	Expenditures 1929-1931	Partly Estimated Expenditures 1931-1933	Requests 1933-1935	Suggested Budget 1933-1935
Utah State Agricultural College	$ 757,838.82	$ 763,982.81	$ 777,305.21	$ 703,754.94	$ 540,000.00
Branch Agricultural College	109,075.27	105,019.14	110,353.04	98,631.00	.....
Board of Agriculture	205,500.00	301,725.54	186,900.82	160,120.00	.....
Attorney General	50,500.00	50,172.31	48,621.00	50,500.00	40,000.00
Bank Commissioner	47,436.00	43,064.91	39,687.42	46,180.00	35,000.00
State Auditor	48,610.00	65,425.63	63,943.08	66,539.64	55,000.00
State Chemist	8,350.00	8,273.69	8,254.52	8,350.00	.....
State Fair Association	50,000.00	71,397.36	52,026.92	54,000.00	6,500.00
State Bureau of Criminal I. and I.	17,000.00	15,744.21	17,254.00	21,340.00	.....
Utah School for Deaf and Blind	142,000.00	141,465.09	140,819.04	146,914.00	105,000.00
District Courts	256,500.00	261,285.34	261,002.16	262,000.00	250,000.00
State Engineer	42,500.00	75,531.95	52,176.79	45,010.00	30,000.00
Board of Education	24,500.00	35,793.73	25,700.00	25,700.00	.....
Board of Examiners	1,350.00	1,263.20	1,330.00	1,350.00	1,000.00
Governor's Office	35,880.00	46,921.69	33,295.27	39,780.00	35,000.00
State Historical Society	3,400.00	3,184.92	2,996.00	2,940.00	1,500.00
State Board of Health	72,241.35	56,251.22	59,151.02	71,640.00	50,000.00
State Industrial School	150,660.00	147,256.87	150,660.00	150,560.00	120,000.00
Industrial Commission	126,300.00	106,484.89	111,183.60	109,048.00	92,500.00
Insurance Commission	21,203.00	19,705.64	16,387.61	18,805.00	12,000.00
Juvenile Court Commission	75,685.00	59,228.94	68,924.24	74,800.00	.....
State Land Board	112,530.00	89,029.09	96,907.02	89,010.00	60,000.00
Board of Loan Commissioners	803,604.00	811,495.33	802,044.87	755,012.18	1,005,000.00
National Guard of Utah	147,105.00	134,468.68	147,105.00	157,638.56	100,000.00
Board of Pardons	500.00	484.63	498.12	500.00	500.00
Utah State Prison	184,732.00	172,945.82	160,917.74	161,846.00	150,000.00

COMMITTEE ON ORGANIZATION AND OPERATION OF STATE GOVERNMENT
SUGGESTED BUDGET FROM GENERAL FUND—Continued

(Biennial Periods Ending June 30th) (Continued)	Appropriation 1931-1933	Expenditures 1929-1931	Partly Estimated Expenditures 1931-1933	Requests 1933-1935	Suggested Budget 1933-1935
Public Utilities Commission	$ 47,730.00	$ 53,907.94	$ 52,110.63	$ 45,672.00	$ 37,500.00
Department of Registration	27,600.00	25,591.25	27,600.00	30,100.00	40,000.00
Secretary of State	22,300.00	31,916.02	25,832.93	34,050.00	
Capitol Maintenance	128,500.00	172,850.83	128,500.00	156,000.00	85,000.00
Board of Supplies and Purchase	30,270.00	24,070.94	28,656.00	30,860.00	30,000.00
Supreme Court	84,100.00	80,860.30	82,686.09	84,100.00	75,000.00
Tax Commission	80,000.00	74,705.07	276,901.61	286,823.72	240,000.00
State Treasurer	23,930.00	57,352.94	49,065.31	21,200.00	15,000.00
State Training School	170,000.00	.....	154,921.76	252,000.00	500,000.00
Utah State Hospital	429,700.00	412,966.65	465,578.25	527,560.00	
University of Utah	1,019,285.11	1,033,617.30	915,247.00	913,285.10	640,000.00
Legislature	50,000.00	63,247.11	50,000.00	.....	40,000.00
Snow College	40,000.00	.....	33,770.00	67,907.86	.....
Code Commission	20,000.00	41,892.96	18,680.23	.....	.....
Cigarette Taxes, Etc.	35,760.00	.....	.....	35,760.00	.....
Utah Art Institute	.....	.....	.....	150.00	.....
Extradition of Fugitives	9,000.00	10,755.21	11,892.24	11,000.00	11,000.00
Jurors and Witnesses—Criminal	70,000.00	78,577.76	105,441.26	85,000.00	80,000.00
Inheritance Tax Appraisers	12,000.00	14,890.51	8,896.64	7,000.00	.....
One-half Cost—Maps and Plats	3,000.00	2,395.35	6,088.94	4,000.00	3,500.00
Sheriff's Expense Delivering Prisoners	2,000.00	3,481.47	2,225.83	2,000.00	.....
State's Portion of Salaries—County Officials	140,000.00	146,120.44	167,707.68	145,000.00	125,000.00
Taxes Erroneously Collected	2,000.00	1,318.22	2,004.40	2,000.00	1,500.00
Premium Bonds—Elective Officers	3,000.00	2,401.75	3,000.00	3,000.00	3,000.00
Binding Public Documents	400.00	574.50	527.50	250.00	200.00
Purchase of Utah Reports	2,000.00	2,500.00	5,365.00	3,000.00	2,500.00

COMMITTEE ON ORGANIZATION AND OPERATION OF STATE GOVERNMENT
SUGGESTED BUDGET FROM GENERAL FUND—Continued

(Biennial Periods Ending June 30th) (Continued)	Appropriation 1931-1933	Expenditures 1929-1931	Partly Estimated Expenditures 1931-1933	Requests 1933-1935	Suggested Budget 1933-1935
Printing and Binding of Session Laws	$ 2,500.00	$ 240.10	$ 2,500.00	$ 2,500.00	$ 2,000.00
Printing and Binding Legislative Journals and Bills		8,471.14	8,200.00	8,500.00	5,000.00
Utah Shippers Traffic Association	10,000.00	10,000.00	10,000.00	10,000.00	
Memory Park Committee	10,000.00	10,000.00	10,000.00	10,000.00	
Commission Uniform State Law	1,000.00	1,000.00	1,000.00	1,000.00	
Washington County Criminal Prosecution	2,000.00	2,000.00	2,000.00		
Ogden Live Stock Show	10,000.00	10,000.00	10,000.00	10,000.00	
Children's Service Society	20,000.00	20,000.00	20,000.00	20,000.00	
Martha Society	4,500.00	4,500.00	4,500.00	4,500.00	
Children's Aid Society	3,500.00	3,500.00	3,500.00	3,500.00	
Florence Crittenden Home	2,000.00	2,000.00	2,000.00		
Daughters of Utah Pioneers	2,000.00	2,000.00	2,000.00	2,000.00	
Kindergarten and Neighborhood House	6,000.00	6,000.00	6,000.00	2,000.00	
Utah Humane Society	500.00	500.00	500.00		
Civil War Veterans	12,000.00	11,314.65	12,000.00	10,000.00	
G. A. R. Encampment Fund	3,000.00	3,000.00	3,000.00	3,000.00	
Utah Colorado River Commission	3,000.00	3,862.71	3,009.16		
State Board of Park Commissioners	7,500.00	500.00	6,728.60	1,800.00	1,000.00
State Insurance Fund (Workmen's Compensation)	5,000.00	5,986.54	9,150.75	8,500.00	8,000.00
Carbon County (Horsley Dam Protection)	9,220.00	15,000.00	9,220.50		
Col. Wm. J. Donovan, Attorney				1,500.00	1,500.00
Sundry Miscellaneous	48,986.66	45,256.94	48,986.66		
TOTALS	$6,110,282.67	$6,100,979.29	$6,206,034.47	$6,168,488.00	$4,635,700.00

COMMITTEE ON ORGANIZATION AND OPERATION OF STATE GOVERNMENT

SUGGESTED BUDGET FROM SPECIAL FUND

	Appropriation 1931-1933	Expenditures 1929-1931	Partly Estimated Expenditures 1931-1933	Requests 1933-1935	Suggested Budget 1933-1935
Fish and Game Department					
Paid from Fish and Game Fund	$368,000.00	$313,554.72	$335,621.94	$300,886.64	$344,000.00*
Motor Vehicle Registration Department					
Paid from Motor Vehicle Fund	152,660.00	140,991.03	120,660.00	129,460.00	95,000.00
Gasoline Sales Tax Administration					
Paid from Gas Sales Taxes	11,972.00	8,219.71	10,672.31	10,280.00	7,500.00
Securities Commission					
Paid from Securities Commission Fees	26,210.00	22,169.62	24,209.04	22,210.00	12,500.00
Auto For Hire Department					
Paid from Auto For Hire Collections	10,000.00	8,845.99	6,455.34	10,000.00	9,000.00
Superintendent of Public Instruction					
Paid from District School Fund	78,125.00	72,890.44	92,795.00	92,795.00	85,000.00
Superintendent of Public Instruction					
Paid from State High School Fund	12,800.00	11,701.05	12,803.00	12,800.00	11,000.00
State Road Commission					
Paid from Gas Sales Taxes	146,540.00	147,390.41	141,000.00	139,000.00	100,000.00

*If Income Warrants.

during the next biennium without approval in advance by the Board of Examiners.

That each department and institution file in the near future, with the Governor, a complete inventory of State property in its custody.

That the problem of unemployment relief and the kindred question of supplying funds therefor are outside the scope of this study.

That the printing of reports and bulletins of the various departments and institutions should not be authorized without the approval of the Governor or some agent designated by him; and that the laws now requiring printing of reports be amended so as to require the making of reports only. That as much as possible of this printing be done at State institutions.

That the complex system of dedicated and special funds breaks the financial resources of the State into numerous self-contained compartments over which the Legislature has little or no control. That it is not proper for any unit of the Government to live to itself alone, and that the single factor in determining what a department be allowed to spend should be the public value of its services.

In this connection the Committee has had prepared a chart showing the trend of State Governmental expenditures during the past sixteen years. Attention is called to the story it tells.

That the State and its subdivisions are losing large sums of money each year by the evasion of personal property taxes. This problem deserves legislative consideration.

That material savings can be made if the duplication of inspection work between State and local agencies be eliminated.

CONCLUSION

The Committee's recognition is cheerfully given to those citizens and State officials who assisted in this study.

Willing cooperation on the part of those who appeared before us was the rule rather than the exception. Many valuable and constructive suggestions were offered and given earnest consideration; but no plan furnished us could, in the Committee's opinion, be accepted as submitted with any hope of its adoption in time to meet the existing emergency.

We offer no minority report. Our conclusions, as might be expected, are the result of a disposition on the part of the Committee members to give and take, to the end that recommendations might be made which represent the composite opinion of the whole Committee. The Committee was asked to assist in meeting an existing crisis in the problem of State finance. We believe that our recommendations, however subject to criticism as to detail, do point a way to economies which will bring the operation of State government within the limit of its revenues and avoid the necessity of additional taxation.

Respectfully,

JULIAN M. BAMBERGER,
ALVIN KEDDINGTON,
ROBERT H. HINCKLEY,
PAUL H. RAY,
N. L. WILSON,
W. L. VAN WAGONER,
DR. WESTON VERNON,
MALCOLM A. KEYSER,
GEORGE M. MILLER.

Report filed.

Senator Bamberger moved that the report be received, filed and printed in the Journal.

Motion carried.

Senator Miller moved that this report be made a special order of business for Tuesday, February 14, 1933, at 2:30 p. m.

Motion carried.

Senator Maw moved that when the Senate do adjourn it be until tomorrow, February 11, 1933, at 10:00 a. m.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Governor has this day signed and filed with the Secretary of State, H. C. R. No. 2, by Mr. Lamoreaux, "A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT-ELECT OF THE UNITED STATES TO APPOINT THE HONORABLE GEORGE H. DERN, A RESIDENT OF THE STATE OF UTAH, AS SECRETARY OF THE INTERIOR."

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 2 by Mr. Hoyt, "AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES OF UTAH."

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

COMMUNICATION FROM THE HONORABLE GEORGE H. DERN

Salt Lake City, Utah,
February 7, 1933.

Hon. J. Francis Fowles,
President of the Senate,
Building.

Dear Mr. President:

I have received from the Secretary of State certified copy of House Concurrent Resolution No. 2, memorializing the President-elect to appoint me as Secretary of the Interior.

I feel very highly honored, indeed, by the act of the Legislature in passing this resolution. Will you have the kindness to express to the Senate my sincere thanks for this expression of their confidence and support.

Very respectfully yours,

GEO. H. DERN.

Communication filed.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

We, your Committee on Highways and Bridges, to which was referred Senate Bill No. 31 by Mr. Jefferson and Mr. Bowman, entitled: "AN ACT TO AMEND SECTION 36-6-2, REVISED STATUTES OF UTAH 1933, RELATING TO SECONDARY ROADS", beg leave to report the same favorably with the following amendments:

On line 12, page 2, strike the words "United States forest boundary at Maple Canyon", and add the words "to the forks of Maple Canyon."

On line 30, page 2, insert a "period" after the word "Oak City" and strike balance of paragraph.

On line 23, page 3, delete all of line 23, and substitute the following: "From Route 89 southerly to Mayfield thence westerly to Route 89 at Gunnison."

On line 20, page 3, strike the "period" and add "thence easterly to the forest boundary line."

On line 29, page 3, change word "Holten" to "Hatten".

On line 3, page 4, delete line 3, and substitute the following: "From Laketown to Meadowville."

On line 8, page 4, delete lines 8 and 9 in full, and substitute the following: "From Lynndyl easterly to Leamington."

151 to read as follows: "From Kamas Main Street easterly to forest boundary line."

152 to read as follows: "From Hailstone to Woodland."

153 to read as follows: "From Twenty-seventh South Street southeasterly along Highland Drive to the forest boundary line in Big Cottonwood Canyon."

154 to read as follows: "From North Temple and Eighth West Street northerly to Route 91 at Becks."

155 to read as follows: "From Garland northeasterly to Collinston."

156 to read as follows: "Beginning at a point on Washboard Flat thence southerly to Cleveland, and thence southwesterly to a point about two miles north of Huntington."

157 to read as follows: "From Route 1 at Bountiful easterly to Mueller Park."

158 to read as follows: "From Jordan River bridge on state highway No. 68 southerly to Elberta."

Respectfully submitted,

P. J. FENNELL,
Chairman.

Report filed.

S. B. No. 31 was placed on the second reading calendar.

Senator Miller moved that 175 additional copies of the report of the Committee on Organization and Operation of the State Government, as printed in the Journal, be printed under separate cover.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 61. By Mr. Miller.

"An Act to amend section 76-2-1, Revised Statutes of Utah 1933, adding a new subsection to be known as subsection 29, and to amend sections 76-3-9 and 76-6-9, Revised Statutes of Utah 1933, and section 76-4-24, Revised Statutes of Utah 1933, defining coal corporations; declaring coal corporations to be public utilities and to make applicable the provisions of said sections to coal corporations as well as the public utilities therein named," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 62. By Mr. Holmgren.

"An Act to amend section 43-8-11, Revised Statutes of Utah 1933, relating to adjustment of fire losses by county mutual fire and lightning insurance companies," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63. By Mr. Holmgren.

"An Act relating to the issuance of tax deeds, requiring notice thereon to drainage, water, and other special improvement districts in certain cases and permitting redemption by said interested persons before delivery to a third party," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 64. By Mr. Holmgren.

"An Act to provide a penalty for escape from county jails, and changing the penalty from a misdemeanor to a felony," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65. By Mr. Neslen.

"An Act providing for an excise tax of one cent per gallon on aircraft fuels poured in, sold or used in producing or generating power for propelling aircraft using any state, county, municipal or public airport or landing field; providing for the collection and disposition thereof; and repealing all acts or parts of acts in conflict herewith," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 66. By Mr. Fennell.

"An Act to amend sections 1, 3, 7, 8, 10, 15 and 16 of chapter 12, title 57 of the Revised Statutes of Utah 1933, by redefining 'motor fuels'; by defining the term 'person'; by requiring the furnishing of a bond before any license is issued to any person intending to distribute or deal in motor fuel; by providing for three per cent deduction to allow for evaporation, loss in handling and expense of collection; by vesting in the State Tax Commission the power to exact information with respect to the movement of petroleum products in this state; by providing for the automatic revocation of any license

issued for failure to comply with any provisions of chapter 12 and providing for a refund of the tax on motor fuel sold for export on proof of actual exportation," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67. By Mr. Candland. (By request.)

"An Act creating a fund to be known as State Engineer's Revolving Fund and providing for payment from said fund of expenses of the State Engineer in performing his duties in determining water rights as set forth in Chapter 4, Title 100, Revised Statutes of Utah 1933; and providing for the assessment and collection of costs of such determination, and the creation of a lien on the property of a person against whom such costs are assessed, and authorizing the State Engineer to collect such costs and pay same into the State Engineer's Revolving Fund, and amending Chapter 4, Title 100, Revised Statutes of Utah 1933," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day the Senate adjourned.

THIRTY-FOURTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present except Senator Young.

Prayer by the Chaplain.

REPORT OF SPECIAL COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the thirty-third day and found it correct with minor amendments noted on the final copy.

Respectfully,

DAN B. SHIELDS,
WILFORD DAY.

Report adopted.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 23, by Mr. Lane entitled, "AN ACT AMENDING SECTION 62-2-1, REVISED STATUTES OF UTAH 1933, RELATING TO LIBELS PUBLISHED BY NEWSPAPERS; RETRACTIONS THEREOF, AND DAMAGES THEREFOR; AND DEFINING LIBEL AND PRIVILEGED PUBLICATIONS," and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 23 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 53, by Mr. Maw, entitled, "AN ACT LEVYING A LICENSE TAX OF ONE-HALF MILL PER KILOWATT HOUR ON ELECTRICITY AND ELECTRICAL ENERGY GENERATED, MANUFACTURED OR PRODUCED IN THE STATE OF UTAH FOR BARTER, SALE OR EXCHANGE; PROVIDING FOR THE COLLECTION AND DISTRIBUTION OF SUCH TAX; AND FOR FORMS AND PROCEDURE TO BE USED AND FOLLOWED, REQUIRING REPORTS OF THE PRODUCTION OF ELECTRICITY AND ELECTRICAL ENERGY AND THE FURNISHING OF EQUIPMENT FOR MEASURING THE SAME, PRESCRIBING PENALTIES FOR VIOLATION OF THIS ACT, PRESCRIBING THE DUTIES OF THE STATE TAX COMMISSION OVER THIS ACT, REQUIRING THE MEMBERS THEREOF TO GIVE A BOND FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES AND FIXING THE AMOUNT OF SAID BOND," with a few minor changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 53 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 54, by Mr. Wallace, entitled "AN ACT TO AMEND SECTIONS 74-2-1, 74-2-2 AND 74-2-3 OF THE CODIFIED LAWS OF UTAH 1933, RELATING TO INDEPENDENT AUDITS OF PUBLIC ACCOUNTANTS," with a few minor changes consented to by the author, being: "AN ACT TO AMEND SECTIONS 74-2-1, 74-2-2 AND 74-2-3 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO INDEPENDENT AUDITS OF PUBLIC ACCOUNTANTS," and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 54 was ordered printed and referred to the Committee on State and Municipal Affairs.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 55, by Mrs. Musser. entitled, "AN ACT TO REPEAL CHAPTER 6, TITLE 14 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO CHILD LABOR, AND REGULATING THE EMPLOYMENT OF MINORS, AND PROVIDING A PENALTY FOR VIOLATION OF SAID ACT," with a few minor

changes consented to by the author, and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 55 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 59, by Mr. Huggins, entitled, "AN ACT TO AMEND SECTION 79-10-2 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO THE REQUIREMENTS OF APPLICANTS FOR LICENSE TO PRACTICE AS GRADUATE OR REGISTERED NURSES," and recommends the same to be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 59 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 60, by Mr. Huggins, entitled, "AN ACT TO AMEND SECTION 79-10-3 OF THE REVISED

STATUTES OF UTAH 1933, DEFINING TRAINING SCHOOLS FOR GRADUATE OR REGISTERED NURSES," and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 60 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

We your Committee on Revenue and Taxation to whom was referred S. B. No. 12, by Mr. Holbrook being: "AN ACT TO AMEND CHAPTER 39, LAWS OF UTAH 1931, KNOWN AS THE FRANCHISE TAX ACT OF 1931, TO INCREASE THE RATE OF TAXATION THEREUNDER AND TO REPEAL THE OFFSET OR CREDIT FOR TANGIBLE PROPERTY TAXES PAID, beg leave to report the same out without recommendation.

Respectfully,

DAN B. SHIELDS,
Chairman.

Report filed.

S. B. No. 12 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 10, 1933.

Mr. President:

We, your Committee on Revenue and Taxation to whom was referred S. B. No. 13, by Mr. Holbrook being:

"AN ACT TO AMEND CHAPTER 44, LAWS OF UTAH 1931, KNOWN AS THE INCOME TAX ACT OF 1931, AND TO INCREASE THE RATES, TO ELIMINATE THE OFFSET FOR PROPERTY TAXES PAID, REDUCE THE EXEMPTIONS, AND ELIMINATE THE FILING FEE," beg leave to report the same out without recommendation.

Respectfully,

DAN B. SHIELDS,
Chairman.

Report filed.

S. B. No. 13 was placed on the second reading calendar.

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 passed on the following roll call:

Yeas, 19; Nays, 3; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace.

Those voting in the negative were: Senators Bamberger, Maw, Mr. President.

Absent and not voting: Senator Young.

S. B. No. 5 was read the third time and placed on its final passage.

S. B. No. 5 passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell,

Griffin, Holbrook, Holmgren, Huggins, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senator Maw.

Absent and not voting: Senators Hunt, Young.

S. B. No. 6 was read the third time and placed on its final passage.

S. B. No. 6 passed on the following roll call:

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Miller, Musser, Neslen, Mr. President.

Those voting in the negative were: Senators Jefferson, Maw, Shields, Wallace.

Absent and not voting: Senators Patterson, Young.

Senator Keyser gave notice that on the next legislative day he will move for a reconsideration of S. B. No. 6.

Senator Huggins gave notice that he will move to reconsideration of S. B. Nos. 4 and 5 on the next legislative day.

S. J. R. No. 3 was read the third time and placed on its final passage.

On motion of Senator Candland the bill was amended as follows: On page 2, strike the last paragraph.

S. J. R. No. 3 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Miller, Musser, Patterson, Shields, Mr. President.

Those voting in the negative were: Senator Wallace.

Absent and not voting: Senators Jefferson, Maw, Neslen, Young.

S. J. R. No. 3 was transmitted to the House.

Senator Bamberger moved that when the Senate do adjourn it be until Monday, February 13, at 2:00 p. m.

Motion carried.

On motion of Senator Day the Senate adjourned.

THIRTY-SIXTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, February 13, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the thirty-fourth day and found it correct with minor amendments noted on the final copy.

Respectfully,

DAN B. SHIELDS,
WILFORD DAY,

Report adopted.

The President appointed Senators Miller and Jefferson to revise the Journal for the week ending February 18, 1933.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 48, by Mr. Neslen, entitled, "AN ACT AMENDING SECTION 7-5-5 and SECTION 7-5-11 OF REVISED STATUTES OF UTAH, 1933, RELATING TO BUILDING AND LOAN CORPORATIONS, with a few minor changes consented to by the author, being: "AN ACT AMENDING SECTION 7-5-5 AND SECTION 7-5-11 OF REVISED STATUTES OF UTAH 1933, RELATING TO GENERAL POWERS AND WITHDRAWALS FROM BUILDING AND LOAN CORPORATIONS", and recomments the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 48 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, February 13, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 61, by Mr. Miller, entitled, "AN ACT TO AMEND SECTION 76-2-1, REVISED STATUTES OF UTAH 1933, ADDING A NEW SUBSECTION TO BE

KNOWN AS SUBSECTION 29, AND TO AMEND SECTIONS 76-3-9 and 76-6-9, REVISED STATUTES OF UTAH 1933, AND SECTION 76-4-24, REVISED STATUTES OF UTAH 1933, DEFINING COAL CORPORATIONS; DECLARING COAL CORPORATIONS TO BE PUBLIC UTILITIES AND TO MAKE APPLICABLE THE PROVISIONS OF SAID SECTIONS TO COAL CORPORATIONS AS WELL AS THE PUBLIC UTILITIES THEREIN NAMED," with a few minor changes consented to by the author, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 61 was ordered printed and referred to the Committee on Mining and Smelting.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 62, by Mr. Holmgren, entitled, "AN ACT TO AMEND SECTION 43-8-11, REVISED STATUTES OF UTAH 1933, RELATING TO ADJUSTMENT OF FIRE LOSSES BY COUNTY MUTUAL FIRE AND LIGHTNING INSURANCE COMPANIES", with a few minor changes consented to by the author, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 62 was ordered printed and referred to the Committee on Banking and Commerce.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 63, by Mr. Holmgren, entitled, "AN ACT RELATING TO THE ISSUANCE OF TAX DEEDS, REQUIRING NOTICE THEREON TO DRAINAGE, WATER, AND OTHER SPECIAL IMPROVEMENT DISTRICTS IN CERTAIN CASES, AND PERMITTING REDEMPTION BY SAID INTERESTED PERSONS BEFORE DELIVERY TO A THIRD PARTY", with a few minor changes consented to by the author, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 63 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 11, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 64, by Mr. Holmgren, entitled, "AN ACT TO PROVIDE A PENALTY FOR ESCAPE FROM COUNTY JAILS, AND CHANGING THE PENALTY FROM A MISDEMEANOR TO A FELONY", with a few minor changes consented to by the author, being: "AN ACT TO AMEND SECTION 103-48-3 REVISED STATUTES OF UTAH 1933, PROVIDING A PENALTY FOR ESCAPE

FROM COUNTY JAILS AND CHANGING THE PENALTY FROM A MISDEMEANOR TO A FELONY", and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
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, February 13, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 65, by Mr. Neslen, entitled, "AN ACT PROVIDING FOR AN EXCISE TAX OF ONE CENT PER GALLON ON AIRCRAFT FUELS POURED IN, SOLD OR USED IN PRODUCING OR GENERATING POWER FOR PROPELLING AIRCRAFT USING ANY STATE, COUNTY, MUNICIPAL OR PUBLIC AIRPORT OR LANDING FIELD; PROVIDING FOR THE COLLECTION AND DISPOSITION THEREOF; AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH", and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 65 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 67, by Mr. Candland, by request, entitled, "AN ACT CREATING A FUND TO BE KNOWN AS STATE ENGINEER'S REVOLVING FUND AND PROVIDING FOR PAYMENT FROM SAID FUND OF EXPENSES OF THE STATE ENGINEER IN PERFORMING HIS DUTIES IN DETERMINING WATER RIGHTS AS SET FORTH IN CHAPTER 4, TITLE 100, REVISED STATUTES OF UTAH 1933; AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF COSTS OF SUCH DETERMINATION, AND THE CREATION OF A LIEN ON THE PROPERTY OF A PERSON AGAINST WHOM SUCH COSTS ARE ASSESSED, AND AUTHORIZING THE STATE ENGINEER TO COLLECT SUCH COSTS AND PAY SAME INTO THE STATE ENGINEER'S REVOLVING FUND, AND AMENDING CHAPTER 4, TITLE 100, REVISED STATUTES OF UTAH 1933", with a few minor changes consented to by the author, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 67 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

We, your Committee on Fish and Game to which was referred Senate Bill No. 23 by Mr. Calder, entitled: "AN ACT TO AMEND SECTION 30-0-33, REVISED STAT-

UTES OF UTAH 1933, RELATING TO FISH AND GAME; DATES OF FISHING SEASON.", beg leave to report the same favorably with the following amendments:

Page 1, Line 5, delete figure "1st", and insert figure "15th".

Page 1, line 6, delete figure "15th", and insert figure "31st".

Page 1, line 9, delete figure "15th", and insert figure "31st".

Page 1, line 18, delete "June 1st", and insert "June 15th".

Respectfully submitted,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 23 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

We, your Committee on Fish and Game to which was referred Senate Bill No. 24 by Mr. Calder, entitled: "AN ACT TO AMEND SECTION 30-0-44, REVISED STATUTES OF UTAH 1933, RELATING TO FISH AND GAME; GUIDES; LICENSES; PENALTY.", beg leave to report the same favorably with the following amendments:

Page 1, line 15, delete the words "regularly acts", and add the following words: "has been licensed to act".

Respectfully submitted,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 24 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

We, your Committee on Banking and Commerce to which was referred S. B. No. 51, by Mr. Wallace, entitled: "AN ACT TO REQUIRE CERTAIN QUALIFICATIONS AND SEGREGATIONS OF CAPITAL OF BANKS AND LOAN AND TRUST COMPANIES WHICH SHALL RECEIVE COMMERCIAL OR SAVINGS DEPOSITS ACCORDING TO THE PRACTICE OF BANKS AND ALSO ACT AS FIDUCIARIES, AND TO PROVIDE FOR GREATER SAFETY FOR DEPOSITS IN SUCH CORPORATIONS AND OF PROPERTY HELD BY SUCH CORPORATIONS AS TRUSTEES, AND TO REGULATE THEIR BUSINESS IN CERTAIN PARTICULARS, AND REPEALING SECTIONS 7-3-34 AND 7-3-35 OF THE REVISED STATUTES OF UTAH 1933, AND ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH," beg leave to report the same out favorably.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 51 was placed on the second reading calendar.

Representatives Mrs. Erickson, Rich and Lund appeared and invited the Senate members to meet in Joint Assembly with the House for a program in honor of the birthday of Abraham Lincoln.

Senator Huggins moved to reconsider the vote by which S. B. Nos. 4 and 5 were passed.

Motion carried.

On motion of Senator Huggins S. B. Nos. 4 and 5 were made a special order of business for Wednesday, February 15, 1933, at 2:30 p. m.

Senator Keyser moved to reconsider the vote by which S. B. No. 6 was passed.

Motion carried.

On motion of Senator Keyser S. B. No. 6 was made a special order of business for Wednesday, February 15, 1933, to follow S. B. Nos. 4 and 5.

On motion of Senator Booth the Senate recessed and proceeded to the House to hear the Honorable Burton W. Musser address the Legislature on the subject "Lincoln as a Legislator."

Representative Lane moved that the address of the Honorable Burton W. Musser be spread upon the Journal of both Houses.

Motion carried.

In the most desolate and crudely furnished cabin in all Kentucky, on February 12, 1809, Abraham Lincoln was born.

Charles Darwin was born on the same day, and within a short period of that day Tennyson, Gladstone, Victor Hugo, Disraeli, Dickens, Bright, Thackeray and Bismarck, were also born. The great constitutionalist, Daniel Webster, was twenty-seven years of age and had not as yet entered Congress. Henry Clay was thirty-two and was in the United States Senate. John C. Calhoun was twenty-seven and was still in the Legislature of South Carolina. Lee was only two years of age and Grant was yet unborn.

A more cheerless spot did not exist. The cabin was located on his father's farm known as Sinking Spring Farm. His father was most improvident, his mother was most illiterate.

In her book entitled "In the Footsteps of the Lincolns," Ida M. Tarbell conclusively and accurately demon-

strates that Lincoln had a long line of distinguished forbears leading directly to the ancestral home in England.

His grandfather, Abraham Lincoln, was present at the signing of the Declaration of Independence. Shortly after that event, the grandfather moved to Kentucky to verify the stories of Daniel Boone, whom he personally knew. He took with him his delightful and cultured wife, his two sons, Mordeciah and Tom (the father of Abraham Lincoln), his fortune, his culture and his great intellect.

Lincoln did not seem to know, or at least if he knew he did not advert to it frequently, or at all, so far as I know, that the nobler attributes of his being were transmitted to him through this long line of forgemen.

On the contrary, on one occasion, speaking to his partner, Mr. Herndon, he said he believed that the nobler characteristics that he possessed were transmitted to him through his mother, who was the illegitimate child of a Kentucky gentleman.

Be that as it may, and without intending in the slightest degree to detract from the qualities possessed by his mother, it can be safely asserted that on both sides of his family he inherited not only a fine physique but extraordinary intellectual and moral fiber.

There is nothing more interesting nor fascinating than to follow the career of Lincoln through his childhood and young manhood. His life is tremendously impressive. It is almost unbelievable that a person born and reared under such squalid and almost bestial conditions as he was reared under could finally reach such heights of moral and political grandeur. He lived in a floorless, doorless and windowless shack. No book, no picture, no musical instrument, no furniture graced its interior. Between the time of his father's marriage and Lincoln's twenty-first birthday, his father moved more than twenty times. Each move was from a larger farm to a smaller farm, and from a better farm to a poorer farm.

When he was seven years of age his mother died. That winter they were living in a three-sided cabin. It was warmed by a fire of logs in front of it. The bed upon which she died was made of poles fastened to sticks driven into the earth used for a floor. It was from the warmth of that bed that his father drove him to sleep on the floor with his older sister, Sarah.

There was an infinite sadness in Lincoln's career. A sadness expressed in the contour of his mouth and in his deep-set eyes. A sadness that almost overwhelmed his associates and occasionally overwhelmed him. His melancholy was impenetrable; he constantly and futilely yearned for some manner or means to express something that was in him but about which he was entirely inarticulate.

These things have been said of him frequently. Probably around no man has there grown up such a wealth of literature and photography.

Until Beveridge's "Life of Lincoln" was written, no one had searched carefully his legislative record. I promptly abandon other phases of his wonderful career and immediately delve into the House Journals of Illinois, where he served for six or seven tempestuous years.

Lincoln has been so firmly established in the hearts of the American people, and of the people of the world for that matter, that nothing can now be said concerning him that can detract from his greatness. His life and accomplishments were such as to make it possible to consider any phase of it with perfect frankness without even seeming to discredit him.

Preparatory to a discussion of his legislative record, I beg leave to adapt his characterization of Washington to himself. In 1842 Lincoln said of Washington, " 'Washington' is the mightiest name on earth, long since the mightiest in the cause of civil liberty, still mightiest in moral reformation. On that name no eulogy is expected. It can not be. To add brightness to the sun or glory to the

name of Washington is alike impossible. Let none attempt it. In solemn awe we reverence the name, and in its naked deathless splendor leave it shining on."

He was elected to the House of Representatives of Illinois in 1834. Curiously enough, and quite characteristically he was so impoverished as not to be able to buy himself a presentable suit of clothes, nor sustain himself at Vandalia, the seat of government, so what did he do—he promptly negotiated a loan of $200.00 from none other than a kin of our own fellow-citizen. Coleman Smoot lent him the money and Lincoln whimsically declared that the loan was a sort of penalty imposed upon Mr. Smoot for having voted for him.

It would be interesting to pause and consider the capitol of Illinois. Time will not permit except to state that its population consisted of 800 people; its streets were unpaved and there were no sidewalks; and Philadelphia and other eastern cities were two or three weeks' distance.

On this winter day in late November of 1834, Lincoln arrived at Vandalia with the best suit of clothes he had ever had and with more personal property than he had theretofore ever possessed. There were nine legislators from Sagamon County; they came to be known as "The Long Nine." They voted as a unit and they turned out to be the shrewdest politicians in the Legislature.

The disposition of public lands belonging to the United States and located within the boundaries of Illinois was a matter of first importance to the people of Illinois. Promptly Lincoln offered a resolution:

> "That our Senators be instructed, and our representatives requested, to use their whole influence in the Congress of the United States to procure the passage of a law relative to the public lands, by the operation of which the State of Illinois would be entitled to receive annually a sum of money not less in amount than 20 per cent upon the amount annually paid into the Treasury

of the United States for public lands lying within the limits of the said State of Illinois."

The Resolution was promptly laid on the table and Lincoln did not again press it.

His public land policy will be further illustrated later.

During this session of legislature an Internal Improvement Bill was fostered by Stephen A. Douglas and voted for by Lincoln and was carried. This bill contemplated the expenditure of literally millions of dollars. It was proposed to bond the State, create public improvements consisting of navigable canals, trunk railway lines, and other far flung schemes. It was argued that if these improvements were made it would invite into the State thousands of people who would immediately contribute to the wealth of the State and thereby enable it to repay its enormous bonded indebtedness. The Journal of the House discloses that Lincoln proposed to carry out this fantastical and fanciful scheme by negotiating with the National Government and purchasing from it all of its public lands within the State of Illinois at the rate of 25c per acre and immediately selling them at the rate of $1.25 per acre, thereby making a clear profit of $1.00 an acre on millions of acres of land. His Resolution to carry this scheme into effect was adopted and sent to the Congressional Representatives of Illinois at Washington, where it ultimately died.

After this Bill was passed, Lincoln reported from the Finance Committee as was required by an House Resolution the receipts and estimates of State Government. The amount receivable from all sources was $57,-895.15, the amount required for all purposes was $55,-151.95, to which should be added $15,000 for an increase of the contingent fund. There was a deficit of $12,256.82.

The Legislature of Illinois during this period was highly political and constantly measures were introduced by the Democrats extolling the virtues of the National

Government and other resolutions were introduced by the Whigs denouncing the National Government. Fighting and bickering characterized almost the entire session. Nothing of consequence was really done. The State would have been much better off if the Legislature had never assembled. Its Internal Improvement Law was passed, and for many years the entire State suffered from its enormous tax exactions. The whole temper of the House during this period may be gleaned from resolutions presented by Representative Stapp who asserted that "The present mis-named system of internal improvements was palmed upon the people without their consent or knowledge"; the facts had been kept under cover, in order to "clinch" the system upon the State the people had been told that the cost would not be great. Railroads would "cover every corner of the State" without "1c" of taxation; the premium on bonds and income from railroads would pay interest and also the expenses of the State Government. All this had proved to be false and if that system were continued the end would be "ruin and desolation."

Stapp wanted the Internal Improvement Law repealed and 39 members of the House voted with him, Lincoln voted against his Resolution. Resolutions piled upon Resolutions; debate was frequent and violent. In the lobby the discussion was more unrestrained and acrimonious; roll-calls came like hail storms so many were the motions, resolutions, amendments. After five futile weeks, Representative Logan moved that since nothing had been accomplished and the House was disposed to break down the whole of the system of Internal Improvements at the expense and disgrace of the State as well as the State Banks before any proof is before the House of their corrupt doings and since it is better to die of short pains than long fevers, the House should, therefore, give its immediate and exclusive attention to the subject of banks and improvements and adjourn sine die. The House thereupon got down to work. It considered slavery, public lands, prohibition, reforestation, money, internal improve-

ments, the criminal code, national banks, and many other complicated, controverted and intricate questions.

Lincoln advocated the depositing of public funds in the State Bank so that the money could be loaned and kept almost constantly in circulation. He urged that it was absurd to so legislate as to require public funds to be placed in depositories under such restrictions as to keep it out of circulation.

Slavery was constantly a subject of legislation. Abolition societies had been growing up all over the North. It was resolved that the General Assembly of Illinois "highly disapprove the formation of abolition societies and the doctrines promulgated by them;" that "the right of property and slaves, is (made) sacred to the slaveholding States by Federal Constitution," of which right "they cannot be deprived * * * without their consent," that "the General Government cannot abolish slavery in the District of Columbia against the consent of the citizens of said District without a manifest breach of faith."

After debate and much preliminary maneuvering the whole subject was referred to a select committee which, after several days reported the resolutions with amendments and to that, again abolition of slavery in the District of Columbia, Lincoln moved to add, "Unless the people of the said District petition for the same", which amendment was rejected without a roll-call and neither Lincoln nor any one else demanded the "Ayes" and "Noes." The Resolutions were finally adopted by a vote of 77 members voting Aye and only 5 voting "No", Lincoln among them. Not until six weeks later was any protest against the passage of these resolutions presented. At that time such a protest was signed by "A. Lincoln" and "Dan Stone", and without argument or comment the protest was spread upon the Journal of the House. In this protest they declared that they believed that the institution of slavery is founded on both injustice and bad policy, but that the promulgation of abolition doctrines tends to increase

rather than abate these evils; that Congress has no power under the Constitution to interfere with the institution of slavery in the different states but does have power under the Constitution to abolish slavery in the District of Columbia which, however, should not be exercised unless at the request of the people of the District, and that the difference between these opinions thus expressed by Lincoln and Stone and those contained in the original resolutions is the reason for entering the protest.

Thus when Lincoln was scarcely 28 years old the entire subject of slavery came directly before him, and was debated thoroughly by men of high standing. He studied the Southern view as presented by memorials and resolutions drawn with utmost care by the ablest men in the various slave-holding States—the crisp demand of Virginia; the appealing request of Alabama; the spirited statement of Kentucky; the preemptory call of Mississippi. Also he pored over the well written reply of Connecticut; the evasive answer of New York; the curious response of Illinois. The only real point of difference between his views and those of the majority of the House was moral—the injustice of slavery. As to the abolitionists, no member disapproved of them more strongly than he. He adhered to this position for a quarter of a century.

Petitions against the sale of intoxicating liquor had also begun to trickle into the General Assembly, Lincoln himself presented that of 631 citizens of Sagamon County, praying the repeal of all laws authorizing the retailing of intoxicating liquors. A great temperance agitation throughout the country was then beginning and temperance speakers were holding meetings everywhere. The petitions were referred to the Judiciary Committee. On the final roll-call, Lincoln voted against the House Temperance Bill thus killing that measure which was lost because of an equal number of Aye's and No's. A like bill came over from the Senate. That Bill was amended so that sales of spirituous liquors by the dram or drink be prohibited and the amendment was rejected and the Bill ordered to third reading by an almost two to one majority.

Lincoln withheld his vote. Immediately thereafter he voted to strike out the provisions of the Bill authorizing the Justices of the Peace to grant licenses which motion was lost by practically the same vote. The Senate Temperance Bill, with amendments, then passed by a vote of 43 Aye's to 27 No's, Lincoln voting "No."

At the next session of the Legislature, Lincoln's votes on liquor legislation are of greater interest, perhaps, than any given by him during that tumultous session. Seemingly the so-called temperance law of the last session had proved to be too drastic and was not working well, and hardly had the House convened before the Judiciary Committee was instructed to inquire into the expediency of amending the law "to permit any person, without license, to vend spirituous liquors in quantities of not less than one quart instead of one gallon." It was argued that the license fee was too large; that the Legislature had no right to interfere with men's appetites; that public opinion ought to regulate these matters. They pointed to Massachusetts where the fifteen-gallon law had revolutionized the State. Baker of Sagamon County, Lincoln's colleague, was emphatically for the Bill. He stated he was not an extremist but liquor selling must be regulated. The good of the community, not the effect on the individual, required it. Lincoln amended the Bill by giving County Commissioners the sole power over the subject. That amendment was agreed to without a vote. Representative Walker offered an amendment "That if a majority of the qualified votes of the incorporated towns, Justices' Districts or Wards of any city in which said grocery (saloon) is to be licensed, shall remonstrate against the granting of such license, the same shall not be granted". This amendment was defeated by a tie-vote of 39 to 39, Lincoln voting "Nay", thus defeating the amendment.

Lincoln voted prohibiting legislators from electing members or relatives to other state offices. He voted against the election of school commissioners by the people. He voted for the mechanic's lien law. He voted both for and against betting on elections. He voted twice to

increase salaries of Justices of the Supreme Court. He voted against calling a Constitutional Convention; against classifying railroads, and for the improvement of Spoon River.

During his first and second sessions in the House he was bent on having the capitol of Illinois changed from Vandalia to Springfield. Much to his elation and the elation of many of his constituents the capitol, after much trading, promising, log-rolling and the display of great political acumen, was changed. At the next session of the Legislature it was proposed to repeal the previous State Capitol Law.

A relative of another of our fellow townsmen had charge of the measure. Vandalia, fearful that she would lose the seat of government induced General W. Lee D. Ewing to run for the legislature. Ewing was elected for the express purpose of securing the repeal of the State Capitol Law. He had held many important offices; had just finished an unexpired term in the Senate of the United States; was one of the prominent men of Illinois, and very popular. He was an experienced politician, an excellent debator, well educated, competent, and noted for his physical courage.

Ewing made a savage onslaught on Lincoln, he said, "The arrogance of Springfield, its presumption in claiming the seat of government, was not to be endured; * * * the law had been passed by chicanery and trickery; * * * The Springfield delegation had sold out to the Internal Improvement men, and had promised their support to every measure that would gain them a vote to the law removing the seat of government."

Lincoln replied with even greater heat, denouncing Ewing fiercely for his charge of corruption and paying back with usury all that Ewing had said. Ewing was furious, speaking directly to the Sagamon delegation, the "Long Nine", all of whom sat together, Ewing exclaimed, "Gentlemen, have you no other champion than this course and vulgar fellow to bring into the lists against me? Do

you suppose that I will condescend to break a lance with your low and obscure colleague?"

Everybody expected a challenge, for Ewing was a fighting man and it was the day of duelling, but mutual friends interposed and the quarrel was settled without a fight. Persons who heard the altercation began to conceive a very high opinion of the talents and personal courage of Abraham Lincoln.

President Jackson had intruded into the political arena the national bank question.

Lincoln early espoused the cause of the bank and throughout his entire legislative career fought valiantly and sometimes unscrupuously for it, so much so that he was frequently charged with being under its corrupting influence. On one occasion, in order to produce a lack of a quorum so as to prohibit the adjournment of the House, and in order to protect the bank, he unceremoniously jumped out of the window, but, notwithstanding that, was recorded as being present by the Democratic Speaker. He thwarted investigations of the bank and of its officers. He made it possible for the bank to suspend specie payments and he actually kept it alive until two years later when the great weight of its own failures and the debaucheries of its officers brought it to its ruin. One of his colleagues in the House was Stephen A. Douglas, the Little Giant. Another was one of the most distinguished men in all America—he was one of the most popular members of the legislature; he was only 26 years of age, but already a veteran, having been dangerously wounded while serving as a soldier in Florida. He was a thorough going Democrat and was thrice to become senator of the United States from three different states and to hold more offices, civil and military, than almost any other man in American History. He spoke and read French, and was a diligent student, generous, frank, engaging, and utterly without physical fear. I refer to Colonel James Shields, the great uncle of our own distinguished Senator Dan B. Shields.

Shortly after Lincoln's altercation with Ewing, he reported a bank bill authorizing suspension of specie payments for a limited time and under careful restrictions, and the next day James Shields moved to substitute a comprehensive bill of his own, which became the basis of the law finally enacted. Most of the session was taken up with the consideration of this legislation—Resolutions, motions, amendments, roll calls, and constant debate. Throughout these long and involved proceedings, Lincoln steadily voted favorably to the bank, at one time going so far as to oppose an amendment reserving to the legislature the right to repeal or modify the Act of 1835, incorporating the bank and requiring the bank to consent to such reservation. This vote, and indeed, Lincoln's whole attitude and conduct in the bank controversy was strongly conservative and in firm support of vested interests and the conduct of business unmolested as far as possible by legislative or any kind of governmental interference.

On one occasion Douglas introduced a bill for the organization of a new county to be formed of a part of Sagamon County. A minority report against the division of Sagamon County was offered and Lincoln moved that it be spread on the Journal of the House in order that his constituents might see the report. The Speaker objected and a lively tilt between him and Lincoln ensued. Lincoln stated that he thought it was "uncourteous and a departure from the rules of etiquette for the Speaker to meddle in the matter at all. The Speaker thanked Lincoln for the "lesson which he had read to the House on etiquette" and stated that if his (Lincoln's) constituents wanted the minority report "let them print it out of their own pockets. They are rich enough, God knows; they hold the bag of gold like Judas, and with as little merit as he."

At one session of the Legislature, Richard M. Young was elected Senator of the United States. As was the custom of the time the Senator-elect gave a banquet to his adherents, at which much whiskey and champagne and

riotous merriment abounded. As stated by Beveridge in his "Life of Lincoln," "Douglas and Shields, as the smallest, lightest, and most agile of the banqueters, finally mounted the table, dancing together back and forth upon it amid shouts of approval and to such destruction of glasses, bottles, and other tableware that Young had to pay six hundred dollars for the damage done."

Between sessions of the Legislature, Lincoln practiced law, rode the circuits, did a little surveying, delivered the mail, and was always actively engaged in political controversies. He left the bluffs of Sagamon and moved to Springfield. He worked incessantly and with such avidness as to undermine his health. He rapidly outgrew his earlier habits and crudities and prepared himself through incessant studying for the part that he was to play in the future. During this period he met Webster and was profoundly impressed with Webster's continual fight to preserve the Union. Webster was a great Whig, and Lincoln was three times proposed by the Whigs as Speaker of the House. Because of the slavery question and the controversy between the North and the South political alignments constantly became dimmer and dimmer and I have the statement of Beveridge to the effect that it was not until a year and a half after the Republican party was organized in the State of Michigan that he joined its ranks. His entire political career was strikingly affected by the profound oration delivered by Webster in the United States Senate on January 26, 1830, in his reply to Hayne wherein Webster used this language:

> "We reached the Constitution through the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, of prostrate commerce and ruined credit. Under its benign influences, these great interests awoke as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and of its blessings; and although our population has spread out farther and farther,

they have not outrun its benefits and its protection; it has been to us all a copious fountain, of national, social, and personal happiness."

Without a pencil, without paper, without a book, even without conversation, without social intercourse, and with an overwhelming and constant melancholia, and almost without a single person during his entire life who was a spiritual or intellectual intimate and by the dint of the most persevering attentiveness to his own spritual, moral and intellectual advancements he rose unquestionably to the highest heights of statesmanship until at Gettysburg it seemed almost like a combination of a great artist, a great poet and great philosopher, and almost Diety, Himself, spoke through the lips of this sad-eyed, overburdened, and almost overwhelmed President of the United States whose own Cabinet was frequently traitorous toward him, these words that persons in America and Europe teach their youngest children to memorize:

"Four score and seven years ago our fathers brought forth on this continent a new nation conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war testing whether that nation or any nation so conceived and so dedicated can long endure.

"We are met on a great battlefield of that war. We have come to consecrate a portion of that field, as a final resting place for those who here gave their lives that the nation might live. It is altogether fitting and proper that we should do this but in a larger sense we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men living and dead who struggled here have consecrated it far above our poor power to add or detract.

"The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us the living rather

to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

"It is rather for us to be here dedicated to the great task remaining before us that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion. That we here highly resolve that these dead shall not have died in vain. That this nation under God shall have a new birth of freedom and that government of the people, by the people, for the people shall not perish from the earth."

The Senate reconvened at 3:20 p. m.

INTRODUCTION OF BILLS

S. B. No. 68. By Mr. Calder.

"An Act to regulate the use of rowboats and motor boats on the lakes, and reservoirs in Utah", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 69. By Mr. Wallace.

"An Act to amend sections 46-0-6, 46-0-7 and 46-0-8, Revised Statutes of Utah 1933, relating to sales and shipments of alcohol and distilled liquors, providing for the qualifications and duties of persons, firms, and corporations authorized to sell alcohol for industrial and medicinal purposes and for permits as to the sale of such alcohol and such liquors at wholesale by the Attorney General and the exceptions thereto and the records and reports of said sales", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 70. By Mr. Holmgren.

"An Act amending section 104-2-22 of the Revised Statutes of Utah 1933, relating to the time of commence-

ment of actions on instruments in writing," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 15 was read the third time and placed on its final passage.

On motion of Senator Hunt the bill was amended as follows: line 4 change the period to a semi colon and insert the following "provided that payment of sums less than $5.00 be made in lawful money of the United States."

S. B. No. 15 then passed on the following roll call.

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Young, Mr. President.

Those voting in the negative were: Senator Wallace.

Absent and not voting: Senator Candland.

S. B. No. 15 was transmitted to the House.

SPECIAL ORDER

S. B. No. 20 on its final passage.

On motion of Senator Jefferson, the bill was amended as follows:

Page 1, line 14, strike the semicolon and the word "or" and add "is guilty of kidnapping and is punished by imprisonment in the state prison for a term which shall not be less than one year and which may be for life".

Page 1, line 15, after the parentheses, insert "every person who willfully".

Page 1, line 20, after the word "kidnapping" insert "shall suffer death, or upon recommendation of the jury may be imprisoned in the state prison for life" and strike the balance of the paragraph.

Page 1, line 20, after the word "state" strike the semicolon and insert "for the purpose of extorting or obtaining money or reward for the return or disposition of the person".

On motion of Senator Neslen, the bill was amended as follows: Page 1, line 16, after the word "place" insert the words "within or".

On motion of Senator Maw the bill was amended as follows: Page 2, lines 1 and 2, strike the words "Senate Bill No. 2 and".

On motion of Senator Patterson the bill was recommitted to the Judiciary Committee.

S. B. No. 16 on final passage.

On motion of Senator Bamberger the bill was amended as follows: Line 4 of the title, strike the word "Deficits" and insert in lieu thereof the following "Deficiency Appropriations".

S. B. No. 16 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 16 was transmitted to the House.

S. J. R. No. 2 on second reading.

S. J. R. No. 2 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 4; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the Negative were: Senators Calder, Candland, Holmgren, Young.

Senator Huggins moved that H. B. No. 19 be left on the table indefinitely.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 32 was read the second time.

Committee report read and adopted.

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

Page 1, line 10, strike the "parenthesis" and the underscoring on the following words: "one-half cent per gallon."

Page 1, line 12, strike the "parenthesis" after the word "place" and the underscoring on the following words: "the remainder".

S. B. No. 32 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Mr. President.

S. B. No. 31 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins, the bill was amended as follows: Page 1, line 12, strike the word "West" and after the word "Ogden", insert the following "at a point between Washington Avenue and Wall Avenue.

On motion of Senator Maw, on page 3, line 28, the spelling of the word Hinckley was corrected.

On motion of Senator Bowman, the bill was amended as follows: Page 4, line 3, strike the line and insert in lieu thereof "from Laketown to Meadowville."

On motion of Senator Holbrook, the bill was amended as follows: Page 3, line 14, after the word "Bountiful", insert the words "Junior High School", and on page 3, line 15, after the word "and" insert the word "thence".

On motion of Senator Jefferson, the bill was amended as follows: by inserting the following:

"159: From Kenilworth westerly to Route 50.

"160: From Smithfield westerly to Newton."

On motion of Senator Wallace, the bill was amended by inserting the following:

"161: Highline Road, from 33rd South at Magna, to Lark.

"162: Lark Road from Riverton to Lark, by way of Ft. Harriman.

"163: Bluffdale Road, from State Street to Redwood Road.

"164: From North Temple and 8th West Street northerly to Route 91 at Becks."

S. B. No. 31 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson,

Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Mr. President.

INTRODUCTION OF BILLS

S. B. No. 71. By Mr. Neslen.

"An Act to prevent the fumigation of buildings with hydrocyanic acid gas or any of the cyanides unless a license has been secured from the State Board of Health or from local boards of health; and prescribing the method of ventilation of such buildings after fumigation," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 72. By Mr. Neslen.

"An Act amending sections 31, 32, 33, 34, 36, 40, 59, 61, 63 and 70 of chapter 10, title 80, Revised Statutes of Utah 1933, providing for the sale for delinquent taxes, the issuing of certificate of sale, form of certificate of sale, resale of property taken over by county, redemption, record of tax sales, entry of delinquent real estate for the years 1928, 1929, 1930, 1931, and 1932, on tax sale records and issuing tax sale certificates therefor, redemption settlements, and the distribution of money received from redemption, revised statutes of Utah 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73. By Mr. Patterson.

"An Act to amend sections 2-0-6 and 2-0-8 of the Revised Statutes of Utah 1933, relating to agricultural co-operative associations, providing for the powers and the provisions of the by-laws thereof," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 32, by Mr. Hammond, "AN ACT TO REPEAL SECTION 3-5-52 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO THE DIPPING OF SHEEP IN A PREPARATION TO KILL SCAB, AND MAKING IT A MISDEMEANOR TO FAIL TO DO SO," and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 32 was read the first time and referred to the Committee on Agriculture.

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

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. Maw, "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,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 25 was read the first time and referred to the Committee on Appropriations and Claims.

REPORT OF STANDING COMMITTEE

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 13, 1933.

Mr. President:

We, your Committee on Banking and Commerce to which was referred S. B. No. 30, by Mr. Miller, entitled, "AN ACT AMENDING CHAPTER 2 OF TITLE 7, REVISED STATUTES OF UTAH 1933, RELATING TO THE SUSPENSION AND LIQUIDATION OF BANKS BY ADDING TO SUCH CHAPTER NEW SECTIONS TO BE NUMBERED SECTIONS 24, 25 AND 26, TO PROVIDE FOR THE PROTECTION OF RIGHTS OF DEPOSITORS IN THE LIQUIDATION OF BANKS AND TO PERMIT OF THE TRANSFER OF ASSETS OF BANKS TO DEPOSITORS OR A CORPORATION ORGANIZED BY THEM," beg leave to report the same out favorably.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 30 was placed on the second reading calendar.

On motion of Senator Bamberger, the Senate adjourned.

THIRTY-SEVENTH DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, February, 14, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll call—All Senators present.

Prayer by the Chaplain.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 14, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the thirty-sixth day and found it correct with minor amendments noted on the final copy.

Respectfully,

GEO. M. MILLER,
GEORGE JEFFERSON.

Report adopted.

COMMUNICATION FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, February 13, 1933.

Mr. President:

I am directed to inform your Honorable Body that that the House has this day passed, as amended in title and body, H. B. No. 18, by Mr. Petersen, "AN ACT TO AMEND SECTION 85-6-1 AND 85-6-5 OF THE

REVISED STATUTES OF UTAH 1933, RELATING TO THE LOCATION AND PURPOSES OF THE STATE INDUSTRIAL SCHOOL AND RELATING TO THE POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL", and the same is herewith transmitted for your action.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 18 was read the first time and referred to the Committee on Public Institutions, Health and Labor.

REPORTS OF STANDING COMMITTEES

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 14, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 68, by Mr. Calder, entitled, "AN ACT TO REGULATE THE USE OF ROWBOATS AND MOTOR BOATS ON THE LAKES AND RESERVOIRS IN UTAH", and recommends that the same be printed.

GEO M. MILLER,
Chairman.

Report filed.

S. B. No. 68 was ordered printed and referred to the Committee on Fish and Game.

SENATE CHAMBER,
State Capitol.
Salt Lake City, February 14, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 70, by Mr. Holmgren, entitled, "AN ACT AMENDING SECTION 104-2-22 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO THE TIME OF COMMENCMENT OF ACTIONS ON INSTRUMENTS IN WRITING", with a few minor changes consented to by the author, and recomends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 70 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 14, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 71, by Mr. Neslen, entitled, "AN ACT TO PREVENT THE FUMIGATION OF BUILDINGS WITH HYDROCYANIC ACID GAS OR ANY OF THE CYANIDES UNLESS A LICENSE HAS BEEN SECURED FROM THE STATE BOARD OF HEALTH; OR FROM LOCAL BOARDS OF HEALTH, AND PRESCRIBING THE METHOD OF VENTILATION OF SUCH BUILDINGS AFTER FUMIGATION", with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 71 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 14, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 72, by Mr. Neslen, entitled, "AN ACT AMENDING SECTIONS 31- 32, 33, 34, 36, 40, 59, 61, 63 AND 70, OF CHAPTER 10, TITLE 80, REVISED STATUTES OF UTAH 1933, PROVIDING FOR THE SALE FOR DELINQUENT TAXES, THE ISSUING OF CERTIFICAE OF SALE, FORM OF CERTIFICATE OF SALE, RESALE OF PROPERTY TAKEN OVER BY COUNTY, REDEMPTION, RECORD OF TAX SALES, ENTRY OF DELINQUENT REAL ESTATE FOR THE YEARS 1928, 1929, 1930, 1931, AND 1932, ON TAX SALE RECORDS AND ISSUING TAX SALE CERTIFICATES THEREFOR, REDEMPTION SETTLEMENTS, AND THE DISTRIBUTION OF MONEY RECEIVED FROM REDEMPTIONS, REVISED STATUTES OF UTAH 1933", with a few minor changes consented to by the author, being: "AN ACT AMENDING SECTIONS 80-10-31, 80-10-32, 80-10-34, 80-10-36, 80-10-40, 80-10-59, 80-10-61, 80-10-63 AND 80-10-70, REVISED STATUTES OF UTAH 1933, PROVIDING FOR THE SALE FOR DELINQUENT TAXES; THE ISSUING OF CERTIFICATE OF SALE; FORM OF CERTIFICATE OF SALE; RESALE OF PROPERTY TAKEN OVER BY COUNTY; REDEMPTION; RECORD OF TAX SALES; ENTRY OF DELINQUENT REAL ESTATE FOR THE YEARS 1928, 1929, 1930, 1931, AND 1932, ON TAX SALE RECORDS AND ISSUING TAX SALE CERTIFICATES THEREFOR; REDEMPTION SETTLEMENTS; AND THE DISTRIBUTION OF MONEY RECEIVED FROM REDEMPTIONS,

AND TO REPEAL SECTION 80-10-33, REVISED STATUTES OF UTAH 1933", and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 72 was ordered printed and referred to the Committee on Judiciary.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 14, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 73, by Mr. Patterson, entitled, "AN ACT TO AMEND SECTIONS 2-0-6 AND 2-0-8 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO AGRICULTURAL COOPERATIVE ASSOCIATIONS, PROVIDING FOR THE POWERS AND THE PROVISIONS OF THE BY-LAWS THEREOF," with a few minor changes consented to by the author, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 73 was ordered printed and referred to the Committee on Agriculture.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 14, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 66, by Mr. Fennell, entitled, "AN ACT TO AMEND SECTIONS 1, 3, 7, 8, 10, 15 AND 16 OF CHAPTER 12, TITLE 57 OF THE REVISED STATUTES OF UTAH 1933, BY REDEFINING "MOTOR FUELS"; BY DEFINING THE TERM "PERSON"; BY REQUIRING THE FURNISHING OF A BOND BEFORE ANY LICENSE IS ISSUED TO ANY PERSON INTENDING TO DISTRIBUTE OR DEAL IN MOTOR FUEL; BY PROVIDING FOR THREE PER CENT DEDUCTION TO ALLOW FOR EVAPORATION, LOSS IN HANDLING AND EXPENSE OF COLLECTION; BY VESTING IN THE STATE TAX COMMISSION THE POWER TO EXACT INFORMATION WITH RESPECT TO THE MOVEMENT OF PETROLEUM PRODUCTS IN THIS STATE: BY PROVIDING FOR THE AUTOMATIC REVOCATION OF ANY LICENSE ISSUED FOR FAILURE TO COMPLY WITH ANY PROVISIONS OF CHAPTER 12 AND PROVIDING FOR A REFUND OF THE TAX ON MOTOR FUEL SOLD FOR EXPORT ON PROOF OF ACTUAL EXPORTATION," with a few minor changes consented to by the author, being: "AN ACT TO AMEND SECTIONS 57-12-1, 57-12-3, 57-12-7, 57-12-8, 57-12-10, 57-12-15 AND 57-12-16 OF THE REVISED STATUTES OF UTAH 1933, BY REDEFINING "MOTOR FUELS"; BY DEFINING THE TERM "PERSON"; BY REQUIRING THE FURNISHING OF A BOND BEFORE ANY LICENSE IS ISSUED TO ANY PERSON INTENDING TO DISTRIBUTE OR DEAL IN MOTOR

FUEL; BY PROVIDING FOR THREE PER CENT DEDUCTION TO ALLOW FOR EVAPORATION, LOSS IN HANDLING AND EXPENSE OF COLLECTION; BY VESTING IN THE STATE TAX COMMISSION THE POWER TO EXACT INFORMATION WITH RESPECT TO THE MOVEMENT OF PETROLEUM PRODUCTS IN THIS STATE: BY PROVIDING FOR AUTOMATIC REVOCATION OF ANY LICENSE ISSUED FOR FAILURE TO COMPLY WITH ANY PROVISIONS OF CHAPTER 12 AND PROVIDING FOR A REFUND OF THE TAX ON MOTOR FUEL SOLD FOR EXPORT ON PROOF OF ACTUAL EXPORTATION," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 66 was ordered printed and referred to the Committee on Revenue and Taxation.

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, February 14, 1933.

Mr. President:

Your Committee on Appropriations and Claims reports back H. B. No. 25, by Mr. Maw, 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 recommends that it be passed.

Respectfully,

HERBERT B. MAW,
Chairman.

Report filed.

H. B. No. 25 was placed on the second reading calendar.

On motion of Senator Maw the rules were suspended and H. B. No. 25 was read the second time.

Committee report read and adopted.

On motion of Senator Holbrook the bill was amended as follows: Page 1, line 14, change the numerals "2,850.00" to read "2,000.00." Line 15, change the numerals "500.00" to read "300.00". Line 22, change the numerals "4,681.05" to read "3,000.00."

H. B. No. 25 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Neslen.

On motion of Senator Keyser, the rules were suspended and H. B. No. 25 was read the third time and placed on its final passage.

H. B. No. 25 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

H. B. No. 25 was transmitted to the House.

INTRODUCTION OF BILL

S. B. No. 74. By Mr. Bowman.

"An Act to amend Revised Utah Statutes 1933, relating to fees of jurors in the district court," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

THE HOUSE OF REPRESENTATIVES,
State Capitol,
Salt Lake City, Utah, February 14, 1933.

Mr. President:

I am instructed to inform your Honorable Body that the Speaker has appointed a Committee on Procedure for consideration of and action on the recommendations of the committee on organization and operation of State Government, and that you are invited to appoint a like committee to confer with the House committee on this matter.

Respectfully,

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

PRESENTATION OF RESOLUTION

S. C. M. No. 3. By Messrs. Bamberger and Candland.

"A memorial to the Congress of the United States of America, favoring the elimination of laws allowing the exempting of certain securities from taxation," 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, February 13, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 45, by Mr. Holmgren, entitled, "AN ACT TO PROVIDE FOR THE PAYMENT OF PROPERTY TAXES IN INSTALLMENTS; TO PROVIDE FOR A DISCOUNT UPON PROPERTY TAXES PAID IN ADVANCE OF DELINQUENCY AND TO REDUCE THE RATE OF INTEREST UPON DELINQUENT TAXES FROM 1 PER CENT PER MONTH TO 8 PER CENT PER ANNUM AND AMENDING SECTIONS 80-10-25 AND 80-10-59 OF THE REVISED STATUTES OF UTAH 1933," beg leave to report the same out favorably.

Respectfully submitted,

I. A. HUGGINS,
Chairman.

Report filed.

S. B. No. 45 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 13, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 46, by Mr. Holmgren, entitled, "AN ACT TO REDUCE THE BURDEN OF TAXATION UPON PROPERTY AND TO REPEAL SECTIONS 36-2-7, 36-2-8 AND 36-2-9, OF THE REVISED STATUTES OF UTAH 1933, RELATING TO THE AUTHORITY

OF CITIES AND COUNTIES TO LEVY A TAX UPON PROPERTY FOR STATE ROAD PURPOSES AND TO THE DISTRIBUTION AND EXPENDITURE OF THE REVENUES SO DERIVED AND AMENDING SECTION 80-9-5 OF THE REVISED STATUTES OF UTAH 1933," beg leave to report the same out favorably.

Respectfully submitted,

I. A. HUGGINS,
Chairman.

Report filed.

S. B. No. 46 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 13, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 49, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 18-8-5, REVISED STATUTES OF UTAH, 1933, RELATING TO DISABILITIES OF NON-COMPLYING FOREIGN CORPORATIONS," beg leave to report the same out favorably.

Respectfully submitted,

I. A. HUGGINS,
Chairman.

Report filed.

S. B. No. 49 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 13, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 29, by Mr. Huggins, entitled, "AN

ACT AMENDING SECTION 25-6-5 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO FORM OF BALLOT," beg leave to report the same out favorably.

Respectfully submitted,

I. A. HUGGINS,
Chairman.

Report filed.

S. B. No. 29 was placed on the second reading calendar.

SENATE CHAMBER,
State Capitol,
Salt Lake City, February 13, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 40, by Mr. Booth, entitled, "AN ACT TO AMEND SECTION 19-13-11, REVISED STATUTES OF UTAH 1933, RELATING TO OFFICIAL BONDS OF COUNTY OFFICERS," beg leave to report the same out favorably.

Respectfully submitted,

I. A. HUGGINS,
Chairman.

Report filed.

S. B. No. 40 was placed on the second reading calendar.

Senator Bamberger moved that we now consider bills on the second reading calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 12 was read the second time.

Committee report read and adopted.

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

In the title strike, "Chapter 39 Laws of Utah 1931, known as the Franchise Tax Act of 1931", and insert, "Chapter 13, of Title 80 Revised Statutes of Utah 1933, known as the Franchise Tax".

Page 1, line 1, strike "3, 4, 22, and 61 of Chapter 39, Laws of Utah 1931", and insert, "80-13-2, 3, 20, and 60 Revised Statutes of Utah 1933".

Page 1, line 3, strike "3" and insert "80-13-2".

Page 1, line 11, strike "4" and insert "80-13-3".

Page 1, line 12, strike "7" and insert "80-13-5".

Page 1, line 21, strike "22" and insert "80-13-20".

Page 2, line 26, strike "61" and insert "80-13-60".

Page 4, line 7, insert after the word "provided" "( )".

Page 4, line 19, strike "5, of Chapter 39, laws of Utah 1931", and insert "80-13-4, Revised Statutes of Utah 1933".

Page 4, lines 25 and 26, strike "39, Laws of Utah 1931", and insert "13, Title 80".

On motion of Senator Hunt S. B. No. 12 was laid on the table.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
State Capitol,
Salt Lake City, Utah, February 14, 1933.

TO THE TWENTIETH LEGISLATURE:

In my first message to you it was recommended that a joint committee be appointed consisting of representa-

tives of the Senate, of the House and of the Governor, for the purpose of making a study of the State government to ascertain if it can be more economically conducted. It was suggested that the problem be faced courageously and intelligently, and in a wise, dispassionate and impartial manner.

I wish now to thank the Legislature for promptly adopting my suggestion. On January 18, the Senate named as its members of the Committee Senators Bamberger, Keyser and Miller, and the House appointed Representatives Keddington, Vernon and VanWagoner. Subsequently, N. L. Wilson, Robert H. Hinckley and Paul H. Ray were chosen as the Governor's appointees. The Committee organized January 20 with Senator Julian M. Bamberger as chairman and Representative Alvin Keddington as vice chairman, and E. C. Knowlton was called in as Secretary. It was January 23 before actual work began.

With only three weeks in which to perform its task, this Committee undertook the very heavy responsibility of making a study of all the departments and institutions comprising the State government. An opportunity was given to citizens to appear before the Committee, and representatives of departments and institutions deriving support from the State general fund were examined. In addition to continuous all day sessions, many night meetings were held. I doubt if a similarly constituted body ever worked more zealously in the performance of an assigned duty. The Committee faced the problem with determination and acted with promptness and dispatch. On February 10, the day set by the Legislature for report, the Committee presented to you and to me its findings and recommendations. In many other states similar committees have used months for such a study, and have employed experts and expended large sums of money.

During the progress of the investigation, the Senate and the House were deprived of the valuable assistance of those assigned to the Committee. Your willingness to grant them leave of absence from the legislative sessions is appreciated. I wish also to acknowledge with gratitude

the fine patriotic spirit of those chosen by the Governor as committee members, and who freely gave their time and abilities to the work in hand.

Inasmuch as the Committee's work was done in such limited time, a perfect plan could hardly be expected; but the report contains many valuable suggestions.

I congratulate the Committee on its work and commend its report to the serious attention of the Legislature.

Respectfully submitted.

HENRY H. BLOOD,
Governor.

Communication filed.

Senator Bamberger moved that the President appoint a Committee on Procedure for consideration of the recommendations made by the Committee on Organization and Operation of State Government to act with a like committee from the House.

Motion carried.

Senator Wallace moved that S. B. No. 12 be taken from the table and considered.

Motion carried.

S. B. No. 12 was placed on the third reading calendar on the following roll call:

Yeas, 13; Nays, 9; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller, Musser, Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Booth, Fennell, Hunt, Jefferson, Keyser, Patterson, Shields, Wallace.

Absent and not voting: Senator Neslen.

S. B. No. 13 was read the second time.

Committee report read and adopted.

On motion of Senator Holbrook, the bill was amended as follows:

Title. Strike "44, Laws of Utah 1931, known as the Income Tax Act of 1931", and insert "14, Title 80, Revised Statutes of Utah 1933, known as the Income Tax Act".

Page 1, lines 1 and 2. Strike "3, 8, 17, 18, 50, 52, 53 and 63 of Chapter 44 Laws of Utah 1931" and insert "80-14-2, 7, 16, 17, 50, 52, 53 and 63 Revised Statutes of Utah 1933".

Page 1, line 3. Strike "3" and insert "80-14-2".

Page 1, line 6. Strike "8" and insert "80-14-7".

Page 1, line 18. Strike "8" and insert "80-14-7".

Page 2, line 18. Strike "17" and insert "80-14-16."

Page 3, line 1. Strike "18" and insert "80-14-17".

Page 3, line 10. Strike "50" and insert "80-14-50".

Page 3, line 11. Strike "8" and insert "80-14-7".

Page 3, line 12. Strike "52" and insert "80-14-52".

Page 3, line 25. Strike "53" and insert "80-14-53.

Page 4, line 12. Strike "63" and insert "80-14-63".

Page 5, line 12. Strike "44, Laws of Utah 1931" and insert "14, Title 80, Revised Statutes of Utah 1933".

On motion of Senator Maw, the Senate adjourned.

THIRTY-EIGHTH DAY

February 15, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 15, 1933.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the Thirty-seventh day and found it correct with minor amendments noted on the final copy, and further recommend that in the future:

1. That the heading of the Journal be condensed to two lines containing the following: Senate Journal, (blank), day and date.

2. That all headings on communications from the House, the Governor and Standing and Special Committees shall contain only the date.

3. That communications other than above that refer to particular legislation be not printed in the Journal but referred to the Standing Committees who shall consider such legislation.

4. That the titles of bills in Committee reports be summarized in a few words to give an idea of the subject matter and contents, except where the title is amended, and if and where possible, the title be omitted

5. That the Secretary be authorized to make such abbreviations, amendments and omissions as he deems necessary, not in violation of the rules of this Body in the further condensing of the Journal.

GEO. M. MILLER,
GEORGE JEFFERSON.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 15, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 74, by Mr. Bowman, RELATING TO FEES

OF JURORS, with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 74 was ordered printed and referred to the Committee on Judiciary.

February 14, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred Senate Bill No. 10, by Mr. Maw, an act levying a license tax on telephones, beg leave to report the same out without recommendation.

DAN B. SHIELDS.

Report filed.

S. B. No. 10 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your Committee on Education, to whom was referred S. B. No. 14, by Mr. Miller, beg leave to report the same without recommendation.

GEO. M. MILLER.

Report filed.

S. B. No. 14 was placed on the second reading calendar.

On motion of Senator Griffin, S. B. No. 43 was withdrawn.

COMMUNICATIONS FROM THE HOUSE

February 14, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 35, by Mr. Jarvis, "AN ACT AMENDING SECTION 25-6-21 OF THE REVISED STATUTES OF UTAH 1933, PROVIDING FOR THE MARKING OF BALLOTS IN ELECTIONS, AND FOR THE RULES GOVERNING REJECTION OF SAID BALLOTS AND FOR THE COUNTING THEREOF," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 35 was read the first time and referred to the Committee on Judiciary.

February 14, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 30, by Mr. Grossenbach, "AN ACT TO AMEND 30-0-54, REVISED STATUTES OF UTAH 1933, RELATING TO FISH AND GAME, STATE GAME REFUGE COMMITTEE; STATE BOARD OF BIG GAME CONTROL; APPOINTMENT; DUTIES," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 30 was read the first time and referred to the Committee on Fish and Game.

February 14, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 29 by Mr. Grossenbach, "AN ACT AMENDING 30-0-43, REVISED STATUTES OF UTAH 1933, RELATING TO FISH AND GAME AND USE OF SEINES," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 29 was read the first time and referred to the Committee on Fish and Game.

February 14, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 25, by Mr. Maw, "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.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 25 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 President announced that the House has invited the Senate to meet in Joint Assembly on Wednesday, February 22, 1933, to hear a program in honor of the birthday of George Washington.

On motion of Senator Keyser the invitation was accepted.

Claims of Fred Reynolds and V. C. Childs were transmitted and received from the Board of Examiners.

The claims were referred to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS

S. B. No. 75. By Mr. Booth.

"An Act requiring all contracts for state, county, municipal and school construction or repair work and maintenance to contain provisions requiring preference to bona fide residents of Utah in said work when not in violation of Federal statutes and providing for the payment of the standard prevailing rate of wages as paid at the county seat of the county in which the work is being performed, and providing for the forfeiture of these provisions by the contractor and providing a method for the completion of said contract, and repealing all Acts and parts of Acts in conflict herewith," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 76. By Mr. Huggins.
(By request.)

"An Act empowering the board of trustees of the Utah State Agricultural College to sell the products thereof and regulating the sale of the same," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 77. By Mr. Bowman.

"An Act providing for the release, relinquishment and conveyance to the United States of America of a portion of the southeast quarter of the southeast quarter

of section thirty-six (36), township thirty-six (36) south, range four (4) west, Salt Lake base and meridian," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 78. By Mr. Booth.

"An Act to limit the liability of a bank or trust company for non-payment of a check through error," was read the first time and referred to the Commitee on Revision and Enrolling.

S. B. No. 79. By Messrs. Fennell and Booth.

"An Act relating to the establishment of a board of commissioners to serve without pay for the promotion of tariffs on copper, lead, zinc, sugar, and farm products, and the promotion of natural resources of the State of Utah; providing for the creating thereof, and designating its duties," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80. By Mr. Huggins.

An Act to create a department of higher education; to create a state board of regents, providing for the appointment of its members, prescribing their powers and duties; to abolish the board of regents of the University of Utah and the Board of Trustees of the Utah State Agricultural College; repealing all Acts and parts of Acts in conflict herewith," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No .81. By Messrs. Booth and Fennell.

"An Act to amend sections 4 and 5 of chapter 4 of title 42 of the Revised Statutes of Utah 1933, relating to the firemen's pension fund," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 82. By Mr. Griffin.
(Substitute for S. B. No. 43.)

"An Act amending section 2, chapter 68, Session Laws of Utah 1919, as amended by chapter 73, Session Laws of Utah 1921, and section 3, chapter 68, Session Laws of Utah 1919, as amended by chapter 73, Session Laws of Utah 1921, and section 20, chapter 68, Session Laws of Utah 1919, as amended by chapter 68 and 80, Session Laws of Utah 1929, and 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 water allotments therein, and the exclusion of lands therefrom," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Patterson, S. J. R. No. 2 was made a special order of business for Thursday, February 16, 1933, at 2:30 p. m.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 32 was read the third time and placed on its final passage.

S. B. No. 32 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (exp. vote), Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 32 was transmitted to the House.

S. B. No. 31 was read the third time and placed on its final passage.

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

Strike paragraph "160".

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

Insert in place of paragraph "160" the following: "From Devil's Slide three miles east to Croyden."

S. B. No. 31 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Holmgren and Wallace.

S. B. No. 31 was transmitted to the House.

SPECIAL ORDER

S. B. No. 4 on final passage.

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

Page 1, line 20, after the word "least" delete the word "fifty-one" and insert "twenty-six".

Page 1, line 21, after the word "voted" insert the word "favorably".

Page 1, line 21, strike the word "on" and insert in lieu thereof the word "for".

Page 2, line 22, after the word "least" delete the word "fifty-one" and insert "twenty-six".

Page 2, line 23, after the word "voted" insert the word "favorably".

On motion of Senator Bowman, S. B. Nos. 4, 5 and 6 were made a special order of business for Thursday February 16, to follow S. J. R. No. 2.

On motion of Senator Holbrook, S. B. No. 12 was made a special order of business for Monday, February 20, 1933, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 13 on second reading.

Committee report read and adopted.

S. B. No. 13 was placed on the third reading calendar on the following roll call:

Yeas, 20; Nays, 3; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Shields (explained vote), Wallace (explained vote), Young (explained vote), Mr. President.

Those voting in the negative were: Senators Huggins (explained vote), Hunt (explained vote) and Keyser.

On motion of Senator Holbrook, S. B. No. 13 was made a special order of business for Monday, February 20, 1933, to follow S. B. No. 12.

REPORT OF STANDING COMMITTEE

February 15, 1933.

Mr. President:

We, your committee on Judiciary to which was referred Senate Bill No. 20 by Mr. Neslen entitled; "AN ACT TO AMEND SECTION 103-33-1 OF THE REVISED STATUTES OF UTAH 1933, RELATING TO KIDNAPPING AND PROVIDING THE PUNISHMENT THERE-

OF", beg leave to report the same out favorably and re-written in body and recommend that the same be re-typed.

I. A. HUGGINS.

Report adopted.

On motion of Senator Huggins S. B. No. 20 was withdrawn and S. B. No. 84 was substituted therefor.

S. B. No. 84. By Mr. Neslen.
Substitute for S. B. No. 20.

"An Act to amend Section 103-33-1 of the Revised Statutes of Utah 1933, relating to kidnapping and providing the punishment thereof," was read the first time.

On motion of Senator Huggins the rules were suspended and S. B. No. 84 was read the second and third time and placed on its final passage.

S. B. No. 84 passed on the following roll call:

Yeas, 19; Nays, 4; Absent 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Neslen, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Miller, Musser, Patterson and Shields.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 84 was transmitted to the House.

S. B. No. 23 was read the second time.

Committee report read and adopted.

On motion of Senator Bowman, the bill was amended as follows:

Page 1, line 17, strike the word "and" and insert a "comma".

Page 1, line 17, after the word "county" insert the following "and Blind Lake in Wayne County."

S. B. No. 23 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Hunt.

S. B. No. 24 was read the second time.

Committee report read and adopted.

S. B. No. 24 was placed on the third reading calendar on the following roll call.

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Hunt, Jefferson, Keyser, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Miller (explained vote).

Absent and not voting: Senators Holbrook, Huggins, Maw, Patterson.

On motion of Senator Calder, the rules were suspended and S. B. No. 24 was read the third time and placed on its final passage.

S. B. No. 24 passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fen-

nell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Miller.

Absent and not voting: Senator Patterson.

S. B. No. 24 was transmitted to the House.

On motion of Senator Calder, the rules were suspended and S. B. No. 23 was read the third time and placed on its final passage.

S. B. No. 23 passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 23 was transmitted to the House.

S. B. No. 51 was read the second time.

Committee report read and adopted.

S. B. No. 51 was placed on the third reading calendar on the following roll call.

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins (explained vote), Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Patterson.

INTRODUCTION OF BILL

S. B. No. 83. By Mr. Neslen.

"An Act amending Section 103-25-16, Revised Statutes of Utah 1933, relating to gaming, and making pool selling

and book-making a felony, and providing for the suppression or abatement thereof by means of injunction," was read the first time and referred to the Committee on Revision and Enrolling.

The President appointed Senators Shields, Huggins, Hunt, Wallace, Candland, Maw and Griffin to act with a like committee from the House on Procedure for consideration of the recommendations made by the Committee on Organization and Operation of State Government.

S. B. No. 30 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins, the bill was amended as follows:

Page 3, line 21, after the word "Whenever", strike the balance of the line.

Page 3, line 22, after the word "cent", strike the words "in interest of the deposit liability" and insert in lieu thereof the following words "of such depositors".

S. B. No. 30 was placed on the third reading calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young (explained vote), Mr. President.

Absent and not voting: Senators Booth, Bowman, Day, Huggins, Musser, Patterson.

INTRODUCTION OF BILLS

S. B. No. 85. By Mr. Shields.

"An Act fixing the time when certain provisions of the Revised Statutes of Utah 1933, take effect and

amending Senate Bill 56, as enacted by the Twentieth Regular Session of the Legislature of Utah, approved February 10, 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86. By Mr. Shields.

"An Act to make certain the application of Chapters 13 and 14 of Title 80 of the Revised Statutes of Utah 1933, relating to franchise and income taxes," was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Bamberger the Senate adjourned.

THIRTY-NINTH DAY

February 16, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the thirty-eighth day and find it correct with noted amendments.

REPORTS OF STANDING COMMITTEES

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 75 by Mr. Booth relating to CONTRACTS FOR STATE, COUNTY, MUNICIPAL AND SCHOOL CONSTRUCTION, and recommends the same be printed.

Report filed. GEO. M. MILLER.

S. B. No. 75 was ordered printed and referred to the Committee on Judiciary.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 76, by Mr. Huggins, entitled, "AN ACT EMPOWERING THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE TO SELL THE PRODUCTS THEREOF AND REGULATING THE SALE OF THE SAME," with a few minor changes consented to by the author, being: "AN ACT EMPOWERING THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE TO SELL THE PRODUCTS OF ITS EXPERIMENT STATIONS; TO REGULATE THE SALE, AND PROVIDING FOR THE USE OF SUCH REVENUE AND MONEYS RECEIVED FROM TUITION," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 76 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 77, by Mr. Bowman, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 77 was ordered printed and referred to the Committee on Judiciary.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 78, by Mr. Booth, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 78 was ordered printed and referred to the Committee on Banking and Commerce.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 79, by Mr. Booth and Mr. Fennell, with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 79 was ordered printed and referred to the Committee on Mining and Smelting.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 81, by Mr. Booth and Mr. Fennell, with a few minor changes consended to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 81 was ordered printed and referred to the Committee on State an Municipal Affairs.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 83, by Mr. Neslen, with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 83 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 85, by Mr. Shields, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 85 was ordered printed and referred to the Committee on Judiciary.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 86, by Mr. Shields, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 86 was ordered printed and referred to the Committee on Revenue and Taxation.

February 15, 1933.

Mr. President:

We, your Committee on Agriculture and Irrigation to which was referred Senate Bill No. 34, by Mr. Miller, beg leave to report the same out without recommendations.

WARD C. HOLBROOK.

Report filed.

S. B. No. 34 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your committee on Agriculture and Irrigation to which was referred H. B. No. 32 by Mr. Hammond beg leave to report the same out favorably.

WARD C. HOLBROOK.

Report filed.

H. B. No. 32 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your committee on Agriculture and Irrigation to which was referred Senate Bill No. 63 by Mr. Holmgren, relating to the issuance of tax deeds, beg leave to report the same out favorably.

WARD C. HOLBROOK.

Report filed.

S. B. No. 63 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your committee on Agriculture and Irrigation to which was referred Senate Bill No. 28 by Mr. Griffin and Mr. Holmgren entitled: "AN ACT PROVIDING FOR REFUND OF MOTOR FUEL TAX PAID IN CASE OF MOTOR FUELS USED FOR PURPOSES OTHER THAN IN MOTOR VEHICLES," propose the following amendments:

Page 1, line 5, after the word "purposes" insert "motor cars used solely upon rails."

Page 1, line 15, after the word "Act" add "provided, however, that no refund shall be made except in cases of two hundred gallons or more on motor fuels used, other than in motor vehicles."

Page 2, line 17, delete the first word "from" and insert "by".

Page 2, line 26, after the word "highway" add "construction".

We, your committee beg leave to report the same out without recommendations.

WARD C. HOLBROOK.

Report filed.

S. B. No. 28 was placed on the second reading calendar.

February 16, 1933.

Mr. President:

We, your committee on Public Institutions, Health and Labor, to which was referred H. J. R. No. 1 by Mr. Adams, beg leave to report the same out favorably.

Report filed. C. C. NESLEN.

H. J. R. No. 1 was placed on the second reading calendar.

February 16, 1933.

Mr. President:

We, your committee on Public Institutions, Health and Labor, to which was referred Senate Bill No. 35 by Mr. Fennell, beg leave to report the same out without recommendations.

C. C. NESLEN.

Report filed.

S. B. No. 35 was placed on the second reading calendar.

February 16, 1933.

Mr. President:

We, your committee on Public Institutions, Health and Labor to which was referred H. C. M. No. 3 by Mrs. Bosone, beg leave to report the same out without recommendations.

C. C. NESLEN.

Report filed.

H. C. M. No. 3 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your committee on Public Institutions, Health and Labor, to which was referred Senate Bill No. 55 by Mrs. Musser, beg leave to report the same out favorably.

C. C. NESLEN.

Report filed.

S. B. No. 55 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your committee on State and Municipal Affairs, to which was referred Senate Bill No. 26 by Mr. Booth, relating to powers of towns to license, tax, and regulate businesses, beg leave to report the same out favorably with the following amendments:

On line 9 after the word "town" insert the following: "Provided that if any such business has paid such license fee or tax in any Utah city or town, no other Utah town shall collect a license fee or tax hereunder from the solicitors or salesmen of such business."

On line 9 strike the word "and" and capitalize the word "no".

Report filed. JULIAN M. BAMBERGER.

S. B. No. 26 was placed on the second reading calendar.

February 15, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred Senate Bill No. 25 by Mr. Booth, relating to the power of cities and towns, to license, tax and regulate businesses, beg leave to report the same out favorably with the following amendments:

On line 5 after the word "ordinance" insert the following: "Provided that if any such business has paid such license fee or tax in any Utah city or town, no other Utah city or town shall collect a license fee or tax hereunder from the solicitors or salesmen of such business."

On line 5, strike the third word from the end of the line, to wit, "and" and capitalize the word "no".

Report filed. JULIAN M. BAMBERGER.

S. B. No. 25 was placed on the second reading calendar.

February 16, 1933.

Mr. President:

We, your committee on Banking and Commerce to which was referred Senate Bill No. 41 by Mr. Wallace, an Act for the protection of deposits of public funds, beg leave to report the same out favorably with the following amendments:

On page 1, line 11, delete the period after the word "Association" and add the words "and subject to removal at the pleasure of the Governor".

On page 2, line 24, after the word "shall" insert the word "each".

On page 2, line 25, after the word "session," add the words "not exceeding however $2,000.00 each per annum".

On page 15, line 10, in section 14, strike the last two words and add the following: "take effect when the Revised Statutes of Utah, 1933 become effective."

JOHN M. WALLACE.

Report filed.

S. B. No. 41 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 87. By Mr. Maw.

"An Act repealing Chapters 3 and 4 of Title 25, Revised Statutes of Utah 1933, and providing for holding nominating elections and for the nomination of candidates for office thereby; defining a political party; providing who may vote at nominating elections; pre-

scribing the method whereby a candidate may have his name placed on a ballot to be voted at a nominating election; providing for the nominating of non-political candidates and the placing of their names on the ballot; and the fee to be paid by each candidate; to whom it shall be paid; and where his declaration of candidacy shall be filed: fixing the duties of the Secretary of State; and of county auditors with respect to nominating elections; providing for publication and posting of notices thereof; prescribing the form of ballots to be used at such elections and the instructions to voters to be printed thereon; fixing the manner of voting thereat; defining the crime and fixing the punishment of the one who swears falsely relative to his qualifications as a voter providing for payment of the expenses of such elections; defining the qualifications of voters thereat; providing for the printing and distribution of this Act; limiting the expenditures of candidates for nominations in promoting their candidacies, and requiring them to file verified statements thereof, and making it a misdemeanor and prescribing the penalty for failure to do so; making certain acts misdemeanors and prescribing penalties therefor; providing for the formation, meeting and organization of central committees and prescribing their powers; providing for calling State conventions to elect delegates to national conventions; providing for the nomination of presidential electors; for the formation and meeting of platform conventions and adoption and filing of platforms; providing for canvassing the votes cast at nominating elections and prescribing how votes shall be counted in certain cases; providing for tally sheets, what they shall contain and how the nominees shall be determined; prescribing how tie votes shall be determined; fixing the duties of county and state canvassing boards; providing for filing vacancies on tickets; and requiring registration of voters; providing for nominations by conventions and the manner of certifying the same; prescribing the method for declining nominations and for filling vacancies on a ticket,," was read the first

time and referred to the Commitee on Revision and Enrolling.

S. B. No. 88. By Messrs. Bowman and Jefferson.

"An Act to amend Sections 36-2-4 and 36-2-6 Revised Statutes of Utah 1933, relating to securing rights of way," was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF MEMORIAL

S. C. M. No. 4. By Mr. Candland.

MEMORIALIZING THE PRESIDENT-ELECT FRANKLIN D. ROOSEVELT, BY EXPRESSING THE JOY OF THE PEOPLE OF THE STATE OF UTAH IN THE MIRACULOUS ESCAPE FROM THE ASSASSIN'S BULLET.

BE IT RESOLVED by the Legislature of the State of Utah, the Governor concurring therein:

WHEREAS, it has come to the attention of the people of the State of Utah, that an assassin has unsuccessfully attempted to take the life of President-elect Franklin D. Roosevelt;

NOW THEREFORE, BE IT RESOLVED by the Governor and the Legislature of the State of Utah, that the following telegram be sent to President-elect, Franklin D. Roosevelt:

The Governor and the Legislature and the people of Utah, rejoice with all loyal citizens of this Republic in your providential escape from the assassin's bullet and we implore Divine Providence to protect you and guide you in all your efforts in the interest of the people of this Nation.

S. C. M. No. 4 was read by the author in full and under suspension of the rules was passed unanimously.

S. C. M. No. 4 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Wallace, S. B. No. 51 was made a special order of business for Friday, February 17, 1933, at 2:30 p. m.

S. B. No. 30 was read the third time.

On motion of Senator Miller, the bill was amended as follows:

Page 3, line 22, strike the words "of such depositors" and insert in lieu thereof "the deposit liability and not less than 65 per cent in number of the depositors."

S. B. No. 30 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins (explained vote), Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 30 was transmitted to the House.

SPECIAL ORDER

S. J. R. No. 2 was read the third time and placed on its final passage.

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

Strike all of Section 2, and substitute the following: "The manufacture, sale, keeping or storing for sale or offering or exposing for sale, or importing, carrying, transporting, advertising, distributing, giving away, exchanging, dispensing, or serving of all fermented, malt, vinous or spirituous liquors, alcohol, wine, porter, ale, beer, absinthe or any other intoxicating drink, mixture or preparation of like nature; and all malt or brewed drinks; fruits preserved in alcoholic liquors of any kind;

and all beverages containing in excess of three and two-tenths ( ) per centum of alcohol by weight; and all mixtures, compounds or preparations, whether liquid or not, which are intended when mixed with water, or otherwise, to produce by fermentation or otherwise an intoxicating liquor, are hereby forever prohibited in the State, except alcohol for scientific and manufacturing purposes, and wine used for sacramental purposes."

Section 3. Strike line 10, and insert the following: "at a special election in the manner provided by law, said election to be held within a period of six months after the United States government legalizes the manufacture, sale and distribution of beverages having an alcoholic content of three per cent or more."

Strike all of Section 4.

Strike the last line of the title and insert in lieu thereof "by legalizing the manufacture and sale of beverages containing 3.2 per cent alcohol by weight.

Line 1, after the word "amend" insert the words "Section 3 of".

Lines 2 and 3, strike the words "in the following particulars, to wit": and insert in lieu thereof "to read as follows:".

S. J. R. No. 2 passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

These voting in the affirmative were: Senators Bamberger, Booth, Day (explained vote), Fennell, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Candland, Griffin, Holmgren, Young.

Absent and not voting: Senator Holbrook.

S. J. R. No. 2 was transmitted to the House.

S. B. No. 6 on final passage.

On motion of Senator Fennell, the bill was amended as follows:

Page 2, line 6, after the word "least", delete the word "fifty-one" and insert the word "twenty-six".

Page 2, line 7, delete the figure "51" and insert the figure "26", and after the word "vote", delete the word "on" and insert the word "for".

Page 2, line 8, after the word "indebtedness", insert a comma and delete the words "and if a majority of those voting there".

Page 2, line 9, delete the entire line.

Page 2, line 10, delete the word "wise".

Page 2, line 16, after the word "form", insert the sentence: "The Board of County Commissioners may accept or reject any or all bids."

Page 3, line 11, after the word "apply", insert the following: "The Board of County Commissioners may accept or reject any or all bids."

On motion of Senator Patterson, the bill was amended as follows: Change section 2 to section 3 and insert as section 2 the following: "this Act shall repeal all acts or parts of acts in conflict herewith."

S. B. No. 6 then passed on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Patterson, Shields, Wallace.

Those voting in the negative were: Senators Bamberger, Holbrook, Maw, Musser, Neslen, Young, Mr. President.

Absent and not voting: Senator Griffin.

Senator Patterson gave notice that he would move to reconsider the vote by which S. B. No. 6 was passed.

S. B. No. 5 on final passage.

On motion of Senator Fennell, the bill was amended as follows:

Page 1, line 18, after the word "least" delete the word "fifty-one" and insert the word "twenty-six".

Page 1, line 19, after the word "voted' 'delete the word "on" and insert the word "for" and after the word "question" delete the words "and a".

Page 1, line 20, delete the words "majority of those voting thereon shall have voted in favor".

Page 2, line 6, after the word "least", delete the word "fifty-one" and insert the word "twenty-six".

Page 2, line 7, after the word "voted" delete the word "on" and insert the word "for'.

S. B. No. 5 then passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Patterson, Shields, Wallace, Young.

Those voting in the negative were: Senators Bamberger, Holbrook, Maw, Musser, Neslen, Mr. President.

Absent and not voting: Senator Griffin.

S. B. No. 5 was transmitted to the House.

S. B. No. 4 on final passage.

On motion of Senator Candland, S. B. No. 4 was made a special order for tomorrow, February 17, to follow S. B. No. 51.

COMMUNICATIONS FROM THE HOUSE

February 15, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. C. M. No. 2, by Mr. Peterson, "MEMORIALIZING CONGRESS TO PASS HOUSE BILL NO. 11816," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 2 was referred to the Committee on Revision and Enrolling to be engrossed.

February 15, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 24, by Mr. Lane, "AN ACT TO AMEND SECTION 19-16-16, REVISED STATUTES OF UTAH 1933, RELATING TO THE DUTIES OF THE COUNTY AUDITOR," and the same is transmitted herewith for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 24 was read the first time and referred to the Committee on State and Municipal Affairs.

INTRODUCTION OF BILL

S. B. No. 89. By Mr. Calder.

"An Act amending Section 25, Chapter 0, Title 30, of the Revised Statutes of Utah 1933, relating to the appointment of agents for the collection of Fish and game

license fees; defining their duties and fixing fees," was read the first time and referred to the Committee on Revision and Enrollment.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 45 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser, the bill was amended as follows:

Page 1, line 17, page 2, line 4, and page 3, line 13, strike the words "or any multiple thereof."

On motion of Senator Bamberger, the bill was amended as follows:

Line 6, of the title, strike the words "from 1 per cent per month to 8 per cent per annum."

S. B. No. 45 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger Booth, Bowman, Calder, Candland, Day, Fennell. Griffin, Holbrook, Holmgren, Huggins (explained vote), Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Absent and not voting: Senator Shields.

S. B. No. 46 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser, the bill was amended as follows:

Page 2, line 32, strike the numeral "3" and insert the word "three" in lieu thereof.

On motion of Senator Bamberger, the bill was amended as follows:

Page 2, line 31, strike the word "a" and insert in lieu thereof the following "an additional."

S. B. No. 46 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Neslen, Wallace, Young, Mr. President.

Absent and not voting: Senators Booth, Miller, Patterson, Shields.

COMMUNICATION FROM THE HOUSE

February 16, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. C. M. No. 4 by Mr. Candland "MEMORIALIZING THE PRESIDENT-ELECT FRANKLIN D. ROOSEVELT, BY EXPRESSING THE JOY OF THE PEOPLE OF THE STATE OF UTAH IN THE MIRACULOUS ESCAPE FROM THE ASSASSIN'S BULLET", and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 4 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. C. M. No. 2 by Mr. Patterson, properly enrolled and engrossed for the signature of the President.

Report filed. GEO. M. MILLER.

S. C. M. No. 2 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.

February 16, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. C. M. No. 4, by Mr. Candland, properly enrolled and engrossed for the signature of the President.

Report filed. GEO. M. MILLER.

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.

COMMUNICATION FROM THE HOUSE

February 16, 1933.

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. Candland, and the same is herewith returned for transmission to the Governor.

Communication filed. ERNEST R. McKAY.

S. C. M. No. 4 was transmitted to the Governor.

On motion of Senator Young the Senate adjourned.

FORTIETH DAY

February 17, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the thirty-ninth day and find it correct with noted amendments.

COMMUNICATION FROM THE GOVERNOR

February 16, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. C. M. No. 4, by Mr. Candland, entitled, "Memorializing the President-elect, Franklin D. Roosevelt, by expressing the joy of the people of the State of Utah in the miraculous escape from the assassin's bullet."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 16, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 17, by Mr. Petersen, "An Act providing for the establishment of liens for money due physicians, dentists, nurses and hospitals for the treatment of persons injured by

accident or by the wrongful conduct of others," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 17 was read the first time and referred to the Committee on Judiciary.

February 16, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has reconsidered its action on H. B. No. 25, by Mr. Maw, "An Act making appropriations for the support of the State Government for the period beginning July 1, 1931, and ending June 30, 1933," and has concurred in the Senate amendments on page 1, lines 15 and 22, but refuses to concur in the Senate amendment on page 1, line 14. The Senate is hereby asked to recede from its action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Holbrook the Senate receded from the amendments to H. B. No. 25 on page 1, line 14.

H. B. No. 25 was passed on to the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Neslen.

H. B. No. 25 was transmitted to the House.

February 16, 1933.

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. 2, by Mr. Patterson, "Memorializing Congress to pass House Bill No. 11816 for the regulation and control of the public range of the United States and for the creation of grazing districts by the Secretary of Interior under the direct supervision of the users of the public range," and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 2 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. C. M. No. 3, by Mr. Bamberger and Mr. Candland, entitled, "A Memorial to the Congress of the United States of America, favoring the elimination of laws allowing the exempting of certain securities from taxation," with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. C. M. No. 3 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 69, by Mr. Wallace, entitled, "An Act to amend Sections 46-0-7, 8, 9, 11, 12, 13 and 16, Re-

vised Code of Utah 1933, relating to sales and shipments of alcohol and distilled liquors; providing for the qualifications and duties of distributors to sell alcohol for scientific, manufacturing and medicinal purposes and for permits as to the sale of such alcohol and such liquors at wholesale by the Attorney General and the exceptions thereto and the records and reports of said sales," with a few minor changes consented to by the author, being: "An Act to amend Sections 46-0-7, 46-0-8, 46-0-9, 46-0-11, 46-0-12, 46-0-13 and 46-0-16, Revised Statutes of Utah 1933, relating to sales and shipments of alcohol and distilled liquors; providing for the qualifications and duties of distributors to sell alcohol for scientific, manufacturing and medicinal purposes and for permits as to the sale of such alcohol and such liquors at wholesale by the Attorney General and the exceptions thereto and the records and reports of said sales," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 69 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 88, by Mr. Bowman and Mr. Jefferson, relating to securing rights of way, with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 88 was ordered printed and referred to the Committee on Judiciary.

February 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 89, by Mr. Calder, entitled, "An Act amending Section 25, Chapter 0, Title 30 of the Revised Statutes of Utah 1933, relating to the appointment of agents for the collection of fish and game license fees; defining their duties and fixing fees," with a few minor changes consented to by the author, being: "An Act amending Section 30-0-25 of the Revised Statutes of Utah 1933, relating to the appointment of agents for the collection of fish and game license fees; defining their duties and fixing fees," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 89 was ordered printed and referred to the Committee on Fish and Game.

February 17, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 82, by Mr. Griffin, relating to irrigation or water conservation districts water allotments therein, and the exclusion of lands therefrom, with a few minor changes consented to by the author, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 82 was ordered printed and referred to the Committee on Agriculture.

February 17, 1933.

Mr. President:

We your committee on Agriculture and Irrigation to which was referred Senate Bill No. 67 by Mr. Candland,

an Act creating a fund to be known as State Engineer's revolving fund, beg leave to report the same out favorably.

WARD C. HOLBROOK.

Report filed.

S. B. No. 67 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Fish and Game, to which was referred H. B. No. 30 by Mr. Grossenbach, relating to fish and game, beg leave to report the same out favorably.

HYRUM B. CALDER.

Report filed.

H. B. No. 30 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Fish and Game, to which was referred Senate Bill No. 68 by Mr. Calder, entitled: "An Act to regulate the use of rowboats and motor boats on the lakes and reservoirs in Utah.", beg leave to report the same out favorably with the following amendment:

That section three be added to read as follows:

Section 3. This Act shall take effect upon approval.

HYRUM B. CALDER.

Report filed.

S. B. No. 68 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your committee on Fish and Game, to which was referred H. B. No. 29, by Mr. Grossenbach, relating to fish and game and use of seines, beg leave to report the same out favorably, with the following amendment:

On lines 4 and 5, the words "the Piute reservoir and to the end of the river," be deleted, and the original language inserted, reading as follows: "The bridge on the state highway near Elsinore,".

HYRUM B. CALDER.

Report filed.

H. B. No. 29 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your committee on Banks and Banking to which was referred Senate Bill No. 62 by Mr. Holmgren relating to adjustment of fire losses by county mutual fire and lightning insurance companies, beg leave to report the same out favorably.

J. M. WALLACE.

Report filed.

S. B. No. 62 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred S. B. No. 50 by Mr. Booth, entitled: An Act requiring the employment of a registered phar-

macist in pharmacies or drug stores, begs leave to report same out favorably with the following amendment:

Page 2, line 2. That the words "upon approval" be stricken and the following be added "when the Revised Statutes of Utah 1933, become effective."

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 50 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your committee on Judiciary to which was referred S. B. No. 72, by Mr Neslen, entitled: providing for the sale for delinquent taxes, beg leave to report same out favorably with the following amendments:

Line 2 of title strike "80-10-59".

Page 1, line 2, strike the numerals "80-10-59".

Page 4, line 5, all of paragraph 80-10-59 be stricken, from "80-10-59" on line 5 to the word "redemption" on line 19, inclusive.

I. A. HUGGINS.

Report filed.

S. B. No. 72 was placed on the second reading calendar.

Senator Huggins moved to suspend the rules limiting the time for introduction of bills to the fortieth legislative day to this extent, that bills pertaining to the report of the Committee on Reorganization and Operation of State Government and also bills having to do with unemployment relief or means of financing said relief may be introduced up to and including the forty-seventh day of the session.

Motion carried.

PRESENTATION OF RESOLUTIONS AND MEMORIALS

S. J. R. No. 5. By Mr. Maw.

A Resolution relating to economies of State Government.

On motion of Senator Maw, the rules were suspended and S. J. R. No. 5 was ordered printed and made a special order of business for Monday, February 20, 1933, at 3:30 p. m.

S. J. R. No. 6. By Mr. Fennell.

"A Joint Resolution proposing an amendment to section six of article six of the Constitution of the State of Utah relating to the eligibility of members of the Legislature," was read the first time and referred to the Committee on Revision and Enrolling.

S. J. M. No. 1. By Mr. Neslen.

"A Memorial urging the Secretary of War to turn to the Governor of the State of Utah such other funds remaining to the credit of such National Guard units as have not been reconstituted in the State of Utah and authorizing the Governor to receive such funds as trustee," was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 5. By Mr. Wallace. (By request)

"Memorializing the Congress of the United States to appoint a committee to investigate the administration and control by the bureau of Biological Survey of the Bear River Migrating Bird Refuge," was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 6. By Mr. Booth.

"Memorializing Congress to repeal the law levying an excise tax of one cent (1c) per gallon on gasoline for

Federal purposes," was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 90. By Mr. Wallace.

"An Act relating to the sale, or disposition, of notes, bonds and other securities issued by or belonging to the State of Utah, or any county, city of first or second class or school district, and providing for notice by advertisement of the sale or other disposition of such notes, bonds and securities," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 91. By Mr. Neslen. (By request)

"An Act providing for the regulation by the Public Utilities Commission of Utah of the issuance of securities by public utilities, providing for procedure in connection therewith and penalties for violation thereof," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 92. By Mr. Miller.

"An Act to amend Sections 7-1-1, 7-1-3, 7-1-5, 7-1-6, 7-1-7, 7-1-9, 7-1-11 and 7-1-26, Revised Statutes of Utah 1933, relating to the State Banking Department and providing for the organization and prescribing the powers of such department; creating a State Banking Commission and prescribing the duties and powers thereof; providing for the appointment of a State Bank Commissioner and prescribing his qualification; providing for the deposit of moneys collected by and payment of the expenses of the Banking Department; authorizing the department to promulgate rules and regulations for the conduct of the department, the manner of valuing assets of institutions under its supervision, defining and providing for the safe conduct of such institutions, the character of investments

which may be made by them, and the administration and termination of their affairs and declaring the effect of such rules and regulations; providing for the appointment and prescribing the qualifications of employees; providing for the examination of institutions and under supervision of the department and the fees to be paid therefor; and providing notice of, and the manner of approving, applications to organize institutions subject to the supervision of the banking department," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93. By Mr. Hunt.

"An Act to amend Section 80-14-17, Revised Statutes of Utah 1933, relating to the levying, collecting and paying of an income tax on individuals," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94. By Mr. Holbrook.

"An Act to amend Sections 3-1-9, 7-1-1, 30-0-2, 35-1-7, 36-2-1, 42-1-5, 43-2-2, 75-7-4, 76-1-3, 79-1-2, 80-5-45, 82-1-1, 87-1-2, 87-7-2, 100-2-3, pertaining to salaries of State officers," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 95. By Mr. Miller.

"An Act to require boards of education to consolidate certain elementary schools," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 96. By Mr. Shields.

"An Act to repeal Sections 18-2-14, 18-2-15, 18-8-3 and 18-8-4 of the Revised Statutes of Utah 1933, requiring corporations to file annual reports with the Secretary of State," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 97. By Mr. Shields.

"An Act to create a Legislative Code Committee to supervise the completion of the editorial work and the issuance of the Statute Book containing the Revised Statutes of Utah 1933," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 98. By Mr. Huggins.

"An Act to amend Sections 82-1-3, 82-1-4, 82-1-41, Revised Statutes of Utah 1933, relating to Securities Commission, pertaining to witness and subpoena, definitions and review by courts of commission's ruling," was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 51 was read the third time and placed on its final passage.

On motion of Senator Huggins, the bill was amended as follows:

Page 2, line 15, change the period to a comma and insert the following: "except that a court may in its discretion require a bond in any matter pending before it."

S. B. No. 51 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Candland.

S. B. No. 51 was transmitted to the House.

Senator Patterson moved to reconsider the vote by which S. B. No. 6 was passed.

Motion carried.

Senator Patterson moved that S. B. No. 6 be considered after S. B. No. 4.

Motion carried.

S. B. No. 4 on final passage.

On motion of Senator Fennell, the bill was amended as follows:

Line 31. After the word "state.", add "Provided that the restrictions herein above contained shall not be effective as to bond issues for the purpose of creating self-liquidating or emergency relief projects."

S. B. No. 4 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Neslen.

S. B. No. 4 was transmitted to the House.

S. B. No. 6 on final passage.

On motion of Senator Fennell, the bill was amended as follows:

Line 11. After the word "apply.", add "Provided that the restrictions herein above contained shall not be effective as to bond issues for the purpose of creating self-liquidating or emergency relief projects."

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

Change the period to a comma in the last line of the title and insert the following: "and repealing all acts or parts of acts in conflict herewith."

S. B. No. 6 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 6 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 99. By Mr. Shields. (By request)

"An Act imposing a tax on the sale of soft drinks, and regulating the sale of such products in this State," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100. By Mr. Miller.

"An Act amending Section 90-0-2 of the Revised Statutes of Utah, 1933, relating to the general powers and duties of the Board of Supplies and Purchase," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 101. By Mr. Bowman. (By request)

"An Act to repeal Sections 3-4-1, 3-4-2, 3-4-3, 3-4-4, 3-4-5, 3-4-6, 3-4-7, 3-4-8, 3-4-9, 3-4-10, 3-4-11 and 3-4-12 of the Revised Statutes of Utah, 1933, relating to predatory animal bounties," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102. By Mr. Day.

"An Act amending Section 62-1-2 of the Revised Statutes of Utah, 1933, relating to the maximum charges for legal printing," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 103. By Mr. Day.

"An Act providing for the county commissioners to accept produce and livestock in payment of delinquent taxes and disposing of the produce and livestock thus received under such rules and regulations as the county commissioners of each county may adopt," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104. By Mr. Booth.

"An Act amending Title 85 by adding thereto Chapter 10, Revised Statutes of Utah, 1933, and creating the Utah State Board of Institutions," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105. By Mr. Wallace.
(By request)

"An Act to amend Section 15-8-6, Revised Statutes of Utah, 1933, and Section 570x61, Compiled Laws, 1917, relating to borrowing of money by municipalities," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106. By Mr. Shields.
(By request)

"An Act to amend Section 3, Chapter 57, Laws of Utah, 1931, and to provide revenue for the State District School Equalization Fund," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 107. By Mr. Huggins.

"An Act making tax deeds conveyances in fee simple, and prima facie evidence of all facts essential to their validity, and providing the time and manner in which the same may be attacked," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108. By Mr. Bowman.

"An Act amending Section 43-9-54, Revised Statutes of the State of Utah, 1933, relating to fraternal insurance societies," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109. By Mr. Neslen.

"An Act amending Section 54-1-21 of the Revised Statutes of Utah, 1933, relating to the Adjutant General, his salary and bond," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110. By Mr. Booth.

"An Act amending Sections 82-7-2, 82-7-11, 82-7-43, 82-7-45 of Laws of Utah, 1933, relating to Utah State Hospital, pertaining to personnel; and adding Sections 82-7-52, 82-7-53, and 82-7-54 pertaining to order of commitment, paroles and pensions," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 45 was read the third time and placed on its final passage.

S. B. No. 45 passed on the following roll call: Yeas, 23; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell,

Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Senator Wallace gave notice that he would move to reconsider the vote by which S. B. No. 45 was passed.

S. B. No. 46 was read the third time and placed on its final passage.

S. B. No. 46 passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting, Senator Huggins.

S. B. No. 46 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

February 17, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 66, by Mr. Vernon, "An Act providing for selection and designation of a State tree", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 66 was read the first time.

On motion of Senator Musser, the rules were suspended and H. B. No. 66 was read the second and third times and placed on its final passage.

H. B. No. 66 passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Jefferson and Miller.

H. B. No. 66 was returned to the House.

INTRODUCTION OF BILL

S. B. No. 111. By Mr. Bowman.

"An Act amending section 19-5-62 of the Revised Statutes of Utah 1933, authorizing county commissioners to levy an additional two mills for poor relief during the years 1933 and 1934 to meet the present emergency," was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF MEMORIAL

S. C. M. No. 7. By Mr. Huggins.

"A Memorial to the Congress of the United States protesting against the Bratton amendment to the Treasury and Post Office Bill eliminating the Salt Lake Veterans' Hospital and regional offices at Salt Lake City," was read the first time.

On motion of Senator Huggins the rules were suspended and S. C. M. No. 7 was read the second and third times and placed on its final passage.

On motion of Senator Booth the resolution was amended as follows:

At the end of the Resolution the following be inserted: "Be it further resolved that the Secretary of State for-

word copies of this Memorial to the Utah delegation in Congress."

S. C. M. No. 7 passed on the following roll call:

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Keyser (explained vote), Patterson, Young.

Absent and not voting: Senators Holmgren, Hunt, Jefferson.

S. C. M. No. 7 was transmitted to the House.

INTRODUCTION OF BILL

S. B. No. 112. By Mr. Patterson.

"An Act relating to bonds of public officers, prescribing the conditions thereof, the effect of defective bonds, the manner of releasing sureties, presumption to be indulged and effect to be given to this Act in suits involving official bonds heretofore executed, providing that offices shall be declared vacant upon failure to furnish bonds, and repealing all Acts and parts of Acts in conflict herewith," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 49 was read the second time.

Committee report read and adopted.

S. B. No. 49 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Maw.

On motion of Senator Huggins, the rules were suspended and S. B. No. 49 was read the third time and placed on its final passage.

S. B. No. 49 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Maw.

S. B. No. 49 was transmitted to the House.

INTRODUCTION OF BILL

S. B. No. 113. By Mr. Hunt.

"An Act to prohibit elective and appointive officers from becoming candidates for nomination or election to other offices; to provide for resignations from office and for the vacation of office in case of such candidacy; to fix certain requisites of primary nominating petitions, and the requirements for the filing of such petitions; and to prescribe a penalty for the violation of the provisions hereof," was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTION

S. J. R. No. 4. By Mr. Huggins.

"A Joint Resolution proposed to repeal section 6, article 10 of the Constitution of the State of Utah relating to separate control of city schools," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 29 was read the second time.

Committee report read and adopted.

S. B. No. 29 was placed on the third reading calendar on the following roll call.

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Candland, Patterson, Young.

S. B. No. 40 was read the second time.

Committee report read and adopted.

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

Page 1, line 6, after the word "offices" insert the following "The County Assessor and the County Treasurer shall give Surety Company bonds."

S. B. No. 40 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields (explained vote), Wallace, Mr. President.

Absent and not voting: Senator Young.

Senator Maw moved that S. B. No. 10 be retained at the head of the second reading calendar and be considered on Monday, February 20, 1933.

Motion carried.

S. B. No. 14 was read the second time.

Committee report read and adopted.

S. B. No. 14 was placed on the third reading calendar on the following roll call: Yeas, 21; nays, 0; absent 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Neslen, Young.

INTRODUCTION OF BILL

S. B. No. 114. By Mr. Neslen.

"An Act empowering the county commissioners to waive the interest, penalties, and costs accrued on all taxes where the same are delinquent if the said delinquent taxes are paid on or before December 3, 1933," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 34 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger the Senate adjourned.

FORTY-FIRST DAY

February 18, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senators Musser, Bowman, Calder and Patterson. Senators Musser and Bowman excused.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Fortieth Day and find it correct with noted amendments.

REPORTS OF STANDING COMMITTEES

February 17, 1933.

Mr. President:

We, your Committee on Banks and Banking to which was referred Senate Bill No. 48, by Mr. Neslen, relating to building and loan corporations, beg leave to report the same out favorably with the following amendment:

Page 2, line 27. After the word "purposes", add the following sentence:

"The right to give security for loans shall include the right to rehypothecate the stock of borrowers pledged to secure their loans without obtaining the consent of the owner thereto."

JOHN M. WALLACE.

Report filed.

S. B. No. 48 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor to which was referred S. B. No. 71 by Mr. Neslen, an act to prevent the fumigation of buildings, beg leave to report the same out without recommendations.

C. C. NESLEN.

Report filed.

S. B. No. 71 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred S. B. No. 52, by Mrs. Musser, pertaining to beauty culturists, beg leave to report same without recommendation.

C. C. NESLEN.

Report filed.

S. B. No. 52 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 70, by Mr. Holmgren, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 70 was placed on the second reading calendar.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 94, by Mr. Holbrook, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 94 was ordered printed and referred to the Committee on Appropriations and Claims.

February 17, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred H. B. No. 23, by Mr. Lane, relating to libels published by newspapers, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

H. B. No. 23 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred H. J. M. No. 1, by Mr. Hall, urging legislatures to pass the Frazier Bill, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

H. J. M. No. 1 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 39, by Mr. Day, beg leave to report same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 39 was placed on the second reading calendar.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 92, by Mr. Miller, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 92 was ordered printed and referred to the Committee on Banking and Commerce.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 93, by Mr. Hunt, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 93 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 96, by Mr. Shields, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on Judiciary.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 101, by Mr. Bowman, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 101 was ordered printed and referred to the Committee on Judiciary.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 102, by Mr. Day, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 102 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 108, by Mr. Bowman, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 108 was ordered printed and referred to the Committee on Banking and Commerce.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 109, by Mr. Neslen, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 109 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 111, by Mr. Bowman, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 111 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. J. R. No. 6, by Mr. Fennell, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. J. R. No. 6 was ordered printed and referred to the Committee on Judiciary.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. J. R. No. 4, by Mr. Huggins, and recommends that same be printed.

GEO. M. MILLER.

Report filed.

S. J. R. No. 4 was ordered printed and referred to the Committee on Judiciary.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. C. M. No. 6 by Mr. Booth and recommends that it be printed.

GEO. M. MILLER.

Report filed.

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

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. J. M. No. 1 by Mr. Neslen and recommends that it be printed.

GEO. M. MILLER.

Report filed.

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

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 95 by Mr. Miller and recommends that it be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 95 was ordered printed and referred to the Committee on Education.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 97 by Mr. Shields and recommends that it be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 97 was ordered printed and referred to the Committee on Judiciary.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 90 by Mr. Wallace and recommends that it be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 90 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 91 by Mr. Neslen and recommends that it be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 91 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 105, by Mr. Wallace, entitled, "An Act to amend Section 15-8-6, Revised Statutes of Utah, 1933, and Section 570x61, Compiled Laws, 1917, relating to borrowing of money by municipalities," with a few minor changes consented to by the author, being: "An Act to amend section 15-8-6, Revised Statutes of Utah, 1933, relating to borrowing of money by municipalities," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 105 was ordered printed and referred to the Committee on Banking and Commerce.

On motion of Senator Fennell S. B. No. 35 was withdrawn.

Senator Shields moved that the Senate adjourn this day at four o'clock. Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 29 was read the third time and placed on its final passage.

S. B. No. 29 passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Griffin, Musser, Patterson.

S. B. No. 29 was transmitted to the House.

S. B. No. 40 was read the third time and placed on its final passage.

On motion of Senator Keyser the bill was amended as follows: Page 1, line 6, strike the words "surety company bonds," and insert in lieu thereof, "corporate surety bonds."

S. B. No. 40 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Griffin, Musser, Patterson.

S. B. No. 40 was transmitted to the House.

S. B. No. 14 was read the third time and placed on its final passage.

On motion of Senator Miller further action on S. B. No. 14 was deferred until Monday, February 20, 1933.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 34 on second reading.

Committee report read and adopted.

On motion of Senator Huggins, the bill was amended as follows: Page 3, line 20, strike the words "upon approval," and insert in lieu thereof the following, "when the Revised Statutes of Utah, 1933, become effective."

On motion of Senator Miller the bill was amended as follows: First line of the title strike the words, "Board of" and "Commissioners," and insert in place of the word "Commissioners" the word "Board." Also make like amendments on page 1, line 1, page 2, lines 15, 19 and 24, and page 3, line 16.

S. B. No. 34 was placed on the third reading calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Booth, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller Neslen, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Candland, Musser, Patterson, Shields.

COMMUNICATIONS FROM THE HOUSE

February 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. C. M. No. 7, by Mr. Huggins, "A Memorial to the Congress of the United States protesting against the Bratton amendment to the Treasury and Post Office Bill eliminating the Salt Lake Veterans' Hospital and Regional offices at Salt Lake City," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 7 was referred to the Committee on Revision and Enrolling to be engrossed.

February 18, 1933.

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. 71, by Mr. Hoyt, "An Act approving, adopting and legalizing the statute book containing the text of the Revised Statutes of Utah, 1933, for the purpose of official publication of said Revised Statutes," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 71 was read the first time and referred to the Committee on Revision and Enrolling for comparison with S. B. No. 97.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 32 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser the rules were suspended and H. B. No. 32 was read the third time and placed on its final passage.

H. B. No. 32 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Jefferson, Musser, Patterson.

H. B. No. 32 was transmitted to the House.

REPORT OF STANDING COMMITTEE

February 18, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. C. M. No. 7, by Mr. Huggins, "A Memorial to the Congress of the United States protesting against the Bratton Amendment to the Treasury and Post Office Bill eliminating the Salt Lake Veterans' Hospital and Regional offices at Salt Lake City," properly engrossed and enrolled for the signature of the President.

GEO. M. MILLER.

Report filed.

S. C. M. No. 7 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.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 63 was read the second time.

Committee report read and adopted.

S. B. No. 63 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Calder, Jefferson, Musser, Patterson.

On motion of Senator Griffin S. B. No. 28 was placed at the foot of the second reading calendar.

S. B. No. 26 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins, the bill was amended as follows: "All amendments to line 9 be stricken.

S. B. No. 26 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nay, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Voting in the negative was: Senator Candland.

Absent and not voting: Senators Bowman, Calder, Musser, Patterson.

COMMUNICATIONS FROM THE HOUSE

February 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 66, by Mr. Vernon, and the same is herewith transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 66 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.

February 18, 1933.

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. Adams, "An Act to establish an unemployment reserve fund without liability on the part of the State of Utah, and to create an unemployment reserve fund department under the supervision of the Industrial Commission of Utah," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 14 was read the first time and referred to the Committee on Public Institutions, Health and Labor.

February 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 25, by Mr. Maw, "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.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 25 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.

On motion of Senator Candland the Senate adjourned.

FORTY-THIRD DAY

February 20, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Young.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Forty-first Day and find it correct with noted amendments.

The President appointed Senators Bamberger and Keyser to revise the Journal for the week ending February 25, 1933.

COMMUNICATION FROM THE HOUSE

February 18, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 27, by Mr. Hammond, "An Act amending Section 80-60-61 of the Revised Statutes of Utah 1933, relating to the sale of property sold to the county, and providing that the county commissioners may in cases involving $500 or less in taxes, accept a less sum than the amount due for taxes, interest, penalties and costs," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 27 was read the first time and referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 80, by Mr. Huggins, and recommends the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 80 was ordered printed and referred to the Committee on Education.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 104, by Mr. Booth, "An Act amending Title 85 by adding thereto Chapter 10, Revised Stat-

utes of Utah 1933, and creating the Utah State Board of Institutions," with a few minor changes consented to by the author being: "An Act amending Title 85 Revised Statutes of Utah 1933, by adding thereto Chapter 10, Sections 85-10-1, 85-10-2, 85-10-3, 85-10-4, 85-10-5, 85-10-6, 85-10-7, 85-10-8 and 85-10-9, creating the Utah State Board of Institutions," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 104 was ordered printed and referred to the Committee on Public Institution, Health and Labor.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 112, by Mr. Patterson, and recommends the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 112 was ordered printed and referred to the Committee on Judiciary.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 113 by Mr. Hunt, and recommends the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 113 was ordered printed and referred to the Committee on Judiciary.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. C. M. No. 5 by Mr. Wallace, and recommends the same be printed.

GEO. M. MILLER.

Report filed.

S. C. M. No. 5 was ordered printed and referred to the Committee on Fish and Game.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back Senate Bill No. 87, by Mr. Maw, an act repealing Chapters 3 and 4 of Title 25, Revised Statutes of Utah 1933, and recommends the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 87 was ordered printed and referred to the Committee on Judiciary.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 99, by Mr. Shields, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 99 was ordered printed and referred to the Committee on Revenue and Taxation.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 106, by Mr. Shields, entitled, "An Act to amend Section 3, Chapter 57, Laws of Utah 1931, and to provide revenue for the State District School Equalization fund," with a few minor changes consented to by the author, being: "An Act to amend Section 75-7-26, Revised Statutes of Utah 1933, to provide revenue for the State District School Equalization fund," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 106 was ordered printed and referred to the Committee on Education.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 103, by Mr. Day, entitled, "An Act providing for the county commissioners to accept produce and livestock in payment of delinquent taxes and disposing of the produce and livestock thus received under such rules and regulations as the county commissioners of each county may adopt," with a few minor changes consented to by the author, being: "An Act providing for the county commissioners to accept produce and livestock in payment of delinquent taxes and disposing of the produce and livestock thus received for relief purposes under such rules and regulations as the county commissioners of each county may adopt," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 103 was ordered printed and referred to the Committee on Agriculture.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back H. B. No. 71, by Mr. Hoyt, and begs leave to report it is not identical with any Senate Bill.

Report filed. GEO. M. MILLER.

On motion of Senator Shields the rules were suspended and H. B. No. 71 was read the second and third times and placed on its final passage.

H. B. No. 71 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Bamberger, Neslen, Young.

H. B. No. 71 was transmitted to the House.

SPECIAL ORDER

On motion of Senator Fennell, S. B. Nos. 12 and 13 were made a special order of business for Thursday, February 23, 1933, at 2:30 p. m.

The President introduced United States Senator-elect Elbert D. Thomas who addressed the Senate briefly.

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 Candland S. B. No. 34 was recommitted to the Committee on Agriculture.

S. B. No. 63 was read the third time and placed on its final passage.

Senator Bamberger moved that the Senate consider S. B. No. 63 this day at 4 o'clock.

Motion carried.

S. B. No. 26 was read the third time and placed on its final passage.

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

Page 1, line 12. After the word "conferred", strike the colon, insert a comma and add: "except it shall be unlawful to license, tax and regulate representatives or salesmen of wholesale and jobbing houses and manufacturers who are contacting and offering goods and wares for sale to those engaged in regular retail operations;".

S. B. No. 26 then passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Wallace, Mr. President.

Those voting in the negative were: Senator Musser.

Absent and not voting: Senators Huggins, Shields, Young.

S. B. No. 26 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 10 was read the second time.

Committee report read and adopted.

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

Page 2, line 3, after the word "extension", insert "in excess of six hundred instruments."

On motion of Senator Maw S. J. R. No. 5 was tabled subject to call.

Senator Miller moved to defer consideration of S. B. No. 14 until after discussion of S. B. No. 10.

Motion carried.

Senator Wallace moved that S. B. No. 63 be considered following S. B. No. 14.

Motion carried.

S. B. No. 10 was placed on the third reading calendar on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Miller, Musser, Neslen, Patterson (explained vote), Shields, Wallace, Mr. President.

Those voting in the negative were: Senator Keyser.

Absent and not voting: Senator Young.

SPECIAL ORDER

S. B. No. 14 on final passage.

On motion of Senator Griffin, the bill was amended as follows:

Page 1, line 1, before the word "all", insert the following "80 per centum of".

S. B. No. 14 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren,

Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Sentor Jefferson.

Absent and not voting: Senators Bamberger, Booth, Candland, Young.

S. B. No. 14 was transmitted to the House:

S. B. No. 63 on final passage.

On motion of Senator Keyser, S. B. No. 63 was made a special order of business for tomorrow, February 21, 1933, at 2:30 p. m.

COMMUNICATIONS FROM THE HOUSE

February 20, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 32, by Mr. Hammond, "An Act to repeal section 3-5-52 of the Revised Statutes of Utah 1933, relating to the dipping of sheep in a preparation to kill scab, and making it a misdemeanor to fail to do so," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 32 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.

February 20, 1933.

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. 7 by Mr. Huggins, "A Memorial to the Congress of the United States protesting against the Bratton Amendment to the Treasury

and Post Office Bill eliminating the Salt Lake Veterans' Hospital and regional offices at Salt Lake City," and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk,

Communication filed.

S. C. M. No. 7 was transmitted to the Governor.

COMMUNICATION

February 17, 1933.

Honorable J. Francis Fowles,
President of the Senate
Salt Lake City, Utah

Dear Frank:

Pursuant to your authority I attended the Interstate Legislators Conference at the Shoreham Hotel early in this month as a representative of the State of Utah. While the pressure of other matters did not permit me to sit through all the sessions, I believe I was there long enough to get the trend of the meeting.

As was expected the sessions were occupied chiefly with discussions of various matters of general interest, but no definite recommendations were adopted regarding any particular form of legislation. It was the sense of the meeting that those in attendance would present such data as were made available at the Conference to their respective State Governments for what they were worth. I am enclosing herewith copies of some of the papers which were read and which in a large measure covered the more important topics considered.

With kind regards, I am

Very truly yours,

WILSON McCARTHY,
Director.

The enclosed information was referred to the Committee on State and Municipal Affairs.

On motion of Senator Keyser the Senate adjourned.

FORTY-FOURTH DAY

February 21, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Patterson.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the forty-third day and find it correct with noted amendments.

COMMUNICATION FROM THE GOVERNOR

February 20, 1933.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State, S. C. M. No. 7, by Mr. Huggins, entitled, "A Memorial to the Congress of the United States protesting against the Bratton amendment to the Treasury and Post Office bill eliminating the Salt Lake Veterans' Hospital and regional office at Salt Lake City."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 20, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 44, by Mr. Hoyt, "An Act fixing mileage

allowances to be paid by the State for use of automobiles", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 44 was read the first time and referred to the Committee on State and Municipal Affairs.

The President introduced Senator W. C. Deloney, a member of the Wyoming State Legislature who briefly addressed the Senate.

February 20, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day signed and filed with the Secretary of State H. B. No. 66, by Mr. Vernon, "An Act providing for selection and designation of a State Tree."

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

February 20, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 71 by Mr. Hoyt, "An Act approving, adopting and legalizing the Statute Book containing the text of the Revised Statutes of Utah 1933, for the purpose of official publication of said revised statutes", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 71 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.

February 20, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. J. M. No. 2, by Mr. Mitchell, "Memorializing the Congress of the United States of America for the passage of an Act to aid counties containing a large acreage of Indian lands and Indian personal property by appropriating to such counties a sum equal to the amount of tax that is lost to the respective counties by reason of the fact that taxation of Indian land and personal property is not permitted", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. M. No. 2 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

February 21, 1933.

Mr. President:

We, your committee on State and Municipal Affairs, to which was referred S. B. No. 83 by Mr. Neslen, relating to gaming, making pool selling and book-making a felony, begs leave to report same out favorably with the following amendments:

That in the title, after the word "and" in the fourth line, insert the following: "adding a new section to be known as 103-25-17, providing for the suppression or abatement of gaming and pool selling and book-making by means of injunction in accordance with the provisions of Title 64, Revised Statutes of Utah 1933, relating to abatement of nuisances".

On page 3, line 6, add a new section number to be known as 103-25-17 and insert after the numeral "64"; "Revised Statutes of Utah 1933".

At the foot of the bill, on page 3, add a new section as follows: "Section 2. This Act shall take effect when Revised Statutes of Utah 1933, become effective".

JULIAN M. BAMBERGER,

Report filed.

S. B. No. 83 was placed on the second reading calendar.

February 17, 1933.

Mr. President:

We, your committee on Fish and Game, to which was referred Senate Bill No. 89 by Mr. Calder, relating to the appointment of agents, beg leave to report the same out favorably.

HYRUM B. CALDER,

Report filed.

S. B. No. 89 was placed on the second reading calendar.

February 21, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 98, by Mr. Huggins, and recommends that the same be printed.

GEO. M. MILLER,

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on Judiciary.

February 21, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 100, by Mr. Miller, entitled, "An Act amending section 90-0-2 of the Revised Statutes of Utah 1933, relating to the general powers and duties of the Board of Supplies and Purchase", with a few minor changes consented to by the author, being: "An Act amending sections 90-0-2 and 90-0-3 of the Revised Statutes of Utah 1933, relating to the general powers and duties of the Board of Supplies and Purchase: Executive Secretary, appointment, salary, powers and duties", and recommends that the same be printed.

GEO M. MILLER,

Report filed.

S. B. No. 100 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 107 by Mr. Huggins and recommends that the same be printed.

GEO. M. MILLER,

Report filed.

S. B. No. 107 was ordered printed and referred to the Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE

February 21, 1933.

Mr. President:

We, your Special Committee consisting of Senators Holbrook and Booth to which was referred Senate Bill No. 1, by Mr. Holbrook, relating to the filling of vacancies

in the Legislature of the State of Utah, beg leave to report the same out favorably with the following amendment:

Line 10 after the word "party" insert: "and be a resident of the same County and shall have the endorsement of the said County Central Political Committee."

WARD C. HOLBROOK,
JOHN E. BOOTH.

Report filed.

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

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Maw, S. B. No. 10 was made a special order of business for Friday, February 24, 1933, at 2:30 p. m.

SPECIAL ORDER

S. B. No. 63 on final passage.

On motion of Senator Holmgren, the bill was amended as follows:

Line 2 of the title after the word "drainage" insert the word "or" and on line 3 of the title strike the following words "and other special improvement".

Page 1, lines 2, 4, 9 and 14, page 2, lines 3 and 7, after the word "drainage" insert the word "or".

Page 1, lines 3, 4, 9 and 14, page 2, lines 3 and 7, after the word "water" strike the following words "or other special improvement."

Page 2, line 9, after the word "effect" strike the remainder of the line and also line 10 and insert in lieu thereof the following: "upon approval".

S. B. No. 63 then passed on the following roll call:

Yeas, 20, Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Huggins, Jefferson, Patterson.

S. B. No. 63 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Neslen, H. J. R. No. 1 was made a special order of business for Monday, February 27, 1933, at 2:30 p. m.

H. C. M. No. 3 was read the second time.

Committee report read and adopted.

On motion of Senator Musser, the rules were suspended and 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:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Hunt, Keyser, Maw, Miller, Musser, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Holbrook, Holmgren, Jefferson, Neslen.

Absent and not voting: Senators Huggins, Patterson, Shields.

H. C. M. No. 3 was transmitted to the House.

S. B. No. 55 was read the second time.

Committee report read and adopted.

S. B. No. 55 was placed on the third reading calendar on the following roll call.

Yeas, 13; Nays, 7; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Huggins, Hunt, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Day, Griffin, Holbrook, Holmgren, Keyser, Maw.

Absent and not voting: Senators Jefferson, Miller, Patterson.

S. B. No. 25 was read the second time.

Committee report read and rejected.

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

Line 8, after the word "conferred", strike period and insert comma and add the following: "except it shall be unlawful to license or tax representatives or salesmen of wholesale and jobbing houses and manufacturers who are contacting and offering goods and wares for sale to those engaged in regular retail operations."

S. B. No. 25 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Huggins, Maw, Miller, Patterson.

On motion of Senator Booth the rules were suspended and 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:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Musser, Neslen, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Huggins, Jefferson, Maw, Miller, Patterson, Shields.

S. B. No. 25 was transmitted to the House.

INTRODUCTION OF BILL

S. B. No. 115. By Mr. Huggins.

"An Act to amend section 46-0-2 of the Revised Statutes of Utah 1933, and enacting new sections regulating the keeping, storing and shipping of beverages containing not to exceed 3.05 per centum of alcohol by weight solely for sale without the State of Utah and in territory within which the sale of such beverage is not prohibited by law, and laying a tax upon the manufacture and disposition of such beverage and providing that such tax constitute a fund for the relief of the unemployed residents of the State of Utah, and providing for the disbursement thereof," was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 21, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 7, by Mr. Hoyt, "An Act empowering

the State Treasurer to act as depositary of money or securities deposited for the benefit of investors, defining the duties of the State treasurer and of depositing investment companies in relation thereto, providing for the payment and disposition of fees, and providing a penalty", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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

February 21, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 53, by Mr. Andersen, "An Act to amend section 75-5-21 of the Revised Statutes of Utah 1933, giving Utah State Agricultural College authority to make contracts for transmitting electrical energy to state institutions; also authority to fix charges, make collections from state institutions, and provide for the use, deposit and disposition of the same and creating reserve funds," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 53 was read the first time and referred to Committee on Public Institutions, Health and Labor.

February 21, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 80, by Mr. Lane, "An Act amending Section 28-7-6, Revised Statutes of

Utah 1933, relating to collection of costs in proceedings brought by poor persons," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 80 was read the first time and referred to Committee on Judiciary.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 41 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser the Senate adjourned.

FORTY-FIFTH DAY

February 22, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the forty-fourth day and find it correct with noted amendments.

On motion of Senator Booth the Senate recessed and proceeded to the House to hear a program in honor of the birthday of George Washington.

The Senate reconvened at 3:10 p. m.

COMMUNICATIONS FROM THE HOUSE

February 22, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. C. M. No. 3, by Mrs. Bosone, "Memorializing the President and Congress of the United States of America to take immediate action to put into effect the plan of one J. Parley White, to relieve unemployment", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
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.

February 22, 1933.

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. Wayman, "An Act creating small claims departments of Justice's courts and city courts, defining their jurisdiction and powers and providing a system of practice and procedure therefor and fixing fees to be charged", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 41 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

February 21, 1933.

Mr. President:

We, your committee on State and Municipal Affairs, to whom was referred S. B. No. 21, by Mr. Neslen, relating to annual tax levies in cities", beg leave to report same out favorably.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 21 was placed on the second reading calendar.

February 21, 1933.

Mr. President:

We, your committee, on State and Municipal Affairs to which was referred Senate Bill No. 54 by Mr. Wallace, relating to independent audits of public accountants, beg leave to report same out without recommendation.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 54 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 74, by Mr. Bowman relating to fees of jurors, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 74 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 75, by Mr. Booth, requiring contracts for State, county, municipal and school construction, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 75 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 77, by Mr. Bowman, "An Act providing for the release, relinquishment and conveyance to the United States of America of a portion of the southeast quarter of the southeast quarter of section thirty-six (36), township thirty-six (36) south, range four (4) west, Salt Lake Base and Meridian.", beg leave to report same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 77 was placed on the second reading calendar.

February 21, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred Senate Bill No. 81, by Mr. Booth and Mr. Fennell, relating to the Firemen's Pension Fund, beg leave to report same out favorably.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 81 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your committee on Agriculture and Irrigation to which was referred S. B. No. 82 by Mr. Griffin, relating to irrigation or water conservation districts, beg leave to report the same out favorably.

WARD C. HOLBROOK.

Report filed.

S. B. No. 82 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred Senate Bill No. 85, by Mr. Shields, fixing the time when certain titles and chapters of the Revised Statutes of Utah 1933, take effect, beg leave to report the same out without recommendation.

I. A. HUGGINS.

Report filed.

S. B. No. 85 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 88, by Mr. Bowman and Mr. Jefferson, relating to securing rights of way, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 88 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred S. B. No. 90 by Mr. Wallace, relating to the sale, or disposition, of notes, bonds and other securities, beg leave to report the same out favorably with the following amendment:

Page 1, line 12, after the fourth word "of" insert "Section", also after "42-2-14" insert "and Section 53-2-1".

JULIAN M. BAMBERGER,

Report filed.

S. B. No. 90 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 97, by Mr. Shields, to create a Legislative Code Committee, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 97 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your committee on Agriculture and Irrigation to which was referred S. B. No. 103 by Mr. Day, providing for the county commissioners to accept produce and livestock in payment of delinquent taxes, beg leave to report the same out without recommendations.

WARD C. HOLBROOK.

Report filed.

S. B. No. 103 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your committee on State and Municipal Affairs to which was referred S. B. No. 111 by Mr. Bowman, authorizing county commissioners to levy an additional two mills for poor relief, beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 111 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your comittee on State and Municipal Affairs to which was referred S. B. No. 36 by Mrs. Musser, relating to transportation by motor vehicles over the public highways of Utah, beg leave to report the same out with the following amendments:

Page 1, line 1, heading, add "and purpose".

Page 2, after line 3, add the following: "(e) It is hereby declared to be the purpose and policy of the legislature in enacting this law to confer upon the commission the power and authority and to make it its duty to supervise and regulate the transportation of persons and property by motor vehicle upon or over the public highways of this state in all matters whether specifically mentioned herein or not so as to: (1) relieve the existing and all future undue burdens on the highways arising by reason of the use of the highway by motor vehicles; (2) protect the safety and welfare of the traveling and shipping public in their use of the highways; (3) carefully preserve, foster and regulate transportation and permit the coordination of transportation facilities." Line 4, heading, add the word "motor" after the word "common". Lines 17 and 18, strike out the quotation marks. Lines 24 and 25,

strike out "of property or passenger". Line 31, strike "of property or passengers as defined in Section 2".

Page 3, lines 3, 5, 14 and 15, after the word "such" add the words "common motor". Line 19, strike the word "chapter" and add in lieu thereof the word "Act". Line 22, strike out the words "public utilities". Line 23, after the word "such" insert the word "common".

Page 4, line 19, after the word "said" add the word "common motor".

Page 4, line 27, after the word "adequate" add the words "and is capable of serving the needs and convenience of the public at reasonable rates".

Page 5, line 4, before the word "carrier" add the words "common motor". Line 14, heading, after the word "CONTRACT" add the word "MOTOR". Lines 26, 29 and 30, strike "of property or passengers". Line 27, strike "who are" and insert "while".

Page 6, lines 4 and 5, strike "public utilities". Line 10, after the word "said" add the word "contract motor". Line 20, at the conclusion of section 13, add the following: "Upon application made therefore, without a hearing or the payment of a filing fee, the commission may grant a temporary permit authorizing a contract motor carrier to make a single or round trip, said temporary permit to expire in not to exceed five days". Line 23, change "license" to "permit". Line 28, strike all of subsection (c) and insert in lieu thereof "a showing that there is a real necessity for the service purposed to be rendered".

Page 7, line 1, after "fees", add "provided that there is a real need for such additional transportation facilities". Line 1, after the word "such" add the words "contract motor". Line 2, change "license" to "permit". Lines 3, 8 and 16, strike "public utilities". Line 19, after word "such" add the word "contract". Line 24, strike the words "or used".

Substitute the following for Section 17.

"Section 17. This Act shall not apply to:

"(a) Private motor carriers of property who shall operate wholly within any city or town within this State.

"(b) Private motor carriers of property operating within a radius of 15 miles of their established place of business, or of the city or town in which the same is located, when their motor vehicles are used solely for the purpose of delivering supplies or merchandise from their places of business or warehouses to consumers, or for the purpose of collecting farm products from producers.

"(c) A producer of farm products or live stock transporting his own products to market in his own motor vehicle, or transporting supplies for his own use in his own motor vehicle.

"(d) Private motor carriers of property hauling to or from the nearest agency Station of a steam or interurban railroad or of a common motor carrier of property."

Page 8, line 7, after the word "private", add the word "motor". Lines 11 and 12, strike the quotation marks. Lines 14, 15, 19 and 20, strike "public utilities".

At the conclusion of Section 19, add the following "under such rules as may be prescribed by the commission, a private motor carrier of property may operate without obtaining the license as provided herein, upon the condition that within 48 hours thereafter said private motor carrier of property shall make report thereof in writing to the commission".

Substitute the following for Section 20.

"Section 20. In addition to the license fees or taxes otherwise imposed upon common motor carriers of property or of passengers, contract motor carriers of property or of passengers, and private motor carriers of property, there shall be assessed against and collected from

every such carrier for the administration of this Act and for the maintenance, repair, and reconstruction of the public highways a tax of 2 mills per gross ton-mile for hard surface roads and 3/4 of a mill per gross ton-mile on all other roads. The said gross ton mileage shall be computed as follows:

"(a) The maximum seating capacity of each passenger carrying vehicle shall be estimated at one hundred fifty (150) pounds per passenger seat. To this sum shall be added the weight of the vehicle, and the total shall then be multiplied by the number of miles operated, and the amount thus obtained divided by two thousand.

"(b) Two hundred per cent of the rated capacity of each property carrying vehicle, as provided in Section 57-3-6, Revised Statutes of Utah 1933, plus the weight of the vehicle, shall be multiplied by the number of miles the vehicle is operated, and the amount thus obtained divided by two thousand.

"(c) The term "hard-surfaced roads" as used in this chapter shall be construed to mean all roads or highways surfaced with a compound of sand and gravel, or broken rock, united by means of hydraulic cement, coal tar, asphalt or asphaltic compound or similar substance."

Page 9, lines 28 and 29. Strike "and also upon any other vehicles leased by it in its business,".

Page 10. Lines 1, 5, and 11, add the word "motor" before the word "carrier". Line 8, strike the words "public utilities". Line 20, after the word "expenditures", change the period to a comma and add the following: "any unused portion thereof shall revert to the state road fund at the end of such calendar year". Line 23, add "not to exceed" before the words "twenty-five". Line 24, strike "public utilities". Line 25, strike "balance" and in lieu thereof add the word "remainder". Line 27, strike "public utilities commission" and in lieu thereof add "State Road Commission". Line 29, after the word "Act" change the comma to a period and strike the remainder of this section.

Page 11. Line 4, strike "public utilities". Lines 4 and 5, strike the quotation marks. Line 5, before the word "until" add the words "of property".

Page 12. Line 2, strike "public utilities".

Page 13. Line 1, strike "public utilities". Line 8, strike "and sanitary". Line 9, strike "commission" and add in lieu thereof "State Road Commission". Line 21, after the word "applies", add "except such vehicles as the commission may exclude from the provisions hereof,". Line 27, after the second word "carrier", add the words "of property". Line 28, change "One Dollar ($1)" to "twenty-five cents". Line 31, change the word "of" to read "or".

Page 14. Lines 1 and 2, strike "by steam or inter-urban railway companies upon" and add "upon rails along". Line 28, strike "upon approval" and add "when Revised Statutes of Utah 1933, become effective", but without further recommendations.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 36 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Judiciary, to which was referred Senate Bill No. 113, by Mr. Hunt, "to prohibit elective and appointive officers from becoming candidates for nomination or election to other offices," beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 113 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred S. C. M. No. 3, by Mr. Bamberger and Mr. Candland, "A Memorial to the Congress of the United States of America, favoring the elimination of laws allowing the exempting of certain securities from taxation," beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

S. C. M. No. 3 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Fish and Game, to which was referred S. C. M. No. 5, by Mr. Wallace, entitled, "Memorializing the Congress of the United States to appoint a committee to investigate the administration and control by the Bureau of Biological Survey of the Bear River migrating bird refuge," beg leave to report the same out favorably.

HYRUM B. CALDER.

Report filed.

S. C. M. No. 5 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred House Bill No. 24, by Mr. Lane, "relating to the apportionment and liability for the cost of collecting taxes," beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

H. B. No. 24 was placed on the second reading calendar.

REPORT OF SPECIAL COMMITTEE

To the Senate and House of Representatives:

Your Special Joint Committee on Procedure, to which was referred the matter of proposing procedure for consideration and action upon the report of the Committee on Reorganization and Operation of the State Government, reports as follows:

(a) This committee finds that many of the recommendations of the Committee on Reorganization require merely changes in administrative policies without requiring legislative changes. Other matters relate chiefly to the granting or refusal of appropriations and therefore depend upon action of the legislature upon the general appropriations bill. Still other recommendations require action by the legislature upon special bills or resolutions.

(b) The following matters referred to in the report of the Committee on Reorganization relate chiefly to appropriations, to wit:

1. Reduction in salaries of state employees.
2. Appropriation for Branch Agricultural College.
3. Appropriation for Snow College.
4. Appropriation for other junior colleges.
5. Appropriation for building commission, or for building construction.
6. Appropriation for State fair.
7. Appropriation for board of agriculture.
8. Appropriation for Juvenile Court.
9. Appropriation for department of Criminal Identification.
10. Appropriation for adult blind.

11. Appropriation from general fund for Board of Education.

12. Discontinuance of appropriations for state chemist, Utah Art Institute, Utah Shippers Traffic Association, Memory Park, Ogden Livestock Show, Children's Service Society, Martha Society, Children's Aid Society, Daughters of Utah Pioneers, Kindergarten and Neighborhood House, Civil War Veterans and G. A. R. Encampment, and Florence Crittenden Home.

Since the granting or refusal of the above mentioned appropriations may in each case be a subject of controversy, it is recommended that the respective appropriations committees give immediate consideration to the recommendations of the Committee on Reorganization covering each of the above items and report at the earliest practicable date to each house its approval or disapproval of the several recommendations on these matters embodied in the report of the Committee on Reorganization. This committee recommends that the appropriations committees be called to submit to each house, not later than the fiftieth day of the present session their completed budget of recommended appropriations or, if such completed budget cannot be submitted by the fiftieth day, that the appropriation committees report their recommendations upon each of the above mentioned controversial matters—this in order that time may be available for due consideration by each house of the recommendations of the Committee on Reorganization covering each of these controversial matters.

(c) This committee finds that several recommendations made by the Committee on Reorganization are touched upon or covered by bills or resolutions now pending in the Senate or House. The following such bills are mentioned in this connection:

H. B. No. 19, by Mr. Keddington, relates to the fixing of maximum amounts for salaries in lieu of naming fixed salaries.

H. B. No. 61, by Mr. Andersen, proposes a new schedule of salaries of State officers and officials.

S. B. No. 91, by Mr. Holbrook, proposes to change certain fixed salaries to fixed maximums.

(d) This committee is preparing and will immediately present bills upon the following subjects:

1. To give the governor control of expenditures.

2. To relieve the State auditor from membership on State boards.

3. To reduce fees of jurors.

4. To increase filing fee in supreme court.

5. To increase fees in State engineer's office.

6. To make the governor an ex-officio member of the road commission.

7. To provide for a State hospital board to exercise control over both the State hospital and State training school.

8. To increase the fees of the State insurance commissioner.

9. To provide for change of compensation to land commissioners, to per diem basis.

10. To provide for per diem member on utilities commission.

11. To relieve secretary of State from membership on U. of U. and U. A. C. boards.

12. To provide for two per diem members of tax commission.

13. To dispense with requirement of printing of department reports.

14. To make the State superintendent of public instruction a member of the board of the school for the Deaf and Blind in lieu of the attorney general.

(e) This committee will also present resolutions calling for voluntary salary reductions, and to require approval in advance by the board of examiners of all expenditures for out-of-state travel.

Respectfully submitted,

SPECIAL JOINT COMMITTEE ON PROCEDURE,

By DAN B. SHIELDS,
Chairman of Senate Committee,

By B. W. MENDENHALL,
Chairman of House Committee.

Report filed.

INTRODUCTION OF BILLS

S. B. No. 116. By Special Joint Committee on Procedure.

"An Act amending Section 75-4-7, Revised Statutes of Utah 1933, relating to number of regents of the University of Utah," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 117. By Special Joint Committee on Procedure.

"An Act amending Section 75-5-9, Revised Statutes of Utah 1933, relating to trustees of the Utah State Agricultural college," was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7. By Special Joint Committee on Procedure.

"A Joint Resolution calling for a voluntary reduction of salaries of State elective and appointive officers," was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate, Senators Griffin and Candland were given the privilege of introducing the following bills:

S. B. No. 118. By Mr. Griffin. (By request.)

"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," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 119. By Mr. Candland.

"An Act to amend Section 105-37-16, Revised Statutes of Utah 1933, providing the manner in which the death penalty shall be inflicted," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 1 on third reading.

Report of Special Committee read and adopted.

Senator Holbrook moved to amend the bill on lines 1 and 2 of the title by striking "2104 Compiled Laws" and "1917" and inserting in lieu thereof "25-1-5 Revised Statutes" and "1933".

Page 1, line 1, strike "2104, Compiled Laws" and "1917" and insert in lieu thereof "25-1-5, Revised Statutes" and "1933." Line 3, strike "2104" and insert in lieu thereof "25-1-5". Page 1, line 16, strike "upon approval" and insert in lieu thereof "when Revised Statutes of Utah 1933, become effective".

Motion carried.

S. B. No. 1 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 1 was transmitted to the House.

On motion of Senator Musser S. B. No. 55 was made a special order of business for Friday, February 24, 1933, at 3:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 41 on second reading.

On motion of Senator Wallace, the bill was amended as follows:

Page 1, line 5. Strike the word "four" and insert the word "three".

Page 1, line 8. Delete lines 8, 9, 10, 11, 12, 13, 14 and 15 and substitute therefor the following: "(2) One citizen of the state experienced in the conduct of the banking business in this state, to be appointed by the governor upon the recommendation of the Utah Bankers Association, the member so appointed shall hold office for two years and until the appointment and qualification of his successor and shall take and subscribe the oath of office prescribed for elective state officers, which oath shall be filed with the secretary of state. The governor may remove such appointive member of the board at any time."

On motion of Senator Huggins, the bill was amended as follows:

Page 1, line 11, after the word "Association", insert the following words "which association shall pay all of his expenses and salary".

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

Page 2, delete lines 24, 25, 26, 27 and 28.

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

Page 6, line 20, add "Subject to the limitations herein provided, each public body shall have the right to select the Regular Depositories in which its funds shall be deposited, but nothing herein contained shall be construed as requiring any such depository to accept the deposits of any particular public body."

Page 9, line 22, delete the words "July 1, 1933" and substitute therefor "January 1, 1934".

Page 14, line 32, insert an additional section to be section 12, as follows: "any of the regulations contained in section 4 of this Act may be modified in their application to a particular bank, when such modification has been approved by the Board and by the Governor."

Page 15, line 10, in section 14, strike the last two words and add the following: "take effect when the Revised Statutes of Utah 1933, become effective."

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

Page 7, lines 20 and 30, strike the word "three" and insert in lieu thereof "two".

Page 8, line 5, strike the word "three" and insert the word "two".

Also on page 2, line 1, strike the word "April" and insert the word "August".

On motion of Senator Bamberger the Senate adjourned.

FORTY-SIXTH DAY

February 23, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the forty-fifth day and find it correct with noted amendments.

COMMUNICATIONS FROM THE HOUSE

February 22, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. J. R. No. 9 by Mr. Royle, "Resolution providing for appointment of a committee to make a survey and study of the present Workmen's Compensation Act and defining its powers and duties and the manner of its appointment", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 9 was read the first time and referred to the Committee on Public Institutions, Health and Labor.

February 22, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 15, by Mr. Hoyt, "An Act amending section

7, of chapter 23, Laws of Utah, 1921, as amended by chapter 33, Laws of Utah, 1923, and section 12, of chapter 2, title 7, Revised Statutes of Utah 1933, relating to liquidation of banks and duties and powers of the State Bank Commissioner in such liquidation", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 15 was read the first time and referred to Committee on Banking and Commerce.

REPORTS OF STANDING COMMITTEES

February 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 115, by Mr. Huggins, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 115 was ordered printed and referred to the Committee on Judiciary.

February 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 116, by Special Joint Committee on Procedure, and recommends that the same be printed .

GEO. M. MILLER.

Report filed.

S. B. No. 116 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

February 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 117, by Special Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 117 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

February 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 118 by Mr. Griffin by Request, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 118 was ordered printed and referred to the Committee on Judiciary.

February 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 119, by Mr. Candland, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 119 was ordered printed and referred to the Committee on Judiciary.

February 23, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. J. R. No. 7 by Special Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. J. R. No. 7 was ordered printed and referred to the Committee on Revenue and Taxation.

February 23, 1933.

Mr. President:

We, your Committee on Agriculture and Irrigation to which was recommitted S. B. No. 34, by Mr. Miller, authorizing the State Land Board to merge and consolidate properties, rights, privileges, and franchises acquired by the State through foreclosure of the mortgage of the Carbon Water Company, beg leave to report the same out favorably.

WARD C. HOLBROOK.

Report filed.

S. B. No. 34 was placed on the third reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Appropriations and Claims, to which was referred Senate Bill No. 94, by Mr. Holbrook, pertaining to salaries of State officers, beg leave to report the same out favorably.

HERBERT B. MAW.

Report filed.

S. B. No. 94 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Mining and Smelting to which was referred Senate Bill No. 61 defining coal corporations, by Mr. Miller, beg leave to report the same out without recommendation.

KNOX PATTERSON.

Report filed.

S. B. No. 61 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Mining and Smelting to which was referred Senate Bill No. 79, by Mr. Fennell and Mr. Booth, relating to the establishment of a Board of Commissioners, beg leave to report the same out without recommendation.

KNOX PATTERSON.

Report filed.

S. B. No. 79 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Mining and Smelting to which was referred Senate Bill No. 47, by Mr. Holmgren, relating to the sale of property for delinquent taxes, beg leave to report the same out favorably with the following amendment:

That the following be stricken therefrom: Line 17, page 2, all of this line after the word "property", and also all of lines 18, 19, 21 and 22 on Page 2.

KNOX PATTERSON.

Report filed.

S. B. No. 47 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Banking and Commerce, to whom was referred S. B. No. 78, by Mr. Booth, to limit the liability of a bank or trust company, beg leave to report same out favorably.

JOHN M. WALLACE.

Report filed.

S. B. No. 78 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Banking and Commerce, to whom was referred S. B. No. 105, by Mr. Wallace, relating to borrowing of money by municipalities," beg leave to report same out favorably.

JOHN M. WALLACE.

Report filed.

S. B. No. 105 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on Banking and Commerce, to whom was referred S. B. No. 108, by Mr. Bowman, relating to fraternal insurance societies", beg leave to report same out favorably.

JOHN M. WALLACE,

Report filed.

S. B. No. 108 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred H. J. M. No. 2, by Mr. Mitchell, memorializing the Congress of the United States of America for the passage of an act to aid counties, beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

H. J. M. No. 2 was placed on the second reading calendar.

February 23, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred S. J. M. No. 1, by Mr. Neslen, urging the Secretary of War to turn to the Governor of the State of Utah such "other funds" remaining to the credit of such national guard units, beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

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

February 23, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred Senate Bill No. 18, by Mr. Neslen, relating to powers of city commissions, beg leave to report the same out unfavorably.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 18 was placed on the second reading calendar.

INTRODUCTION OF BILLS

S. B. No. 120. By Joint Committee on Procedure.

"An Act instructing, authorizing and directing the Board of Supplies and Purchase in the matter of the salaries of State employes," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 121. By Joint Committee on Procedure.

"An Act designating the Governor as chairman and a member of the State Road Commission," was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTION

S. J. R. No. 8. By Joint Appropriations and Claims Committee.

"A Resolution providing for appropriations to Branch Agricultural College, Snow College, Weber College, and Dixie College," was read the first time.

On motion of Senator Maw, the rules were suspended and S. J. R. No. 8 was read the second time.

Senator Maw moved that the Senate consider each college separately.

Motion carried.

Senator Maw moved that the Branch Agricultural College receive an appropriation.

At the request of Senator Miller with the consent of five Senators, Yeas and Nays were called for.

The motion carried on the following roll call:

Yeas, 18; Nays, 5; Absent, 0.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin,

Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Hunt, Keyser, Shields, Wallace.

Senator Shields moved that the Senate consider the resolution as a whole.

Motion carried.

S. J. R. No. 8 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Neslen, Shields, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Keyser, Patterson (explained vote), Wallace.

Absent and not voting: Senator Musser.

On motion of Senator Maw, the rules were suspended and S. J. R. No. 8 was read the third time and placed on its final passage.

S. J. R. No. 8 then passed on the following roll call:

Yeas, 17; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Neslen, Young, Mr. President.

Those voting in the negative were: Senators Hunt, Keyser, Patterson, Shields, Wallace.

Absent and not voting: Senator Musser.

Senator Bamberger gave notice that on the next legislative day he would move to reconsider the vote by which S. J. R. No. 8 was passed.

INTRODUCTION OF BILLS

S. B. No. 122. By Joint Committee on Procedure.

"An Act to amend title 76, chapter 1, sections 1 and 3 of the Revised Statutes of Utah 1933, fixing the membership, appointment, term of office and salary to be received by the members of the Public Utilities Commission," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 123 By Joint Committee on Procedure.

"An Act authorizing the Governor to administer emergency relief in aid of destitute residents of the State and giving him emergency powers in relation to State funds," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 124. By Joint Committee on Procedure.

"An Act amending section 48-0-5, Revised Statutes of Utah 1933, relating to jurors, regulating the number of jurors in certain cases, and fixing their compensation," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 125. By Joint Committee on Procedure.

"An Act to amend section 100-2-14, Revised Statutes of Utah 1933, relating to the fees to be charged by the State Engineer of the State of Utah," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 126. By Joint Committee on Procedure.

"An Act creating the State Hospital and Training School Board; defining its powers and duties; and repealing section 5385, Compiled Laws of Utah 1917, section 3, chapter 75, Laws of Utah 1929, and sections 85-7-2 and 85-8-2 Revised Statutes of Utah 1933," was

read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 127. By Joint Committee on Procedure.

"An Act to amend section 28-1-4, Revised Statutes of Utah 1933, relating to the fees of the clerk of the Supreme Court of the State of Utah," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 128. By Special Joint Committee on Procedure.

"An Act empowering the Governor to require periodical budgets of proposed expenditures in each department, institution or agency of the State and to compel reductions in expenditures, decrease in personnel or suspension of functions or services," was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

February 22, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred S. C. M. No. 6, by Mr. Booth, "Memorializing Congress to repeal the law levying an excise tax of one cent per gallon on gasoline for federal purposes", beg leave to report same out favorably.

DAN B. SHIELDS.

Report filed.

S. C. M. No. 6 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred S. B. No. 66, by Mr. Fennell,

redefining "Motor Fuels", beg leave to report same out favorably with the following amendments:

Page 2, line 24, change "five thousand dollars" to "two thousand dollars".

Page 4, line 20, after the word "misdemeanor", change the comma to a period and strike the balance of the paragraph.

DAN B. SHIELDS.

Report filed.

S. B. No. 66 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred S. B. No. 86, by Mr. Shields, relating to franchise and income taxes, beg leave to report same out favorably.

DAN B. SHIELDS.

Report filed.

S. B. No. 86 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred S. B. No. 91, by Mr. Neslen, providing for the regulation of the issuance of securities by public utilities, beg leave to report same out without recommendation.

DAN B. SHIELDS.

Report filed.

S. B. No. 91 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred S. B. No. 102, by Mr. Day, relating to the maximum charges for legal printing, beg leave to report same out without recommendation.

DAN B. SHIELDS.

Report filed.

S. B. No. 102 was placed on the second reading calendar.

February 22, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred H. B. No. 27, by Mr. Hammond, relating to redemption of property sold to the county, beg leave to report same out favorably with the following amendment:

Line 7: Change "$500.00" to "$1,000.00".

DAN B. SHIELDS.

Report filed.

H. B. No. 27 was placed on the second reading calendar.

Senator Bamberger called for a report from the Committee on Appropriations and Claims as provided for in Joint Rule No. 40.

Senator Maw, Chairman of the Committee on Appropriations and Claims, reported that the said Committee was progressing nicely.

SPECIAL ORDER

S. B. No. 12 was read the third time and placed on its final passage.

On motion of Senator Holbrook, the bill was amended as follows:

Lines 4 and 5 of the title: Strike from the word "thereunder" to the end of the title. Line 4, strike the ( ). Line 5, strike the ( ). After the word "to" insert ( ). Lines 5, 6, 7, 8, 9 and 10, strike underscoring, except under the figure "4%". Line 12, strike the ( ). Line 13, strike all ( ). Line 14, strike underscoring and ( ). Line 15, strike the ( ). Insert ( ) after the word "to". Strike the underscoring, except under the figure "4%". Lines 16 and 17, insert ( ) after the word "or". Underscore "1/15". Lines 18, 19 and 20, strike underscoring. Line 19, after the word "greater" change "," to ";". Line 20, after the word "tax", insert "minus the credit or offset hereinafter provided for".

Page 2, line 16, strike the ( ). Line 17, strike the ( ) and underscoring. Line 18, strike underscoring, except under the figure "4%". Insert ( ) after the word "either". Line 19, strike underscoring, except under the figure "1/15" and insert ( ) after the word "or". Lines 20, 21, 22, 23 and 24, strike all underscoring. Line 24, before the word "but", insert "and the credit or offset provided for in Section 80-13-6 shall be allowed;". Line 25, strike the ( ). Lines 26 to 31, inclusive, strike all underscoring and ( ).

Page 3, lines 1 and 32, inclusive, strike all ( ) and underscoring.

Page 4, lines 1, 2, 3, 4, and 5, strike underscoring.

Page 4, line 6, before the figure "4%" insert ( ) and strike underscoring except under the figure "4%".

Page 4, line 7, strike underscoring. Strike the word "act" and insert the word "chapter". After the word "provided" insert "less the sum of the offset provided for in Section 80-13-4 (but not exceeding 1-1/3% of such allocated and apportioned net income) and all credits against said tax provided".

Page 4, lines 7, 8, 9 and 10, strike the underscoring.

Page 4, lines 11 to 18, inclusive, strike all ( ) and underscoring.

Page 4, lines 19 to 20, strike entire lines.

S. B. No. 12 failed to pass on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Maw, Mr. President.

Those voting in the negative were: Senators Bamberger, Booth, Fennell, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

S. B. No. 13 was read the third time and placed on its final passage.

On motion of Senator Holbrook S. B. No. 13 was laid on the table.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 41 on second reading.

S. B. No. 41 was placed on the third reading calendar on the following roll call.

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day (explained vote), Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 67 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the bill was amended as follows:

Page 2, line 11, after the word "effect" strike the balance of the line, also strike lines 12 and 13 up to and including the word "effect."

S. B. No. 67 was placed on the third reading calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

On motion of Senator Candland, 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:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 67 was transmitted to the House.

On motion of Senator Huggins, the Senate resolved itself into an Executive Session.

On motion of Senator Bamberger the Executive Session dissolved.

On motion of Senator Bamberger, the Senate adjourned.

FORTY-SEVENTH DAY

February 24, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Forty-sixth day and find it correct with noted amendments.

COMMUNICATION FROM THE SALT LAKE WOMEN'S DEMOCRATIC CLUB

February 21, 1933.

To the Honorable President, Members of the Senate and their Associates:

The Women's Democratic Club, Jackson League and Junior Democratic League will entertain at a ball, arranged in honor of the 1933 Utah State Legislature.

The affair will be held in the Gold Room, Hotel Newhouse, Tuesday, February 28, at 8:30 p. m.

All members and their associates are cordially invited.

MRS. W. S. McQUILKIN.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 110, by Mr. Booth, entitled "An Act amending Sections 82-7-2, 82-7-11, 82-7-43, 82-7-45 of Laws of

Utah 1933, relating to Utah State Hospital, pertaining to personnel; and adding Sections 82-7-52, 82-7-53 and 82-7-54 pertaining to order of commitment, paroles and pensions," with a few minor changes consented to by the author, being "An Act amending Sections 85-7-2, 85-7-11, 85-7-43, 85-7-45 of the Revised Statutes of Utah 1933, relating to Utah State Hospital, pertaining to personnel; and adding Sections 85-7-52, 85-7-53 and 85-7-54 pertaining to order of commitment, paroles and pensions," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 110 was ordered printed and referred to the Committee on Public Institutions, Health and Labor.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 120, by Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 120 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 121, by Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. 121 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 122, by Joint Committee on Procedure, entitled "An Act to amend Title 76, Chapter 1, Sections 1 and 3 of the Revised Statutes of Utah 1933, fixing the membership, appointment, term of office and salary to be received by the members of the Public Utilities Commission," with a few minor changes consented to by the author, being "An Act to amend Sections 76-1-1 and 76-1-3, Revised Statutes of Utah 1933, fixing the membership, appointment, term of office and salary to be received by the members of the Public Utilities Commission," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 122 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 123, by Special Joint Committee on Procedure, and recommend that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 123 was ordered printed and referred to the Committee on Judiciary.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 124, by Joint Committee on Procedure, and recommends that the same be printed.

Report filed. GEO. M. MILLER.

S. B. No. 124 was ordered printed and referred to the Committee on Judiciary.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 125, by Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 125 ordered printed and referred to the Committee on Judiciary.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 126, by Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 126 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 127, by Joint Committee on Procedure, entitled "An Act to amend Section 28-1-4, Revised Statutes of Utah 1933, relating to the fees of the clerk of the Supreme Court of the State of Utah," with a few minor changes consented to by the author, being "An Act to amend Section 28-1-4, Revised Statutes of Utah 1933, relating to the fees chargeable and collected by the clerk

of the Supreme Court of the State of Utah," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 127 was ordered printed and referred to the Committee on Judiciary.

February 24, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 128, by Special Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 128 was ordered printed and referred to the Committee on Judiciary.

February 24, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred Senate Bill No. 44, by Mr. Booth, to regulate the practice of contracting, propose the following amendments:

Page 2, line 9. Change word "state" to "public".

Page 4, beginning with line 2. Strike "If the department is satisfied that the applicant is qualified to perform the duties of a contractor," and in lieu thereof insert "If applicant fulfils the conditions, as specified, then".

Page 5, line 5. After the word "shall", insert the following: "forthwith notify the person against whom the complaint has been filed, by whom and the nature of complaint, and shall specify a time and place for a hearing thereon and the department shall".

At the end, add a new section as follows:

"Section 11. This Act shall take effect upon approval."

We, your Committee beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 44 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs to which was referred S. B. No. 69, by Mr. Wallace, relating to sales and shipments of alcohol and distilled liquors, beg leave to report the same out favorably.

JULIAN M. BAMBERGER.

Report filed.

S. B. No. 69 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 37, by Mr. Day, defining the duties of county attorneys, beg leave to report the same out unfavorably.

I. A. HUGGINS.

Report filed.

S. B. No. 37 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee, on Judiciary to which was referred S. B. No. 38, by Mr. Day, relating to the duties of the Attorney General," beg leave to report the same out unfavorably.

I. A. HUGGINS.

Report filed.

S. B. No. 38 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 64, by Mr. Holmgren, providing a penalty for escape from county jails, beg leave to report the same out unfavorably.

I. A. HUGGINS.

Report filed.

S. B. No. 64 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. B. No. 98, by Mr. Huggins, relating to Securities Commission, beg leave to report the same out unfavorably.

I. A. HUGGINS.

Report filed.

S. B. No. 98 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was refered Senate Bill No. 96, by Mr. Shields, requiring corporations to file annual reports with the Secretary of State, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 96 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred Senate Bill No. 112, by Mr. Patterson, relating to bonds of public officers, beg leave to report the same out unfavorably.

I. A. HUGGINS.

Report filed.

S. B. No. 112 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred Senate Bill No. 119, by Mr. Candland, providing the manner in which the death penalty shall be inflicted," beg leave to report the same out without recommendation.

I. A. HUGGINS.

Report filed.

S. B. No. 119 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred Senate Bill No. 118, by Mr. Griffin by request, to create a State Board of Shorthand Reporters, beg leave to report the same out favorably.

I. A. HUGGINS.

Report filed.

S. B. No. 118 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred S. J. R. No. 6, by Mr. Fennell, relating to the eligibility of members of the legislature," beg leave to report the same out without recommendation.

I. A. HUGGINS.

Report filed.

S. J. R. No. 6 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Judiciary to which was referred H. B. No. 17, by Mr. Petersen, providing for the establishment of liens for money due physicians, dentists, nurses and hospitals, beg leave to report the same out unfavorably.

I. A. HUGGINS.

Report filed.

H. B. No. 17 was placed on the second reading calendar.

February 24, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred H. B. No. 14, by Mr. Adams, an act to establish an unemployment reserve fund, beg leave to report the same out without recommendation.

C. C. NESLEN.

Report filed.

H. B. No. 14 was placed on the second reading calendar.

COMMUNICATION FROM THE GOVERNOR

February 23, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. C. M. No. 2, by Mr. Patterson, entitled, "Memorializing Congress to pass House Bill No. 11816 for the regulation and control of the public range of the United States and for the creation of grazing districts by the Secretary of the Interior under the direct supervision of the users of the public range,"

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 23, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day signed and filed with the Secretary of State, H. B. No. 25, by Mr. Maw, entitled "An Act making appropriations for the support of the State

government for the period beginning July 1, 1931, and ending June 30, 1933."

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

February 23, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Governor has this day signed and filed with the Secretary of State, H. B. No. 32, by Mr. Hammond, entitled "An Act to repeal Section 3-5-52 of the Revised Statutes of Utah 1933, relating to the dipping of sheep in a preparation to kill scab and making it a misdemeanor to fail to do so."

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

February 23, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day signed and filed with the Secretary of State, H. B. No. 71, by Mr. Hoyt, entitled "An Act approving, adopting and legalizing the statute book containing the text of the Revised Statutes of Utah 1933, for the purpose of official publication of said Revised Statutes."

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

February 23, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the Governor has this day signed and filed with the

Secretary of State, H. C. M. No. 3, by Mrs. Bosone, entitled "Memorializing the President and Congress of the United States of America to take immediate action to put into effect the plan of one J. Parley White, to relieve unemployment."

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger, the President appointed a Calendar Committee, to take effect Monday, February 27, consisting of Senators Neslen, Huggins, Patterson, Jefferson and Booth to whom all bills except appropriation bills shall be referred, and who shall report each morning the bills to be considered.

INTRODUCTION OF BILLS

S. B. No. 129. By the Joint Committee on Procedure.

"An Act to amend Section 43-3-7 of the Revised Statutes of Utah 1933, providing for the taxation of insurance companies and raising the rate from one and one-half (1½) per cent to two (2) per cent," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130. By Joint Committee on Procedure.

"An Act amending Section 86-1-3, Revised Statutes of Utah 1933, relating to executive secretary; salary, bond, powers and duties—associate members; per diem, oath and bond, chairman, State Land Board," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 34 on final passage.

Committee report read and adopted.

S. B. No. 34 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senator Young.

S. B. No. 34 was transmitted to the House.

The President introduced Congressman-elect W. J. Robinson who addressed the Senate briefly.

S. B. No. 41 was read the third time and placed on its final passage.

On motion of Senator Wallace, the bill was amended as follows:

Page 1, line 5, of the amendment. Strike the words "upon the recommendation of" and insert in lieu thereof "from a list of not less than three persons recommended by".

Page 5, line 25. After the word "profits" strike the semicolon insert comma and add: "the larger figure in either case to determine the maximum amount of public funds which any such depository may receive."

Page 6, line 5. After the word "filed", strike the period and insert "but no such application shall be filed or considered by the board prior to December 1, 1933."

Page 12, line 20, after the word "America", insert the following "or of the State of Utah;".

Page 12, line 25, after the word "America", insert the following: "or of the State of Utah."

S. B. No. 41 then passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 0.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller (explained vote), Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Day, Holbrook, Huggins (explained vote).

S. B. No. 41 was transmitted to the House.

SPECIAL ORDER

S. B. No. 10 was read the third time and placed on its final passage.

On motion of Senator Day, the bill was amended as follows:

Page 2, line 2, strike the word "twenty-five" and insert in lieu thereof "fifteen".

Former Governor George H. Dern, recently selected to serve as Secretary of War in the cabinet of President-elect, Franklin D. Roosevelt, spoke to the Senate regarding the support of the people of the State of Utah in his interests.

FURTHER CONSIDERATION OF S. B. NO. 10

On motion of Senator Huggins, the bill was amended as follows:

Page 3, line 26, after the word "and", insert the following: "beginning September 1, 1935 and September 1st, of each year thereafter."

S. B. No. 10 failed to pass on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller.

Those voting in the negative were: Senators Bamberger, Booth (explained vote), Fennell, Hunt, Jefferson, Keyser, Musser, Neslen (explained vote), Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 55 was made a special order of business for Monday, February 27, at 3:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 30 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser, the rules were suspended and H. B. No. 30 was read the third time and placed on its final passage.

H. B. No. 30 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Maw, Miller, Musser, Neslen, Wallace, Mr. President.

Absent and not voting: Senators Booth, Day, Huggins, Jefferson, Patterson, Shields, Young.

H. B. No. 30 was transmitted to the House.

Senator Bamberger withdrew his motion to reconsider the vote by which S. J. R. No. 8 was passed.

S. J. R. No. 8 was transmitted to the House.

On unanimous consent of the Senate S. C. M. No. 5 was placed at the head of the second reading calendar.

On motion of Senator Keyser, the rules were suspended and S. C. M. No. 5 was read the second and third times and placed on its final passage.

Committee report read and adopted.

S. C. M. No. 5 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Booth, Day, Holmgren, Musser, Young.

S. C. M. No. 5 was transmitted to the House.

Senator Bamberger moved that when the Senate do adjourn it be until tomorrow, February 25, at 10:00 a. m.

Motion carried.

S. B. No. 68 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser, the rules were suspended and S. B. No. 68 was read the third time and placed on its final passage.

S. B. No. 68 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Day, Griffin, Jefferson, Musser, Neslen, Wallace.

S. B. No. 68 was transmitted to the House.

H. B. No. 29 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the rules were suspended and H. B. No. 29 was read the third time and placed on its final passage.

On motion of Senator Huggins, the bill was amended as follows:

Page 2, delete line 18 and the first three words on line 19.

H. B. No. 29 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Patterson, Shields, Mr. President.

Absent and not voting: Senators Day, Griffin, Jefferson, Musser, Neslen, Wallace, Young.

Senator Huggins moved to reconsider the vote by which H. B. No. 29 was passed.

Motion carried.

H. B. No. 29 on final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Page 2, line 20, strike the words "after adoption of the" and insert in lieu thereof "when". Line 21, after the numerals "1933", insert "become effective".

H. B. 29 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Patterson, Shields, Mr. President.

Absent and not voting: Senators Day, Griffin, Jefferson, Musser, Neslen, Wallace, Young.

H. B. No. 29 was transmitted to the House.

S. B. No. 62 was read the second time.

Committee report read and adopted.

S. B. No. 62 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Patterson, Shields, Mr. President.

Absent and not voting: Senators Day, Griffin, Jefferson, Musser, Neslen, Wallace, Young.

COMMUNICATION FROM THE HOUSE

February 24, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 48, by Mr. Lane, "An Act to define and limit the jurisdiction of courts sitting in equity, and for other purposes", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 48 was read the first time and referred to Committee on Judiciary.

On motion of Senator Keyser, the Senate adjourned.

FORTY-EIGHTH DAY

February 25, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Forty-seventh Day and find it correct with noted amendments.

REPORTS OF STANDING COMMITTEES

February 25, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 129 by Joint Committee on Procedure, and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 129 was ordered printed and referred to the Committee on Judiciary.

February 25, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 130, by Joint Committee on Procedure, entitled "An Act amending Section 86-1-3, Revised Statutes of Utah 1933, relating to executive secretary; salary; bond—powers and duties; associate members; per diem, oath, bond, chairman; State Land Board," with a few minor changes consented to by the author, being "An Act amending Section 86-1-3, Revised Statutes of Utah 1933, relating to the State Land Board Executive Secretary;

salary; bond; powers and duties—associate members; per diem, oath, bond and chairman," and recommends that the same be printed.

GEO. M. MILLER.

Report filed.

S. B. No. 130 was ordered printed and referred to the Committee on State and Municipal Affairs.

Upon unanimous consent of the Senate the following bill was introduced:

INTRODUCTION OF BILL

S. B. No. 131. By Joint Committee on Procedure.

"An Act relating to the State Tax Commission and amending Sections 80-5-37, 80-5-38, 80-5-40 and 80-5-45 of the Revised Statutes of Utah 1933, and subsections (a), (b), (c), (f) and (k) of Section 5893, Compiled Laws of Utah 1917, as amended by Chapter 53, Laws of Utah 1931," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 62 was read the third time and placed on its final passage.

S. B. No. 62 passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Mr. President.

Absent and not voting: Senators Bamberger, Griffin, Huggins, Maw, Patterson, Wallace, Young.

S. B. No. 62 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 50 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the rules were suspended and S. B. No. 50 was read the third time and placed on its final passage.

S. B. No. 50 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Griffin, Maw, Patterson, Young.

S. B. No. 50 was transmitted to the House.

S. B. No. 72 was read the second time.

Committee report read and adopted.

Senator Shields moved to amend the bill on page 4, line 23, by striking the numerals "250.00" and insert in lieu thereof "1,000.00".

Senator Holbrook moved to amend the amendment to read "500.00" instead of "1,000.00".

Amendment carried.

Motion as amended carried.

On motion of Senator Keyser, the bill was amended as follows:

Page 5, line 32, after the "period", strike the balance of the line and all matter on page 6.

S. B. No. 72 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senator Huggins (explained vote).

Absent and not voting: Senators Griffin, Patterson, Young.

S. B. No. 48 was read the second time.

Committee report read and adopted.

On motion of Senator Neslen, the bill was amended as follows:

On page 1, line 15, insert the word "or" before the words "investment stock", and strike the words "or permanent stock".

On page 3, lines 5 and 6, strike the words "the payment or renewal of obligations".

On page 3, line 13, insert a "period" after the word "received", and strike the balance of the line and all of lines 14, 15, 16, 17, and 18, and the first seven words on line 19.

On page 3, strike lines 27 to 32 inclusive.

S. B. No. 48 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Griffin, Miller, Musser, Patterson, Young.

Senator Wallace moved that the Senate remain in session until 1:00 p. m.

Motion carried.

S. B. No. 52 was read the second time.

Committee report read and adopted.

On motion of Senator Shields, the bill was amended as follows:

Page 3, line 19, strike the numerals "5" and insert the numeral "10" in lieu thereof. Line 28, strike the numeral "1" and insert the numeral "2" in lieu thereof.

Page 6, add "Section 2. This act shall take effect when the Revised Statutes of Utah 1933, become effective."

S. B. No. 52 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0 Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Day, Griffin, Maw, Patterson, Young.

S. B. No. 71 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the bill was amended as follows:

Page 1, line 15, after the word "corporation" insert a comma and the words "excepting those".

On motion of Senator Neslen, the bill was amended as follows:

Page 2, line 9, after the word "effect", strike the balance of the paragraph and insert in lieu thereof the following: "upon approval".

S. B. No. 71 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 2; Absent 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Griffin, Jefferson.

Absent and not voting: Senators Patterson, Young.

S. B. No. 70 was read the second time.

Committee report read and adopted.

S. B. No. 70 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Shields, Wallace, Mr. President.

Absent and not voting: Senators Booth, Maw, Neslen, Patterson, Young.

On motion of Senator Holbrook, the rules were suspended and H. J. M. No. 1 was read the second and third times and placed on its final passage.

Committee report read and adopted.

H. J. M. No. 1 then passed on the following roll call:

Yeas, 14; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Huggins, Miller, Musser, Neslen, Shields, Mr. President.

Those voting in the negative were: Senators Candland, Griffin, Hunt, Jefferson, Keyser (explained vote).

Absent and not voting: Senators Maw, Patterson, Wallace, Young.

H. J. M. No. 1 was transmitted to the House.

H. B. No. 23 was read the second time.

Committee report read and adopted.

On motion of Senator Booth, the bill was amended as follows:

Page 3, add a new section as follows: "Section 5. This act shall take effect when the Revised Statutes of Utah 1933, become effective."

COMMUNICATION FROM THE HOUSE

February 25, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, S. J. R. No. 8, by Joint Appropriations and Claims Com., and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed and Senator Candland moved that the Senate concur in the House amendment. Motion carried.

S. J. R. No. 8 then passed on the following roll call:

Yeas, 18; Nays, 5; Absent, 0.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Young and Mr. President.

Those voting in the negative were: Senators Bamberger, Hunt, Keyser, Shields and Wallace.

S. J. R. No. 8 was referred to the Commitee on Revision and Enrolling to be engrossed.

On motion of Senator Keyser, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Senators Candland and Neslen were appointed by the President to attend funeral services of former President of the Senate, Mr. Quil Nebeker, on behalf of the members of the Senate.

COMMUNICATION FROM THE HOUSE

February 25, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 30, by Mr. Grossenbach, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 30 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

February 25, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred S. B. No. 59, by Mr.

Huggins, relating to the requirements of applicants for license to practice as graduate or registered nurses," beg leave to report the same out favorably.

C. C. NESLEN.

Report filed.

S. B. No. 59 was placed on the second reading calendar.

February 25, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred S. B. No. 116, by Special Joint Committee on Procedure, relating to number of regents of the University of Utah, beg leave to report the same out favorably.

C. C. NESLEN.

Report filed.

S. B. No. 116 was placed on the second reading calendar.

February 25, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred S. B. No. 117, by Special Joint Committee on Procedure, relating to trustees of the Utah State Agricultural College," beg leave to report the same out favorably.

C. C. NESLEN.

Report filed.

S. B. No. 117 was placed on the second reading calendar.

February 25, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred H. J. R. No. 9, by Mr. Royle, resolution providing for appointment of a committee to make a survey and study of the present workmen's compensation act," beg leave to report the same out favorably.

C. C. NESLEN.

Report filed.

H. J. R. No. 9 was placed on the second reading calendar.

February 25, 1933.

Mr. President:

We, your Committee on Public Institutions, Health and Labor, to which was referred H. B. No. 18, by Mr. Petersen, relating to the location and purposes of the State Industrial School, beg leave to report the same out favorably.

C. C. NESLEN.

Report filed.

H. B. No. 18 was placed on the second reading calendar.

Further consideration of H. B. No. 23.

Senator Maw moved that the rules be suspended and H. B. No. 23 be placed after H. B. No. 24.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 39 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, after the word "attacking" insert the word "domestic".

On motion of Senator Day 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:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Jefferson, Neslen, Patterson.

S. B. No. 39 was transmitted to the House.

S. B. No. 28 was read the second time.

Committee report read and adopted.

S. B. No. 28 was rejected on the following roll call:

Yeas, 7; Nays, 14; Absent, 2.

Those voting in the affirmative were: Senators Day, Griffin, Holbrook, Holmgren, Patterson (explained vote), Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Booth, Bowman Calder, Fennell, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Shields, Wallace.

Absent and not voting: Senators Candland, Neslen.

On motion of Senator Keyser the Senate adjourned.

FIFTIETH DAY

February 27, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Hunt, excused.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the forty-eighth day and find it correct with noted amendments.

The President appointed Senators Patterson and Jefferson to revise the Journal for the week ending March 4, 1933.

COMMUNICATIONS FROM THE HOUSE

February 25, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day passed H. C. M. No. 4 by Mr. Pectol, "A Memorial to the Congress of the United States requesting the creation of a National Park or Monument in Wayne County, Utah", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. C. M. No. 4 was read the first time and referred to the Calendar Committee.

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House concurred in the Senate amendments to H. B. No. 29, by Mr. Grossenbach, "An Act amending 30-0-43, Revised Statutes of Utah 1933, relating to fish and game and use of seines".

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

February 25, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. C. M. No. 5, by Mr. Wallace, "Memorializing the Congress of the United States to appoint a committee to investigate the administration and control by the Bureau of Biological survey of the Bear River Migrating Bird Refuge, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 5 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

February 25, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. J. R. No. 8, by Joint Appropriation and Claims Committee, "A Resolution providing for appropriations to Branch Agricultural College, Snow College, Weber College, and Dixie College", properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. J. R. No. 8 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.

February 25, 1933.

Mr. President:

We, your Comimttee on Education to which was referred S. B. No. 80, by Mr. Huggins, to create a department of higher education, beg leave to report the same out without recommendation.

GEO M. MILLER.

Report filed.

S. B. No. 80 was referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on Judiciary, return without consideration the following bills: S. J. R. No. 4, S. B. No. 87, S. B. No. 101, S. B. No. 107, S. B. No. 115, H. B. No. 35, H. B. No. 41, H. B. No. 48, H. B. No. 80, H. B. No. 7.

I. A. HUGGINS.

Report filed.

S. J. R. No. 4; S. B. Nos. 87, 101, 107, 115; and H. B. Nos. 35, 41, 48, 80, and 7, were referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on Banking and Commerce, return without consideration the following bills: S. B. No. 92, S. B. No. 33, H. B. No. 15.

JOHN M. WALLACE.

Report filed.

S. B. Nos. 92, 33 and H. B. No. 15 were referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on State and Municipal Affairs, return without consideration the following bills: S. B. No. 100, S. B. No. 109, H. B. No. 44.

JULIAN M. BAMBERGER.

Report filed.

S. B. Nos. 100, 109 and H. B. No. 44 were referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on Education, return without consideration the following bills: S. B. No. 106, S. B. No. 95.

GEO. M. MILLER.

Report filed.

S. B. Nos. 106 and 95 were referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on Highways, return without consideration S. B. No. 19.

P. J. FENNELL.

Report filed.

S. B. No. 19 was referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on Agriculture and Irrigation return without consideration S. B. No. 73.

WARD C. HOLBROOK.

Report filed.

S. B. No. 73 was referred to the Calendar Committee.

February 27, 1933.

Mr. President:

We, your Committee on Revenue and Taxation, return without consideration the following bills: S. J. R. No. 7, S. B. No. 17, S. B. No. 27, S. B. No. 53, S. B. No. 65, S. B. No. 93, S. B. No. 99.

DAN B. SHIELDS.

Report filed.

S. B. Nos. 17, 27, 53, 65, 93 and 99 and S. J. R. No. 7 were referred to the Calendar Committee.

REPORT OF SPECIAL COMMITTEE

February 27, 1933.

Mr. President:

We, your Calendar Committee beg leave to report out for third reading for Monday, February 27, 1933, at 2:00 p. m. the following bills: S. B. No. 72, S. B. No. 48, S. B. No. 52, S. B. No. 71, S. B. No. 70.

C. C. NESLEN.

Report filed and bills placed on the third reading calendar.

Upon unanimous consent of the Senate, Senator Holbrook introduced the following bill.

S. B. No. 132. By Mr. Holbrook.

"An Act to amend Chapter 80-14 of the Revised Statutes of Utah 1933, to change requirements for filing income tax returns and to eliminate the filing fee," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 72 was read the third time and placed on its final passage.

S. B. No. 72 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder Candland, Day, Fennell, Griffin, Holmgren, Huggins (explained vote), Keyser, Maw, Miller, Musser, Neslen, Shields (explained vote), Wallace, Young, Mr. President.

Those voting in the negative were: Senators Holbrook, Jefferson.

Absent and not voting: Senators Bamberger, Hunt, Patterson.

S. B. No. 72 was transmitted to the House.

S. B. No. 48 was read the third time and placed on its final passage.

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

Page 1, line 14, after the word "Utah" strike the "comma" and the balance of the line, also strike all of line 15 and the first three words on line 16.

S. B. No. 48 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Hunt.

S. B. No. 48 was transmitted to the House.

Upon unanimous consent of the Senate, Senator Wallace introduced the following bill.

S. B. No. 133. By Mr. Wallace.

"An Act to meet the financial emergency which now exists throughout the State; to provide for the raising of revenue for emergency purposes by imposing a tax upon the retail purchase of certain commodities, and for the ascertainment, assessment and collection of said taxes; to provide for the distribution of revenue; to provide an annual registration license fee and impose certain duties for the privilege of doing business as aids in the administration of this Act; to provide penalties for violation of the terms hereof; to provide for the manner of filing returns, and to repeal all acts or parts of acts in conflict herewith," was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

On motion of Senator Neslen, H. J. R. No. 1 was referred to the Calendar Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 52 was read the third time and placed on its final passage.

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

Page 4, line 18, following the word "instructor" insert the following sentence: "No person is eligible to become

an apprentice until he or she has attained the age of 16 years."

S. B. No. 52 then passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Day, Griffin.

Absent and not voting: Senators Hunt, Patterson.

S. B. No. 52 was transmitted to the House.

S. B. No. 71 was read the third time and placed on its final passage.

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

Page 1, line 17, after the word "shall" insert the following: "procure a license from the State local Board of Health to fumigate with hydro-cyanic acid gas or other cyanides."

S. B. No. 71 then passed on the following roll call:

Yeas, 16; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Holbrook, Huggins, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Day, Griffin, Holmgren, Jefferson.

Absent and not voting: Senators Hunt, Maw.

S. B. No. 71 was transmitted to the House.

S. B. No. 70 was read the third time and placed on its final passage.

S. B. No. 70 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins (explained vote), Jefferson, Keyser (explained vote), Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Maw.

Absent and not voting: Senator Hunt.

Senator Bamberger gave notice that on the next legislative day he would move to reconsider the vote by which S. B. No. 70 was passed.

COMMUNICATIONS FROM THE HOUSE

February 25, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in body, H. B. No. 47, by Mr. Wayman, entitled "An Act creating the Great Salt Lake Improvement Association, a body corporate with perpetual succession; defining its powers and purposes; providing for its government and control; passing title and granting rights and easements from the State of Utah to said corporation", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 47 was read the first time and referred to the Calendar Committee.

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 29, by Mr. Grossenbach, relating to fish and game and use of seines, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 29 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.

February 27, 1933.

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. 8, by Joint Appropriation and Claims Committee, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. J. R. No. 8 was transmitted to the Secretary of State.

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. J. M. No. 1, by Mr. Hall, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
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.

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 9, by Mr. Calder, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 9 was referred to the Committee on Revision and Enrolling to be engrossed.

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 67, by Mr. Candland, An Act creating a fund to be known as State Engineer's revolving fund, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 67 was referred to the Committee on Revision and Enrolling to be engrossed.

SPECIAL ORDER

S. 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:

Page 1, line 1, in the title. After the third word "to" delete the word "repeal" and insert the word "amend". Line 4, of the title. After the word "minors," delete the line and all of line 5 and insert "and to amend section 49-4-3 of the Revised Statutes of Utah 1933."

Following the enacting clause, insert: "Section 1, Chapter 6, Title 14 and Section 49-4-3, Revised Statutes of Utah 1933, is amended to read as follows:"

Page 1, line 1, strike "Section 1" and insert in lieu thereof "14-6-1". Line 9, delete the numeral "17" and add "14-6-17". Delete "27" and insert "14-6-27". Delete the word "Act" and insert "Chapter". Line 17, Delete "Section 2" and insert "14-6-2".

Page 2, line 17. After "7 p. m.;" insert "and outside of cities of the first and second class, between 6 a. m. and 8 p. m." Line 25. Delete "Section 3" and insert "14-6-3".

Page 3, line 14. Delete "Section 4" and insert "14-6-4". Line 23. Delete "Section 5" and insert "14-6-5".

Page 4, line 1. Delete "section 6" and insert "14-6-6". Line 11. Delete "Section 7" and insert "14-6-7" and strike the word "Act" and insert "Chapter". Line 14. Delete "Section 8" and insert "14-6-8". Line 18. Delete "Section 9" and insert "14-6-9". Wherever the word "Act" is found, change it to "Chapter". Line 30. After the word "fitness," insert "signed by the principal of the school which the minor last attended; provided that in the case of doubt on the part of the principal as to the physical fitness of such minor, a statement".

Page 5, line 30. Delete "Section 10" and insert "14-6-10".

Page 6, line 3. Delete "Section 11" and insert "14-6-11". Line 21. Delete the word "3" and insert "14-6-3". Line 25. Delete "Section 12" and insert "14-6-12".

Page 7, line 4. Delete "Section 13" and insert "14-6-13". Line 12. Delete "Section 14" and insert "14-6-14". Line 22. Delete "Section 15" and insert "14-6-15".

Page 8, line 4. Delete "Section 16" and insert "14-6-16". Line 19. Delete "Section 17" and insert "14-

6-17" and strike "14" and insert "12". Line 20, Strike "18" and insert "16". Line 22. Strike the last word "or" and insert "and no boy under 14 or girl under 16 shall". Line 24. Strike "12" and insert "10". Line 27. Strike "12" and insert "10". Line 30. Delete "Section 18" and insert "14-6-18". Line 32. Strike "17" and insert "14-6-17".

Page 9, line 3, After the word "session" add "except as otherwise provided in this Chapter." Line 4. Delete "Section 19" and insert "14-6-19". Line 7. Delete "17" and insert "14-6-17". Line 10. Delete "Section 20" and insert "14-6-20". Line 17. Delete "Section 21" and insert "14-6-21". Line 23. Delete "Section 22" and insert "14-6-22".

Page 10, line 3. Delete "Section 23" and insert "14-6-23". Line 23. Delete "Section 24" and insert "14-6-24".

Page 11, line 2. Delete "Section 25" and insert "14-6-25". Line 6. After "Section" delete "17 to 24" and insert "14-6-17 to 14-6-24", Line 9. After the word "Section", delete "17 to 24" and insert "14-6-17 to 14-6-24". Line 13. Delete "Section 26" and insert "14-6-26". Line 14. Delete "17" and insert "14-6-17". Line 15. Delete "17 to 24" and insert "14-6-17 to 14-6-24". Line 21. Delete "Section 27" and insert "14-6-27". Line 29. Delete "Section 28" and insert "14-6-28".

Page 12, line 8. Delete "Section 29" and insert "14-6-29". Line 9. Delete "17 and 28" and insert "14-6-17 and 14-6-28". Line 16. After the word "law" insert "section 2" then make a new paragraph "49-4-3. No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment, or hospital or office, or by any express or transportation company, more than eight hours during any one day (said eight hours to be worked in not more than two working periods and within twelve consecutive hours),

except in cases of emergency where life or property is in imminent danger, or more than forty-eight hours in any one week; but this section shall not apply to the packing or canning of perishable fruits or vegetables, or to the manufacture of containers for the same, during the packing season." Line 17. Delete "Section 30" and insert "Section 3", and strike all the line and "1933, and" on line 18. Line 20. Strike "31" and insert "3".

S. B. No. 55 failed to pass on the following roll call:

Yeas, 11; Nays, 10; Absent, 2.

Those voting in the affirmative were: Senators Bowman, Fennell, Holbrook, Huggins, Maw (explained vote), Miller, Musser, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bamberger, Booth, Calder, Candland, Day, Griffin, Holmgren, Jefferson, Keyser, Young.

Absent and not voting: Senators Hunt, Neslen.

Senator Calder gave notice that on the next legislative day he would move to reconsider the vote by which S. B. No. 55 failed to pass.

REPORT OF STANDING COMMITTEE

February 27, 1933.

Mr. President:

We, your Calendar Committee, beg leave to report out for second reading for Monday, February 27, 1933, the following bills: S. B. No. 115, S. B. No. 81, H. B. No. 24, H. B. No. 18, H. B. No. 23.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

CONSIDERATION OF BILLS OND SECOND READING

S. B. No. 115 was read the second time.

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

Page 3, line 23, strike the words "fifty cents" and insert in lieu thereof "one dollar".

Page 4, line 3, strike the words "fifty cents" and insert in lieu thereof "one dollar".

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

Page 4, line 15, strike the "period" and insert a "comma" and add "and after such necessity shall have been removed then 50 per cent of such accruals shall be allocated to a special fund to be known as the Junior College Fund and the balance to the General Fund.

S. B. No. 115 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman (explained vote), Day, Fennell, Griffin, Holmgren, Huggins (explained vote), Jefferson, Keyser, Miller, Musser, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Calder, Candland (explained vote), Holbrook, Maw, Neslen, Young.

Absent and not voting: Senator Hunt.

On motion of Senator Huggins the rules were suspended and S. B. No. 115 was read the third time and placed on its final passage.

S. B. No. 115 then passed on the following roll call:

Yeas, 13; Nays, 9; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Fennell, Huggins, Jefferson, Keyser, Miller, Musser, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Calder, Candland, Day (explained vote), Griffin, Holbrook, Holmgren, Maw, Neslen, Young.

Absent and not voting: Senator Hunt.

S. B. No. 115 was transmitted to the House.

REPORTS OF STANDING COMMITTEES

February 27, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 9, by Mr. Calder, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 9 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.

February 27, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 67, by Mr. Candland, by request, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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 HOUSE

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate, S. B. No. 7, by Mr. Holbrook, "An Act amending Sections 3-9-1, 3-9-2, 3-9-3, and 3-9-5, Revised Statutes of Utah 1933, providing for the licensing, bonding and regulation of produce dealers, truckers 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 of sales to be rendered to producers, shippers and consignors, and adding sections 3-9-6 and 3-9-7 thereto," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 7 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Keyser, the Senate adjourned.

FIFTY-FIRST DAY

February 28, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Fiftieth Day and find it correct with noted amendments.

COMMUNICATIONS FROM THE HOUSE

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 10, by Mrs. Bosone, "A Joint Resolution proposing an amendment to article 16 of the Constitution, by the addition of a section relating to a minimum wage for women and minors; and general welfare of any and all employees," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 10 was read the first time and referred to the Calendar Committee.

February 27, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 97, by Mrs. Bosone, "An Act regulating the employment of women and minors and empowering the Industrial Commission of Utah to investigate and deal with such employment; including a mimimum wage; and fixing a penalty for violation of this Act," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 97 was read the first time and referred to the Calendar Committee.

REPORTS OF STANDING COMMITTEES

February 28, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 133, by Mr. Wallace, and recommends that the same be printed.

GEO. M. MILLER,

Report filed.

S. B. No. 133 was ordered printed and referred to the Calendar Committee.

February 27, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 131, by Joint Committee on Procedure, "An Act relating to the State Tax Commission and amending sections 80-5-37, 80-5-38, 80-5-40 and 80-5-45 of the Revised Statutes of Utah 1933, and subsections (a), (b), (c), (f) and (k) of section 5893, Compiled Laws of Utah 1917, as amended by chapter 53, Laws of Utah 1931," with a few minor changes consented to by the author, being: "An Act relating to the State Tax Commission and amending sections 80-5-37, 80-5-38, 80-5-40 and 80-5-45 of the Revised Statutes of Utah 1933," and recommends that the same be printed.

Report filed. GEO. M. MILLER,

S. B. No. 131 was ordered printed and referred to the Calendar Committee.

February 28, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 132, by Mr. Holbrook, entitled, "An Act to amend chapter 80-14 of the Revised Statutes of Utah 1933, to change requirements for filing income tax returns and to eliminate the filing fee," with a few

minor changes consented to by the author, being "An Act to amend chapters 80-14-2, 80-14-16, 80-14-17, and 80-14-63, Revised Statutes of Utah 1933, to change requirements for filing income tax returns and to eliminate the filing fee," and recommend that the same be printed.

GEO. M. MILLER,

Report filed.

S. B. No. 132 was ordered printed and referred to the Calendar Committee.

February 28, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. C. M. No. 5, by Mr. Wallace, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER,

Report filed.

S. C. M. 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.

REPORT OF SPECIAL COMMITTEE

February 28, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for Second Reading Calendar, to be considered Tuesday, February 28th, at 2 o'clock p. m.: S. B. No. 81, S. B. No. 66, S. B. No. 21, S. B. No. 74, S. B. No. 76, S. B. No. 85, S. B. No. 94, S. J. R. No. 7, S. B. No. 100, S. B. No. 116, S. B. No. 117, H. B. No. 18, H. B. No. 14.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

Senator Bamberger moved that the President of the Senate be authorized to appoint one Senator and an alternate as delegates to the Interstate Legislative Assembly, such delegate or alternate to be without power to commit the Senate to action without specific authority therefore, and without cost to the state.

Motion carried.

Upon unanimous consent of the Senate, Senator Musser introduced the following bill:

S. B. No. 134. By Mrs. Musser.

"An Act to extend the right to operate motor vehicles under 1932 licenses", was read the first time.

On motion of Senator Musser the rules were suspended and S. B. No. 134 was read the second and third times and placed on its final passage.

S. B. No. 134 then passed on the following roll call:

Yes, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Wallace, Young, Mr. President.

Absent and not voting: Senators Holbrook, Huggins, Patterson, Shields.

S. B. No. 134 was transmitted to the House.

Senator Bamberger moved to reconsider the vote by which S. B. No. 70 was passed.

Motion carried.

On motion of Senator Keyser S. B. No. 70 was made a special order of business for March 1, 1933, at 2:30 p. m.

The President introduced Mr. J. W. Funk, a former President of the Utah State Senate, who addressed the Senate briefly.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 81 was read the second time.

Committee report read and adopted.

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

Page 1, lines 13 and 14, strike the parentheses and the following words: "who has performed less than 20 years of active service and".

On motion of Senator Keyser the rules were suspended and S. B. No. 81 was read the third time and placed on its final passage.

S. B. No. 81 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Holbrook.

S. B. No. 81 was transmitted to the House.

REPORT OF STANDING COMMITTEE

February 28, 1933.

Mr. President:

Your Committee on Revision and Enrolling report herewith S. B. No. No. 7, by Mr. Holbrook, properly en-

rolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 7 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.

S. B. No. 66 was read the second time.

Committee report read and adopted.

On motion of Senator Patterson, the bill was amended as follows:

Page 3, line 19, change the word "resale" to read "sale".

On motion of Senator Miller, the rules were suspended and S. B. No. 66 was read the third time and placed on its final passage.

S. B. No. 66 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Senator Holbrook and Mr. President.

S. B. No. 66 was transmitted to the House.

S. B. No. 21 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the bill was amended as follows:

Page 1, line 7, after the word "law", strike the colon and insert a semicolon and change the capital "P" to a small "p".

On motion of Senator Neslen, the rules were suspended and S. B. No. 21 was read the third time and placed on its final passage.

S. B. No. 21 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Senator Griffin and Mr. President.

S. B. No. 21 was transmitted to the House.

S. B. No. 74 was read the second time.

Committee report read and adopted.

On motion of Senator Shields, the bill was amended as follows:

Title, line 1, after the word "amend" insert "Section 28-5-12".

S. B. No. 74 was placed on the third reading calendar on the following roll call:

Yeas, 12; Nays, 9; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Holbrook, Holmgren, Hunt, Keyser, Miller, Musser, Shields, Young, Mr. President.

Those voting in the negative were: Senators Booth, Candland (explained vote), Fennell, Huggins, Jefferson, Maw, Neslen, Patterson, Wallace.

Absent and not voting: Senators Day, Griffin.

COMMUNICATIONS FROM THE HOUSE

February 28, 1933.

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. 9, by Mr. Calder, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 9 was transmitted to the Governor.

February 28, 1933.

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. 7, by Mr. Holbrook, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 7 was transmitted to the Governor.

February 28, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. B. No. 134, by Mrs. Musser, "An Act to extend the right to operate motor vehicles under 1932 licenses," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 134 was referred to the Committee on Revision and Enrolling to be engrossed.

February 28, 1933.

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. 5, by Mr. Wallace, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. C. M. No. 5 was transmitted to the Governor.

February 28, 1933.

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. Candland, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 67 was transmitted to the Governor.

REPORT OF STANDING COMMITTEE

February 28, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 134, by Mrs. Musser, properly enrolled and engrossed for the signature of the President.

GEO M. MILLER.

Report filed.

S. B. No. 134 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 Calder moved to reconsider the vote by which S. B. No. 55 failed to pass.

Motion carried.

On motion of Senator Musser, the bill was amended as follows:

Page 1, line 6, strike the numerals "14" and insert the numerals "12".

Page 2, line 15, strike the word "fourteen" and insert "twelve". Also strike the word "sixteen" and insert "fourteen".

Page 1, line 10, strike the words "between the ages" "and 16" and after the numeral "14", insert the words "years of age and over".

Page 2, line 10, strike the words "between" and "and eighteen" and insert in lieu of the word "between" the word "under". Line 14, strike the words "between" and "and sixteen" and insert before the word "fourteen" the word "over". Line 15, strike the words "between" and "and fourteeen" and insert after the word "boys" the word "over". Line 18, strike the words "between" and "and eighteen" and insert after the word "minors" the word "over".

On motion of Senator Patterson, the bill was amended as follows:

Page 3, lines 14, and 23 strike the word "eighteen" and insert the word "sixteen".

Page 4, line 1, strike the word "eighteen" and insert the word "sixteen".

Strike the whole of Section 14-6-3 and change the numbers of all following sections accordingly.

Strike on page 9, line 21, the words "section 14-6-3 of".

On motion of Senator Bamberger, the bill was amended as follows:

Page 8, line 22, after the word "place" insert the following "before five o'clock in the morning and after nine o'clock in the evening."

On motion of Senator Keyser, the bill was amended as follows:

Page 3, lines 14 and 23, strike the word "sixteen" and insert the word "eighteen".

Page 4, line 1, strike the word "sixteen" and insert the word "eighteen".

Page 2, line 17, after the letters "P. M.", insert the following: "except that in the discretion of the proper school official or the Industrial Commission the hours may be altered in special cases.

Page 9, line 3, after the word "session", insert the following "except that in the discretion of the proper school official or the Industrial Commission the hours may be altered in special cases."

S. B. No. 55 then passed on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Fennell, Holbrook, Huggins, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bamberger, Candland, Griffin (explained vote), Holmgren, Hunt, Jefferson, Young.

Absent and not voting: Senator Day.

S. B. No. 55 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

February 28, 1933.

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. 134, by Mrs. Musser, "An Act to extend the right to operate motor vehicles under 1932 licenses," and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 134 was transmitted to the Governor.

February 25, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 8, by Mr. Royle, "An Act to amend sections 7-8-5, 7-8-6, 7-8-7 and 7-8-8, Revised Statutes of Utah 1933, relating to small loans and businesses so engaged to be licensed," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 8 was read the first time and referred to the Calendar Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 76 was read the second time.

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

Page 1, lines 4 and 5, strike the following words: "together with all moneys received from tuition."

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

In the title strike the following words: "and moneys received from tuition."

S. B. No. 76 was placed on the third reading calendar on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Griffin (explained vote), Holmgren, Huggins, Jefferson, Keyser (explained vote), Miller, Musser (explained vote), Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Fennell, Holbrook, Hunt, Maw, Neslen.

Absent and not voting: Senator Day.

Senator Neslen moved that all bills on second reading calendar be referred to the Calendar Committee at the end of each day.

Motion carried.

S. B. No. 85 was read the second time.

On motion of Senator Keyser the rules were suspended and 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:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Day, Patterson.

S. B. No. 85 was transmitted to the House.

S. B. No. 94 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser the rules were suspended and S. B. No. 94 was read the third time and placed on its final passage.

S. B. No. 94 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser (explained vote), Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Huggins (explained vote), Jefferson.

Absent and not voting: Senators Day, Patterson.

S. B. No. 94 was transmitted to the House.

S. J. R. No. 7 was read the second time.

On motion of Senator Bamberger the rules were suspended and S. J. R. No. 7 was read the third time and placed on its final passage.

On motion of Senator Huggins the Senate adjourned.

FIFTY-SECOND DAY

March 1, 1933.

The Senate was called to order at 2:00 p. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the fifty-first day and find it correct with noted amendments.

REPORT OF SPECIAL COMMITTEE

March 1, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 1, 1933, at 2 o'clock p. m.: S. B. No. 100, S. B. No. 116, S. B. No. 117, S. B. No. 124, S. B. No. 89, S. B. No. 88, S. B. No. 61, S. B. No. 83, S. B. No. 82, H. B. No. 24, H. B. No. 14.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

Upon unanimous consent of the Senate, Senator Holbrook introduced the following bill:

S. B. No. 135. By Mr. Holbrook.

"An Act amending section 75-12-5, Revised Statutes of Utah 1933; providing a special fund to be set apart and used for vocational training in high schools; said fund to be deducted from the high school fund now existing under article XIII, section 7 of the Constitution, and repeal of acts in conflict," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 7 on final passage.

On motion of Senator Patterson, S. J. R. No. 7 was laid on the table.

S. B. No. 74 was read the third time and placed on its final passage.

S. B. No. 74 passed on the following roll call:

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Jefferson, Maw, Patterson.

Absent and not voting: Senators Huggins, Miller, Young.

Senator Candland gave notice that on the next legislative day he would move to reconsider the vote by which S. B. No. 74 was passed.

S. B. No. 76 was read the third time and placed on its final passage.

S. B. No. 76 failed to pass on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Holmgren, Jefferson, Keyser, Patterson, Shields, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Day, Holbrook, Huggins, Hunt, Maw, Miller, Musser, Neslen, Wallace.

Absent and not voting: Senators Griffin, Young.

Senator Huggins gave notice that on the next legislative day he would move to reconsider the vote by which S. B. No. 76 failed to pass.

SPECIAL ORDER

S. B. No. 70 on final passage.

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

After the word "section" on line 7, strike the comma and add a semi-colon, then add the following: "An action

on any bond shall be preserved for the period herein prescribed against the surety liable thereon, notwithstanding a different limitation period is prescribed by the laws of Utah, within which action must be commenced against the principal on the bond."

S. B. No. 70 failed to pass on the following roll call:

Yeas 11, Nays, 10; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Holbrook, Holmgren, Huggins, Jefferson, Miller, Patterson, Shields.

Those voting in the negative were: Senators Bowman, Calder, Day, Hunt, Keyser, Maw, Musser, Neslen, Wallace, Mr. President.

Absent and not voting: Senators Griffin, Young.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 100 was read the second time.

S. B. No. 100 was placed on the third reading calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Hunt, Huggins, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Griffin.

S. B. No. 116 was read the second time.

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

Add a new section "Section 2—This Act shall take effect when the Revised Statutes of Utah 1933, become effective."

On motion of Senator Bamberger, the rules were suspended and S. B. No. 116 was read the third time and placed on its final passage.

S. B. No. 116 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Candland.

S. B. No. 116 was transmitted to the House.

S. B. No. 117 was read the second time.

On motion of Senator Bamberger, the bill was amended as follows:

Add a new section "Section 2—This act shall take effect when the Revised Statutes of Utah 1933, become effective.

On motion of Senator Bamberger, the rules were suspended and S. B. No. 117 was read the third time and placed on its final passage.

S. B. No. 117 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Candland.

S. B. No. 117 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed as amended in title and body, H. B. No. 85 by Mr. Thatcher and Mr. Magleby, entitled, "An Act amending Section 6015, Compiled Laws of Utah, 1917, as amended by Laws of Utah, 1923, and Section 80-10-25 of the Revised Statutes of Utah, 1933, relating to date of delinquency of taxes, penalty for delinquency, providing for interest and permitting extension of time for redemption," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 85 was read the first time and referred to the Calendar Committee.

February 28, 1933.

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. Lane, "An Act to provide for conventions to pass on amendments to the Constitution of the United States which may hereafter be proposed by Congress for ratification by conventions in the several states", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 135 was read the first time and referred to Calendar Committee.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 197, By Special Joint Committee on Procedure, "An Act authorizing the Governor to administer emergency relief in aid of destitute residents of the State and giving him emergency powers in relation to State funds", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 197 was read the first time and referred to Calendar Committee.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 198, By Joint Committee on Procedure, "An Act designating the Governor as chairman and a member of the State Road Commission", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 198 was read the first time and referred to Calendar Committee.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 200, By Special Joint Committee on Procedure, "An Act empowering the Governor to require periodical budgets of proposed ex-

penditures in each department, institution or agency of the State and to compel reductions in expenditures, decrease in personnel or suspension of functions or services", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 200 was read the first time and referred to Calendar Committee.

February 28, 1933.

Mr. President:

I am instructed to transmit to your Honorable Body S. J. R. No. 2, by Mr. Patterson, "A Joint Resolution proposing an amendment to Article Twenty-two of the Constitution of the State of Utah, relating to the manufacture and sale of intoxicating liquors, by legalizing the manufacture and sale of beverages containing 3.2% of alcohol by weight", and beg to report that the final vote of the House on the above resolution was Yeas 32, Nays 28, Absent None, and that it failed of passage.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 124 was read the second time.

On motion of Senator Shields, the bill was amended as follows:

Line 4, following the words "civil cases" insert the following: "unless by stipulation reduced to not less than four".

On motion of Senator Fowles, the bill was amended as follows:

Line 4, following the words "civil cases" strike the following words: "unless by stipulation reduced to not less than four."

S. B. No. 124 was placed on the third reading calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Holmgren, Huggins.

S. B. No. 89 was read the second time.
Committee report read and adopted.

On motion of Senator Wallace, the rules were suspended and S. B. No. 89 was read the third time and placed on its final passage.

S. B. No. 89 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young. Mr. President.

Absent and not voting: Senators Candland, Holmgren, Huggins.

S. B. No. 89 was transmitted to the House.

S. B. No. 88 was was read the second time.

Committee report read and adopted.

On motion of Senator Bowman, the bill was amended as follows:

Page 4, line 15, after the word "where", delete lines 15, 16, 17, 18 and 19 and substitute therefor "The county commissioners of the several counties and the State Road Commission are authorized to secure rights of way for State roads and other property to be used in any manner in connection with construction, maintenance and/or operation of state roads, as provided in chapter 61, title 104.

Also add: "Section 2. This act shall take effect when Revised Statutes of Utah 1933 become effective.

On motion of Senator Neslen, the rules were suspended and S. B. No. 88 was read the third time and placed on its final passage.

S. B. No. 88 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Candland.

S. B. No. 88 was transmitted to the House.

S. B. No. 61 was read the second time.

Committee report read and adopted.

On motion of Senator Booth, the bill was amended as follows:

Page 12, insert a new section as follows "Section 2. This act shall take effect when the Revised Statutes of Utah 1933, become effective."

S. B. No. 61 was placed on the third reading calendar on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Candland (explained vote).

S. B. No. 83 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins, the bill was amended as follows:

Page 1, line 4, after the word "writing", insert the following words: "or option selling upon any animal or devise engaged in any competitive activity."

Page 2, line 18, strike the word "felony" and insert in lieu thereof "misdemeanor," and strike the balance of the paragraph, and amend the title to conform thereto.

S. B. No. 83 was placed on the third reading calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Maw.

S. B. No. 82 was read the second time.

Committee report read and adopted.

On motion of Senator Griffin, the bill was amended as follows:

Page 7, line 9, change the word "providing" to read provided." Also strike the parenthesis.

Page 9 line 29, strike the parenthesis.

On motion of Senator Booth, the bill was amended as follows:

Page 10 add a new section as follows: "Section 2. This act shall take effect when the Revised Statutes of Utah 1933, become effective.

Senator Holbrook moved that when the Senate adjourn it be until tomorrow, March 2, at 10:00 a. m.

Motion carried.

FURTHER CONSIDERATION OF S. B. NO. 82

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

Page 4, line 1, after the word "mailed" insert the following words "by registered letter".

S. B. No. 82 was placed on the third reading calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Wallace, Young, Mr. President.

Absent and not voting were: Senators Candland, Musser, Shields.

COMMUNICATIONS FROM THE GOVERNOR

March 1, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. C. M. No. 5, by Mr. Wallace, entitled, "Memorializing the Congress of the United States to ap-

point a committee to investigate the administration and control by the Bureau of Biological Survey of the Bear River Migrating Bird Refuge."

HENRY H. BLOOD.

Communication filed.

March 1, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 134, by Mrs. Musser, entitled, "An Act to extend the right to operate motor vehicles under 1932 licenses".

HENRY H. BLOOD.

Communication filed.

On motion of Senator Huggins, the Senate adjourned.

FIFTHY-THIRD DAY

MORNING SESSION

March 2, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present, except Senator Day.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the fifty-second day and find it correct with noted amendments.

REPORT OF SPECIAL COMMITTEE

March 2, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 2, 1933, at 10 o'clock a. m.: H. B. No. 24, S. B. No. 47, S. B. No. 59, S. B. No. 73, S. B. No. 77, S. B. No. 97, S. B. No. 120, S. B. No. 121, S. B. No. 123, S. B. No. 125, S. B. No. 126, S. B. No. 127, S. B. No. 128, S. B. No. 129, S. B. No. 130, S. B. No. 131, S. B. No. 86, H. B. No. 23, H. B. No. 14.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

Senator Candland moved to reconsider the vote by which S. B. No. 74 was passed.

Motion carried.

On motion of Senator Candland, S. B. No. 74 was made a special order of business for this afternoon at 2:30 p. m.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Miller, S. B. No. 100 was made a special order of business for this afternoon to follow S. B. No. 74.

S. B. No. 61 was read the third time and placed on its final passage.

On motion of Senator Patterson, S. B. No. 61 was made a special order of business for this afternoon at 3:00 p. m.

S. B. No. 83 was read the third time and placed on its final passage.

On motion of Senator Patterson, the bill was amended as follows:

Page 3, line 1, after the word "attorney" strike the balance of line 1, also strike lines 2 and 3 up to and including the word "suppress" on line 4. Also on line 4, strike the word "and" and insert in lieu thereof the word "shall".

S. B. No. 83 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Mr. President.

Those voting in the negative were: Senator Patterson (explained vote).

Absent and not voting: Senators Candland, Day, Maw, Wallace, Young.

S. B. No. 83 was transmitted to the House.

S. B. No. 124 was read the third time and placed on its final passage.

On motion of Senator Shields, the bill was amended as follows:

Line 6, following the words "civil cases" insert the following: "and in cases involving amounts less than $10,000, the Judge by whom said case is set for trial, may by written order, designate the number of jurors, not less than four, before whom said cause shall be tried."

S. B. No. 124 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Mr. President.

Absent and not voting: Senators Bamberger, Day, Maw, Wallace, Young.

S. B. No. 124 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:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Mr. President.

Absent and not voting: Senators Bamberger, Day, Holbrook, Maw, Wallace, Young.

S. B. No. 82 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 24 was read the second time.

Committee report read and adopted.

On motion of Senator Booth, the bill was amended as follows:

Add a new section as follows: "Section 2. This Act shall take effect when the Revised Statutes of Utah 1933, become effective.

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:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Holbrook,

Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields.

Absent and not voting: Senators Bamberger, Day, Griffin, Maw, Wallace, Young, Mr. President.

H. B. No. 24 was transmitted to the House.

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the bill was amended as follows:

Page 3, line 4, strike the words "upon the date" and insert in lieu thereof the word "when".

On motion of Senator Keyser, the rules were suspended and S. B. No. 47 was read the third time and placed on its final passage.

S. B. No. 47 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields.

Absent and not voting: Senators Day, Hunt, Maw, Wallace, Young, Mr. President.

S. B. No. 47 was transmitted to the House.

S. B. No. 59 was read the second time.

Committee report read and adopted.

On motion of Senator Booth, the bill was amended as follows:

Page 1, line 9, strike the following words "of first grade".

On motion of Senator Bamberger, the bill was amended as follows:

Page 2, line 1, strike the words "at the time" and insert in lieu thereof the word "when".

On motion of Senator Musser, the rules were suspended and S. B. No. 59 was read the third time and placed on its final passage.

S. B. No. 59 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace.

Absent and not voting: Senators Candland, Day, Young, Mr. President.

S. B. No. 59 was transmitted to the House.

On motion of Senator Shields, S. B. No. 122 was withdrawn and the following bill was substituted therefor.

S. B. No. 136.
(Substitute for S. B. No. 122.) By Mr. Shields.

"An Act to amend Title No. 91, Chapter 1, Sections 4775 and 4777 of the Compiled Laws of Utah 1917, providing for the membership, appointment, term of office, and salary to be received by the members of the Public Utilities Commission; making the State Engineer ex-officio a member of the commission and terminating the terms of office of the present Public Utilities Commissioners.", was read the first time and ordered printed and referred to the Calendar Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 73 was read the second time.

S. B. No. 73 was placed on the third reading calendar on the following roll call:

Yeas, 13; Nays, 6; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Hunt, Jefferson, Keyser, Musser, Patterson, Shields, Wallace.

Those voting in the negative were: Senators Candland, Holbrook, Holmgren, Huggins, Neslen, Mr. President.

Absent and not voting: Senators Day, Maw, Miller, Young.

S. B. No. 77 was read the second time.

Committee report read and adopted.

On motion of Senator Jefferson, the rules were suspended and S. B. No. 77 was read the third time and placed on its final passage.

S. B. No. 77 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Day, Holbrook, Maw, Patterson, Young.

S. B. No. 77 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and the House, S. B. No. 63, by Mr. Holmgren, "An Act relating to the issuance of tax deeds, requiring notice thereon to drainage or water districts in

certain cases, and permitting redemption by said interested persons before delivery to a third party", and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Keyser moved that the Senate concur with the House amendments.

Motion carried.

S. B. No. 63 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Fennell, Holbrook, Holmgren, Hunt, Keyser, Maw, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Day, Griffin, Huggins, Jefferson, Miller, Patterson.

S. B. No. 63 was referred to the Committee on Revision and Enrolling to be engrossed.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 172, by Mr. Lane, "An Act repealing Section 93-2-1, Revised Statutes of Utah 1933, relating to advertising", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 172 was read the first time and referred to the Calendar Committee.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. B. No. 66, by Mr. Fennell, "An Act to amend Sections 57-12-1, 57-12-3, 57-12-7, 57-12-8, 57-12-10, 57-12-15, and 57-12-16 of the Revised Statutes of Utah 1933, by redefining "motor fuels"; by defining the term "person"; by requiring the furnishing of a bond before any license is issued to any person intending to distribute or deal in motor fuel; by providing for three per cent deduction to allow for evaporation, loss in handling and expense of collection; by vesting in the State Tax Commission the power to exact information with respect to the movement of petroleum products in this State; by providing for the automatic revocation of any license issued for failure to comply with any provisions of Chapter 12 and providing for a refund of the tax on motor fuel sold for export on proof of actual exportation", and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 66 was referred to the Committee on Revision and Enrolling to be Engrossed.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 174, by Mr. Boyden, "An Act defining conventions and providing for the nominations of candidates for public office, and providing that candidates nominated by any political party may be nominated by another political party or convention, or committee, or voters, and providing that the name of a candidate may

appear more than once upon the ballot under different party emblems, but providing that no political party shall be permitted to have placed upon the official ballot more than one ticket or more than one group of candidates, or to group the same persons on different tickets by the same party under a different name or emblem, and repealing Section 25-4-1 Revised Statutes of Utah 1933", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 174 was read the first time and referred to the Calendar Committee.

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 39 by Mr. Hammond, "An Act amending 3-4-1 and 3-4-2 Revised Statutes of Utah 1933, providing for distribution of the State Bounty Fund and for payment of bounties on predatory animals", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 39 was read the first time and referred to the Calendar Committee.

Senator Jefferson moved that the Calendar Committee have full charge of the second reading calendar.

Motion carried.

On motion of Senator Huggins, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 97 was read the second time.

Committee report read and adopted.

S. B. No. 97 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 3; Absent 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Jefferson, Patterson.

Absent and not voting: Senator Day.

On motion of Senator Shields, the rules were suspended and S. B. No. 97 was read the third time and placed on its final passage.

S. B. No. 97 then passed on the following roll call:

Yeas, 19; Nays, 3; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Jefferson, Patterson.

Absent and not voting: Senator Day.

S. B. No. 97 was transmitted to the House.

Senator Huggins moved to reconsider the vote by which S. B. No. 76 failed to pass.

Motion carried.

On motion of Senator Jefferson, the bill was amended as follows:

Page 1, line 3, after the word "College" insert the following: "or the Branch Agricultural College at Cedar City".

On motion of Senator Griffin, the bill was amended as follows:

Page 1, line 12, after the word "profit" strike the balance of the line also strike lines 13 and 14 up to and including the word "College" on line 15.

S. B. No. 76 then passed on the following roll call: Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson (explained vote), Keyser, Maw, Patterson, Shields, Young, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Hunt, Miller, Musser, Neslen, Wallace.

Absent and not voting: Senator Day.

S. B. No. 76 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 2, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 2, 1933, at 2 p. m.: S. B. No. 121, S. B. No. 123, S. B. No. 125, S. B. No. 126, S. B. No. 127, S. B. No. 128, S. B. No. 129, S. B. No. 130, S. B. No. 131, S. B. No. 86, S. B. No. 44, S. B. No. 90, S. B. No. 60, S. B. No. 78,

S. B. No. 80, S. B. No. 98, S. B. No. 102, H. B. No. 23, H. B. No. 53, H. B. No. 14.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

SPECIAL ORDER

S. B. No. 74 on final passage.

S. B. No. 74 failed to pass on the following roll call:

Yeas, 8; Nays, 13; Absent 2.

Those voting in the affirmative were: Senators Bowman, Calder, Griffin, Hunt, Keyser, Musser, Shields, Mr. President.

Those voting in the negative were: Senators Booth, Candland, Fennell, Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Neslen, Patterson, Wallace, Young.

Absent and not voting: Senators Bamberger, Day.

Senator Wallace moved that the President of the Senate appoint a committee of three Senators to act with a like committee from the House, to study all sales tax bills now before the Legislature with the view of drawing up and introducing a measure incorporating all the good features of said bills.

Motion carried.

The President appointed Senators Wallace, Fennell and Keyser to act as such committee.

SPECIAL ORDER

S. B. No. 100 was read the third time and placed on its final passage.

On motion of Senator Miller, the bill was amended as follows:

Page 4, line 6, strike the word "board" and insert in lieu thereof the word "Governor". Line 13, after the

third word "the" insert the word "Executive." Line 16, strike the word "he" and insert in lieu thereof "the Governor". Line 16, after the word "alter", insert the word "decrease". Line 24, strike the word "it" and insert the words "The Executive Secretary".

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

Page 5, line 21, strike the word "meeting" and insert in lieu thereof the word "convening".

Senator Holmgren moved to amend the bill as follows:

Page 5, line 1, strike the numerals "3,600" and insert in lieu thereof the numerals "3,000".

Senator Patterson with the assistance of five Senators asked for a roll call on the amendment.

The amendment was lost on the following roll call:

Yeas, 8; Nays, 14; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Candland, Griffin, Holmgren, Jefferson, Patterson, Young.

Those voting in the negative were: Senators Bamberger, Calder, Fennell, Holbrook, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senator Day.

S. B. No. 100 then passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Jefferson.

Absent and not voting: Senator Day.

S. B. No. 100 was transmitted to the House.

S. B. No. 61 on final passage.

Senator Patterson moved to amend the bill by adding a new section as follows: "Section 2. Provided, that for a period of three years after the effective date of this Act, that provisions hereof shall not apply to any coal mine or the output therefrom, producing on the yearly average less than twenty-five tons mine run per day."

Senator Keyser moved to amend the amendment by striking the words "twenty-five" and inserting "one hundred".

Motion as amended carried.

S. B. No. 61 then passed on the following roll call:

Yeas, 14; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Fennell, Holmgren, Keyser, Maw, Miller, Musser (explained vote), Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bowman (explained vote), Candland (explained vote), Holbrook, Hunt, Young.

Absent and not voting: Senators Day, Griffin, Huggins, Jefferson.

S. B. No. 61 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed as amended in title and body, H. B. No. 31, by Mr. Royle, "An Act amending

44-0-1 and 44-0-2 of the Revised Statutes of Utah 1933, relating to the legal and maximum rates allowed to be charged for a loan or forebearance for any money, or on a contract for the purchase of any goods, wares or merchandise; and providing that contracts for the purchase of goods, wares and merchandise shall not carry any provision for any charge which shall, including interest on the said loan or contract exceed 10 per cent per annum of the purchase price of said goods, wares or merchandise," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 31 was read the first time and referred to the Calendar Committee.

March 1, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, S. B. No. 31, by Mr. Jefferson and Mr. Bowman, "An Act to amend Section 36-6-2, Revised Statutes of Utah 1933, relating to secondary roads," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Griffin moved that the Senate do not concur with the House amendments.

Motion carried.

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House this day concurred in the amendments made by the Senate to H. B. No. 24, by Mr. Lane, "An Act to

amend Section 19-16-16, Revised Statutes of Utah 1933, relating to the apportionment and liability for the cost of collecting taxes."

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed Mr. Hoyt, Mr. Mendenhall and Mr. Vernon as a committee to act with a like committee from the Senate to study all sales tax bills now before the Legislature with a view of drawing up and introducing a measure incorporating all the good features of said bills.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 43, by Mr. Monson, entitled "An Act amending section 7-3-6 of the Revised Statutes of Utah 1933, and providing for establishment of branching of offices of banks upon the approval of the State Bank Commissioner and fixing the penalty for violation of the provisions hereof," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 43 was read the first time and referred to the Calendar Committee.

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 97, by Mr. Shields, entitled "An Act to create a legislative code committee to supervise the completion of the editorial work and the issuance of the statute book containing the Revised Statutes of Utah 1933," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 97 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

March 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 135, by Mr. Holbrook, and recommends that the same be printed.

GEO. M. MILLER,

Report filed.

S. B. No. 135 was ordered printed and referred to the Calendar Committee.

March 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 66, by Mr. Fennell, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER,

Report filed.

S. B. No. 66 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.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 121 was read the second time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 198 was declared identical with S. B. No. 121 and substituted therefor.

H. B. No. 198 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 198 was read the third time and placed on its final passage.

H. B. No. 198 then pased on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Miller, Musser, Neslen, Patterson (explained vote), Wallace, Young, Mr. President.

Those voting in the negative were: Senator Jefferson.

Absent and not voting: Senators Booth, Candland, Day, Huggins, Maw, Shields.

H. B. No. 198 was transmitted to the House.

S. B. No. 123 was read the second time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 197 was declared identical with S. B. No. 123 and substituted therefor.

H. B. No. 197 was read the second time.

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

Page 2, add a new section as follows: "Section 3. This Act shall take effect upon approval.'

H. B. No. 197 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Miller, Musser, Neslen, Patterson, Wallace, Young.

Absent and not voting: Senators Booth, Day, Huggins, Jefferson, Maw, Shields, Mr. President.

S. B. No. 125 was read the second time.

On motion of Senator Patterson S. B. No. 125 was recommitted to the Calendar Committee.

S. B. No. 126 was read the second time.

COMMUNICATIONS FROM THE HOUSE

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 24, by Mr. Lane, "An Act to amend section 19-16-16, Revised Statutes of Utah 1933, relating to the apportionment and liability for the cost of collecting taxes," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and has returned to the House for transmission to the Governor.

COMMUNICATION FROM THE GOVERNOR

March 2, 1933.

To the Senate:

I regret to say that a condition has arisen affecting the banking situation throughout the Western states,

which presents such a grave crisis that it seems necessary that the State of Utah should prepare to take action immediately that will protect depositors in all banks of the State.

I am advised by a group of bankers who were called into conference this afternoon that a financial crisis has caused the issuance of holiday proclamations by the Governors of California, Oregon, Washington, Arizona, Nevada, and Idaho, and that banks throughout that broad area are observing the holiday while adjustments are being made to protect the financial stability of banking institutions generally, and to provide for safeguarding the interests of depositors.

There is no law on the statute books of the State, according to advices that I have received, that authorizes the Governor to declare a special holiday such as seems necessary under the present extreme conditions.

I am, therefore, presenting this matter to you and asking that a bill which I have had prepared and which will be introduced in each House immediately be taken up for consideration without delay, and that your action upon it be recorded in time for the bill to become a law by the signature of the Governor today. Immediately after this bill becomes a law I shall be able to proclaim a holiday affecting the banks and other financial institutions of this State. This action seems necessary following what has happened in California, Oregon, Washington, Arizona, Nevada and Idaho.

May I take occasion to say that I am sure there is no sudden change in the financial situation in Utah? The banks of this State are in condition to take care of any normal situation or demand, but with widespread knowledge of what has been happening in the other Western states it is almost inevitable that Utah will feel the effects of the crisis elsewhere, and there is a possibility that our situation might get out of hand. Permit me to express assurance that with the authority granted by the bill I have hereinbefore referred to and under

proclamation granting time for banks to meet the critical situation there need be no undue fear of the ultimate outcome.

Very respectfully,

HENRY H. BLOOD,

Governor.

Communication filed.

Upon unanimous consent of the Senate the following bill was introduced.

Senate Bill No. 137. By Joint Committee on Procedure.

"An Act amending section 2896, Compiled Laws of Utah 1917, as amended by chapter 1, Laws of Utah 1931, and section 37-0-1, Revised Statutes of Utah 1933, when the same becomes effective, relating to holidays and providing for the creation of additional holidays and the suspension thereof," was read the first time.

On motion of Senator Shields the rules were suspended and S. B. No. 137 was read the second and third times and placed on its final passage.

S. B. No. 137 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Day, Patterson.

S. B. No. 137 was transmitted to the House.

FURTHER CONSIDERATION OF S. B. NO. 126

On Motion of Senator Shields, Senate Bills No. 126, 127, 128, 129, 130, and 131 were made a special order of business for tomorrow, March 3, at 2:00 p. m.

S. B. No. 86 was read the second time.

Committee report read and adopted.

On motion of Senator Shields, the rules were suspended and S. B. No. 86 was read the third time and placed on its final passage.

S. B. No. 86 was made a special order of business for tomorrow, March 3, at 10:00 a. m.

Senator Bamberger moved that the rules be suspended and hereafter when the Senate adjourn it be until 10:00 a. m. the next legislative day.

Motion carried.

S. B. No. 44 was read the second time.

Committee report read and adopted.

On motion of Senator Hunt, the bill was amended as follows:

Page 2, line 4, change the semicolon to a comma and insert the following: "metal and coal mining, quarrie and sand and gravel."

S. B. No. 44 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Day, Keyser, Maw, Patterson.

On motion of Senator Bamberger, the rules were suspended and S. B. No. 44 was read the third time and placed on its final passage.

On motion of Senator Hunt, the bill was amended as follows:

Page 2, line 4, after the word "gravel", insert the following words: "excavation; well drilling and hauling".

On motion of Senator Bamberger S. B. No. 44 was made a special order of business for tomorrow, March 3, at 3:00 p. m.

COMMUNICATION FROM THE HOUSE

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede in its amendments to S. B. No. 31, by Mr. Jefferson and Mr. Bowman, entitled "An Act to amend Section 36-6-2, Revised Statutes of Utah 1933, relating to secondary roads," and that the Speaker has appointed the following conference committee: Mr. Young, Mr. Andersen and Mr. Killian, to meet with a like Committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

The President appointed a conference committee consisting of Senators Neslen, Bamberger and Griffin to meet with the like committee from the House to consider S. B. No. 31.

S. B. No. 90 was read the second time.

Committee report read and adopted.

S. B. No. 90 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Miller, Musser, Neslen, Shields, Wallace, Young.

Absent and not voting: Senators Day, Keyser, Maw, Patterson, Mr. President.

COMMUNICATION FROM THE HOUSE

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed under suspension of the rules, as amended by the House in body and title, S. B. No. 137, by Joint Committee on Procedure, entitled "An Act amending Section 2896, Compiled Laws of Utah 1917, as amended by Chapter 1, Laws of Utah 1931, and Section 37-0-1, Revised Statutes of Utah 1933, when the same becomes effective relating to holidays and providing for the creation of additional holidays and the suspension thereof," and the same is returned herewith for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Huggins moved that the Senate concur in the House amendment.

Motion carried.

S. B. No. 137 passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Day, Keyser, Maw, Patterson.

S. B. No. 137 was referred to the Committee on Revision and Enrolling to be engrossed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 60 was read the second time.

On motion of Senator Griffin, the bill was amended as follows:

Page 1, line 9, after the word "years", insert the following: "Provided that any school for nurses now established and operating in connection with any hospital within this State, and giving the course of study in this section specified shall be deemed and recognized as an accredited school for nurses within the meaning of this chapter.

S. B. No. 60 was placed on the third reading calendar on the following roll call:

Yeas, 13; Nays, 4; Absent, 6.

Those voting in the affirmative were: Senators Candland, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Miller, Musser, Neslen, Shields, Young, Mr. President.

Those voting in the negative were: Senators Booth, Bowman, Calder, Holbrook.

Absent and not voting: Senators Bamberger, Day, Keyser, Maw, Patterson, Wallace.

COMMUNICATIONS FROM THE HOUSE

March 2, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 198, by Joint Committee on Procedure, "An Act designating the Governor as chairman and a member of the State Road

Commission," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 198 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.

March 2, 1933.

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. 66, by Mr. Fennell, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 66 was transmitted to the Governor.

March 2, 1933.

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. 14, by Mr. Miller, entitled "An Act providing that all monies received by the State of Utah from the United states on account of royalties from the sale of coal shall be given to the counties for the construction and maintenance of roads and the support and maintenance of public schools," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 14 was referred to the Committee on Revision and Enrolling to be engrossed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 78 was read the second time.

Committee report read and adopted.

On motion of Senator Young, the rules were suspended and S. B. No. 78 was read the third time and placed on its final passage.

S. B. No. 78 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Miller, Musser, Shields (explained vote), Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Day, Keyser, Maw, Neslen, Patterson.

S. B. No. 78 was transmitted to the House.

REPORT OF STANDING COMMITTEE

March 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 137, by Joint Committee on Procedure, entitled "An Act amending Section 2896, Compiled Laws of Utah 1917, as amended by Chapter 1, Laws of Utah 1931, and amending Section 37-0-1, Revised Statutes of Utah 1933, when the same becomes effective, relating to holidays and providing for the creation of additional holidays and the suspension thereof," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 137 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

March 2, 1933.

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. 137, by Joint Committee on Procedure, "An Act amending Section 2896, Compiled Laws of Utah 1917, as amended by Chapter 1, Laws of Utah 1931, and amending Section 37-0-1, Revised Statutes of Utah 1933, when the same becomes effective, relating to holidays and the suspension thereof," and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 137 was transmitted to the Governor.

On motion of Senator Huggins, the Senate adjourned.

FIFTY-FOURTH DAY

MORNING SESSION

March 3, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the fifty-third day and find it correct with noted amendments.

REPORTS OF STANDING COMMITTEES

March 2, 1933.

Mr. President:

We your Committee on Revision and Enrolling report herewith S. B. No. 63, by Mr. Holmgren, "An Act relating to the issuance of tax deeds, requiring notice thereon to drainage or water districts in certain cases, and permitting redemption by said interested persons before delivery to a third party", properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 63 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.

March, 2, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back herewith S. B. No. 97, by Mr. Shields, entitled: "An Act to create a legislative code committee to supervise the completion of the editorial work and the issuance of the Statute Book containing the Revised Statutes of Utah 1933.", properly engrossed and enrolled for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 97 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.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Holbrook, S. B. No. 73 was made a special order of business to follow S. B. No. 44.

H. B. No. 197 was read the third time and placed on its final passage.

On motion of Senator Bamberger, H. B. No. 197 was made a special order of business to follow S. B. No. 73.

S. B. No. 90 was read the third time and placed on its final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Page 1, line 3, after the word "any" insert the words "new issue of".

S. B. No. 90 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Miller, Neslen, Wallace, Mr. President.

Absent and not voting: Senators Candland, Huggins, Jefferson, Maw, Musser, Patterson, Shields, Young.

S. B. No. 90 was transmitted to the House.

S. B. No. 60 was read the third time and placed on its final passage.

S. B. No. 60 then passed on the following roll call:

Yeas, 13; Nays, 2; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Holmgren, Hunt, Keyser, Miller, Neslen, Wallace, Mr. President.

Those voting in the negative were: Senators Booth, Holbrook.

Absent and not voting: Senators Candland, Huggins, Jefferson, Maw, Musser, Patterson, Shields, Young.

S. B. No. 60 was transmitted to the House.

CONSIDERATION OF BILL ON SECOND READING

On motion of Senator Hunt, S. B. No. 80, was made a special order of business to follow H. B. No. 197.

COMMUNICATION FROM THE GOVERNOR

March 2, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 137, by Joint Committee on Procedure, entitled, "An Act amending Section 2896 Compiled Laws of Utah 1917, as amended by Chapter 1, Laws of Utah 1931, and amending Section 37-0-1, Revised Statutes of Utah 1933, when the same becomes effective, relating to holidays and providing for the creation of additional holidays and the suspension thereof".

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORT OF STANDING COMMITTEE

March 3, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith Senate Bill No. 14 by Mr. Miller, properly enrolled and engrossed for the signature of the President.

GEO M. MILLER.

Report filed.

S. B. No. 14 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.

REPORT OF SPECIAL COMMITTEE

March 3, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 3, 1933, at 10 o'clock a. m.: S. B. No. 98, S. B. No. 102, S. B. No. 105, S. B. No. 91, S. B. No. 120, S. B. No. 93, H. B. No. 23, H. B. No. 53, S. B. No. 96, S. B. No. 103, S. B. No. 107, H. B. No. 15, S. C. M. No. 3, S. B. No. 36, H. B. No. 14.

C. CLARENCE NESLEN.

Report filed and bills placed on the second reading calendar.

SPECIAL ORDER

S. B. No. 86 on final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Page 2, add a new section as follows: "Section 2. This Act shall take effect upon approval."

S. B. No. 86 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller Musser, Neslen, Wallace, Mr. President.

Absent and not voting: Senators Griffin, Huggins, Maw, Patterson, Shields, Young.

S. B. No. 86 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 102 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the bill was amended as follows:

Lines 4 and 5, change the numerals "500" to "1000".

Lines 4 and 8, change the numeral "5" to "7".

S. B. No. 102 was rejected on the following roll call:

Yeas, 1; Nays, 18; Absent, 4.

Those voting in the affirmative were: Senator Candland.

Those voting in the negative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Huggins, Musser, Patterson, Young.

S. B. No. 105 was read the second time.

Committee report read and adopted.

On motion of Senator Wallace, the bill was amended as follows:

Line 1 of the Title, after the numerals "15-8-6" insert "and 15-12-22".

Page 1, line 1, insert after the numerals "15-8-6" the following: "and 15-12-22". Line 2, change the word "is" to read "are". After line 17 insert a new section as follows:

"15-12-22. The board of trustees of any town may borrow money on the credit of the town for corporate purposes in the manner and to the extent allowed by the constitution, and issue warrants and bonds therefor in

such amounts and forms and on such conditions as the board shall determine. The board shall provide for the payment of interest on such bonds as the same shall become due and for a sinking fund for the payment of the principal thereof within twenty years after issuing the same. The board may issue bonds in place of or to supply means to meet maturing bonds or for the consolidation or refunding of the same. The board may provide, whenever bonds are to be issued for the purpose of supplying funds with which to purchase, construct, extend, or improve any water supply system owned or to be owned by such city, that such bonds shall be payable solely from the proceeds of operation of the system or plant so purchased, constructed, extended or improved and may pledge such proceeds or any part thereof to the payment of principal and interest upon such bonds.

On motion of Senator Booth, the bill was amended as follows:

Line 6, strike the word "Commission" and insert in lieu thereof, the word "they". Line 7, strike the words "The Commission" and insert in lieu thereof, the word "they".

S. B. No. 105 was placed on the third reading calendar on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Keyser, Neslen, Shields, Wallace, Mr. President.

Absent and not voting: Senators Griffin, Huggins, Jefferson, Maw, Miller, Musser, Patterson, Young.

S. B. No. 91 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

On motion of Senator Keyser the Senate recessed and proceeded to the House to meet in Joint Session for the purpose of considering recommendations of unemployment representatives.

The Senate reconvened at 3:00 p. m.

An invitation was received from the Utah Pioneer Trails and Landmarks Association inviting the Senators to attend the unveiling of a bronze tablet in memory of the original pioneers of Utah to be held Monday, March 6, at 2:00 p. m. in the State Capitol Building.

On motion of Senator Keyser the invitation was accepted.

Senator Huggins moved that in the future the employees of the Senate be instructed that no one shall be allowed in the Senate Chamber during recess or any other time except upon the invitation of a Senator.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 3, 1933.

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. 14, by Mr. Miller, entitled "An Act providing that all monies received by the State of Utah from the United States on account of royalties from the sale of coal shall be given to the counties for the construction and maintenance of roads and the support and maintenance of public schools," and

the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 14 was transmitted to the Governor.

March 3, 1933.

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. 63, by Mr. Holmgren, entitled "An Act relating to the issuance of tax deeds, requiring notice thereon to drainage, or water districts in certain cases, and permitting redemption by said interested persons before delivery to a third party," and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 63 was transmitted to the Governor.

March 3, 1933.

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. 97, by Mr. Shields, entitled "An Act to create a Legislative Code Committee to supervise the completion of the editorial work and the issuance of the statute book containing the Revised Statutes of Utah 1933," and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 97 was transmitted to the Governor.

March 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 77, by Mr. Young, entitled "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," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 77 was read the first time and referred to the Calendar Committee.

March 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended H. B. No. 78, by Mr. Young, "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 a department of motor vehicles and its 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 sub-

ject matter of this Act," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 78 was read the first time and referred to the Calendar Committee.

SPECIAL ORDER

S. B. No. 126 on second reading.

S. B. No. 126 was rejected on the following roll call:

Yeas, 8; Nays, 14; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Candland (explained vote), Fennell, Holbrook, Holmgren, Hunt, Keyser, Miller.

Those voting in the negative were: Senators Booth, Bowman, Calder (explained vote), Day, Griffin, Huggins, Jefferson, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Maw.

S. B. No. 127 was read the second time.

On motion of Senator Keyser, the rules were suspended and S. B. No. 127 was read the third time and placed on its final passage.

S. B. No. 127 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Bamberger.

S. B. No. 127 was transmitted to the House.

S. B. No. 128 was read the second time.

On motion of Senator Neslen, the rules were suspended and H. B. No. 200 was declared identical with S. B. No. 128 and substituted therefor.

H. B. No. 200 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 200 was read the third time and placed on its final passage.

H. B. No. 200 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Jefferson, Musser.

H. B. No. 200 was transmitted to the House.

S. B. No. 129 was read the second time.

S. B. No. 129 was rejected on the following roll call:

Yeas, 10; Nays, 12; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Griffin, Holbrook, Holmgren, Jefferson, Keyser, Miller.

Those voting in the negative were: Senators Bowman, Calder, Day, Huggins (explained vote), Hunt, Maw, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Musser.

S. B. No. 130 was read the second time.

On motion of Senator Bamberger, the bill was amended as follows:

Page 1, line 6, before the numerals "10" insert the words "not to exceed".

On motion of Senator Huggins, the bill was amended as follows:

Page 1, line 10, after the word "necessary" insert the words "and except on his call, no service shall be performed".

S. B. No. 130 was placed on the third reading calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Day, Holbrook.

On motion of Senator Keyser, the rules were suspended and S. B. No. 130 was read the third time and placed on its final passage.

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

Page 1, line 5, after the word "per annum" insert the following: "to be fixed by the Governor."

S. B. No. 130 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Day.

S. B. No. 130 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

March 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed Mr. Lamoreaux, Mrs. Ericksen, Mrs. Bosone, Mr. Doty, Mr. Pope, Mr. Wall, and Mr. Adams, as a committee to act with a like committee from the Senate to study and investigate ways and means by which the Legislature may be able to comply with the requests of the unemployed as stated here by them today.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 3, 1933.

Mr. President:

The House has adopted the Conference Committee report to S. B. No. 31 and herewith return the bill for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 3, 1933.

To the Senate and House of Representatives:

Your Conference Committee, to which was referred the matter of conferring upon differences in action of the House and the Senate on S. B. No. 31, hereby reports as follows:

This committee recommends that the Senate concur in the House amendments, excepting the amendment of the House on page 3, lines 30 and 31.

This committee recommends that the original language of the bill on page 3, lines 30 and 31, be adopted.

This committee recommends that the House recede from its action in amending S. B. No. 31, page 3, lines 30 and 31.

C. C. NESLEN,
Chairman Senate Committee,
B. SPENCER YOUNG,
Chairman House Committee.

Report adopted.

S. B. No. 31 passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields Wallace, Young.

Absent and not voting: Mr. President.

S. B. No. 31 was referred to the Commtitee on Revision and Enrolling to be engrossed.

COMMUNICATION FROM THE HOUSE

March 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 79, by Mr. Young, entitled, "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," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 79 was read the first time and referred to the Calendar Committee.

SPECIAL ORDER

S. B. No. 131 was read the second time.

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

Page 2, line 32, after the word "of" insert "not to exceed". After the numerals "4,000" insert "to be fixed by the Governor".

On motion of Senator Keyser the rules were suspended and S. B. No. 131 was read the third time and placed on its final passage.

S. B. No. 131 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Mr. President.

S. B. No. 131 was transmitted to the House.

S. B. No. 44 on final passage.

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

Page 2, line 4, after the word "hauling" insert the following: "and lumbering".

S. B. No. 44 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Those voting in the negative were: Senator Holbrook.

Absent and not voting: Senators Huggins, Mr. President.

S. B. No. 44 was transmitted to the House.

S. B. No. 73 was read the third time and placed on its final passage.

S. B. No. 73 failed to pass on the following roll call:

Yeas, 4; Nays, 18; Absent, 1.

Those voting in the affirmative were: Senators Hunt, Jefferson, Keyser, Patterson.

Those voting in the negative were: Senators Booth, Bowman (explained vote), Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Bamberger.

On motion of Senator Huggins, the Senate adjourned.

FIFTY-FIFTH DAY

MORNING SESSION

March 4, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Jouranl for the Fifty-fourth Day and find it correct with noted amendments.

REPORT OF SPECIAL COMMITTEE

March 4, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered: S. B. No. 91, S. B. No. 98, H. B. No. 15, S. B. No. 36, S. B. No. 110, S. B. No. 104, S. B. No. 120, H. B. No. 23, H. B. No. 53, S. B. No. 122, S. C. M. No. 3, S. B. No. 111, S. B. No. 132, S. B. No. 108, S. B. No. 133, S. B.

No. 135, S. B. No. 136, S. B. No. 107, S. B. No. 103, S. B. No. 69, H. B. No. 14.

C. CLARENCE NESLEN.

Report filed and bills placed on the second reading calendar.

Senator Holbrook moved that the rules be suspended and that action be allowed on Senate Bills after today if necessary.

Motion carried.

UNFINISHED BUSINESS

H. B. No. 197 on final passage.

H. B. No. 197 passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Mr. President.

Absent and not voting: Senators Griffin, Huggins, Maw, Wallace, Young.

H. B. No. 197 was transmitted to the House.

SPECIAL ORDER

On motion of Senator Holbrook, S. B. No. 80 was made a special order of business for this afternoon at 2:00 p. m.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 105 was read the third time and placed on its final passage.

On motion of Senator Booth, the bill was amended as follows:

In Section 15-12-22, strike the third word of the underlined matter "may" and insert in lieu thereof the word "shall". On line 4 of the underlined matter, strike the word "city" and insert in lieu thereof the word "town".

S. B. No. 105 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Mr. President.

Absent and not voting: Senators Bowman, Huggins, Maw, Wallace, Young.

S. B. No. 105 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 91 on second reading.

S. B. No. 91 was rejected on the following roll call:

Yeas, 0; Nays, 15, Absent, 8.

Those voting in the negative were: Senators Bamberger, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Young, Mr. President.

Absent and not voting: Senators Booth, Bowman, Fennell, Huggins, Hunt, Maw, Shields, Wallace.

On motion of Senator Holbrook, S. B. No. 98 was made a special order of business to follow S. B. No. 80.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 15 was read the second time.

On motion of Senator Candland, the rules were suspended and H. B. No. 15 was read the third time and placed on its final passage.

H. B. No. 15 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser (explained vote), Miller, Musser, Neslen, Patterson, Young, Mr. President.

Absent and not voting: Senators Fennell, Huggins, Maw, Shields, Wallace.

H. B. No. 15 was transmitted to the House.

S. B. No. 36 was read the second time.

On motion of Senator Keyser the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Further consideration of S. B. No. 36.

Committee report read and adopted.

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

Page 2, line 15, after the word "to" insert "such routes of a". Line 16, strike the words "who shall operate" and insert in lieu thereof the words "as lie".

Page 6, line 23, strike the word "permit" and insert in lieu thereof the word "license".

Page 6, line 28, strike the whole of subdivision (c).

Page 7, line 2, strike the word "permit" and insert in lieu thereof the word "license".

In section 17 change the numerals "15" to read "25".

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

In section 17 change the numerals "25" to read "50".

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

In section 17 strike the following words: "his own to market in his own motor vehicle, transporting for his own use in his own motor vehicle".

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

Page 8, substitute the following for section 20: "Section 20. In addition to the license fees or taxes otherwise imposed upon motor carriers, there shall be assessed and collected for the administration of this Act and for the maintenance, repair and reconstruction of the public highways, the following special taxes:

(a) Common motor carriers of property and contract motor carriers of property shall pay two-thirds of one cent per ton-mile of freight of any kind carried or transported on a motor vehicle unit on all hard surfaced roads; on all other roads, one-fourth cent per ton-mile. For the purpose of determining the taxes payable under this subsection, a motor vehicle unit shall be construed to be; first, a motor vehicle operated separately, and second, a motor vehicle operated in combination with one or more trailers; and to determine the ton-miles of freight travel, the actual weight

in pounds of the cargo carried by each motor vehicle unit, trailers included, shall be multiplied by the number of miles carried and the product divided by 2,000.

(b) Common motor carriers of passengers and contract motor carriers of passengers shall pay two and one-half mills per passenger-mile for passenger service of any kind on all hard-surfaced roads, and one mill per passenger-miles for such passenger service on all other roads. To determine the passenger-miles, the actual number of passengers carried by each motor vehicle shall be multiplied by the number of miles carried.

(c) Private motor carriers of property shall pay one mill per gross ton-mile for hard-surfaced roads; on all other roads, one-quarter mill per gross ton-mile. The said gross ton mileage shall be computed as follows: one hundred per cent of the rated capacity of each property carrying vehicle, as provided in Section 57-3-6, Revised Statutes of Utah 1933, plus the weight of the vehicle, shall be multiplied by the number of miles the vehicle is operated and the amount thus obtained divided by 2,000.

(d) (Use the wording of Section 76-5-10, Revised Statutes of Utah 1933, describing hard-surfaced roads.)

Page 9, line 16, after "ton-miles" insert "or gross ton-miles".

Page 11, line 17, strike "public motor carrier of property" and insert "a common motor carrier of property or a contract motor carrier of property".

Page 11, lines 20 and 21, strike "under any certificate, permit or license".

Page 12, strike lines 29, 30 and 31.

S. B. No. 36 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 2; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Day, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Calder, Maw.

Absent and not voting: Senators Bowman, Candland, Fennell, Huggins, Young.

S. B. No. 36 was made a special order of business for Monday afternoon, March 6, at 2:30 p. m.

On motion of Senator Wallace, S. B. No. 133 was withdrawn and upon unanimous consent of the Senate, the following bill substituted therefor.

S. B. No. 138. By Special Joint Committee on
(Substitute for S. B. 133) Revenue for Emergency Relief.

"An Act to meet the financial emergency which now exists throughout the State to provide for the raising of revenue for emergency purposes by imposing a tax upon the retail purchase of certain commodities and services and for the ascertainment, assessment and collection of said taxes: to provide for the distribution of said revenue and to provide penalties for the violation of the terms of this Act.", was read the first time and ordered printed and referred to the Calendar Committee.

Upon unanimous consent of the Senate, the following bill was introduced.

S. B. No. 139. By Mr. Day.

"An Act to amend Section 80-10-68 of the Revised Statutes of Utah, 1933, authorizing the Board of County Commissioners to lease real estate deeded to the county

for delinquent general taxes.", was read the first time and ordered printed and referred to the Calendar Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 110 was read the second time.

On motion of Senator Keyser, the bill was amended as follows:

Page 1, line 16, strike the word "nominate" and insert in lieu thereof the word "appoint".

Page 2, line 14, strike the following words "trained in psychiatry".

Page 4, line 28 change the word "effect" to read "affect".

S. B. No. 110 was placed on the third reading calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Day, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Candland, Fennell, Huggins, Maw, Shields.

S. B. No. 104 was read the second time.

On motion of Senator Keyser, the bill was amended as follows:

Page 3, line 1, after the word "have" insert the word "authority".

On motion of Senator Holbrook, the bill was amended as follows:

Page 3, line 1, strike the following words "the board of institutions shall have authority". Line 2, strike the

word "said" and after the fourth word "board" insert "of institutions".

S. B. No. 104 was placed on the third reading calendar on the following roll call:

Yeas, 14; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Day, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Calder, Griffin, Holbrook, Holmgren, Maw.

Absent and not voting: Senators Bowman, Candland, Fennell, Huggins.

S. B. No. 120 was read the second time.

On motion of Senator Holbrook, the bill was amended as follows:

Page 2, add a new section as follows: "Section 10. This act shall take effect upon approval.

Page 1, line 4, insert after period: "And shall apply also to all appointive officers of the state whose appointment shall be made and whose term of office shall begin after the passage of this act and where the salaries named for such appointees are maximum salaries and are preceded by the words 'not to exceed'."

Page 1, line 5, strike the word "July" and insert in lieu thereof "April".

On motion of Senator Young, the bill was amended as follows:

Page 2, line 8, strike the words "Board of Supplies and Purchase" and insert in lieu thereof "the Governor."

On motion of Senator Keyser, the bill was amended as follows:

Page 1, line 11, strike the numerals "12½" and insert in lieu thereof "5".

On motion of Senator Griffin, the bill was amended as follows:

Page 1, line 11, change the numerals "100.00" to "99". Line 12, change the numerals "125.00" to "124.00". Line 13, change the numerals "150.00" to "149.00". Line 14, change the numerals "200.00" to "199.00."

On motion of Senator Wallace, the bill was amended as follows:

Page 1, strike line 11.

S. B. No. 120 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Neslen, Patterson, Wallace, Young.

Those voting in the negative were: Senators Griffin (explained vote), Shields, Mr. President.

Absent and not voting: Senators Fennell, Huggins, Maw, Musser.

COMMUNICATIONS FROM THE HOUSE

March 2, 1933.

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. 115, by Mr. Huggins, "An Act to amend section 46-0-2 of the Revised Statutes of Utah 1933, and enacting new sections 46-0-43, 46-0-44, 46-0-45, 46-0-46, 46-0-47, 46-0-48 and 46-0-49, regulating the keeping, storing and shipping of beverages containing not to exceed

3.05 per centum of alcohol by weight solely for sale without the State of Utah and in territory within which the sale of such beverage is not prohibited by law, and levying a tax upon the manufacture and disposition of such beverage and providing that such tax constitute a fund for the relief of the unemployed residents of the State of Utah, and providing for the disbursement thereof," and the same is herewith transmitted for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 115 was referred to the Committee on Revision and Enrolling to be engrossed.

March 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 36, by Mr. Caine, "An Act amending section 3-5-15, Revised Statutes of Utah 1933, relating to the inspection of neat animals, and providing for the inspection of a brand inspector, and for a certificate of inspection, and providing for an inspection fee," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 36 was read the first time and referred to the Calendar Committee.

March 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 58, by Mr. Miles, entitled, "An Act establishing a state junior col-

lege at St. George City, placing the same under the management and control of the State Board of Education, limiting the course of study and prescribing entrance requirements therein, and providing a method of approving claims against said school," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 58 was read the first time and referred to the Calendar Committee.

March 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 84, by Mr. Andersen, "An Act to amend section 86-1-47 of the Revised Statutes of Utah 1933, relating to default in payments, cancellation, notice, extensions, and reinstatement of state land contracts," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 84 was read the first time and referred to the Calendar Committee.

March 4, 1933.

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. Lane, as Chairman of the Judiciary Committee of the House of Representatives, entitled, "An Act to codify, amend, and revise the Revised Statutes of Utah 1933, relating to criminal procedure in felony and

indictable misdemeanor cases; defining jurisdiction and venue; simplifying the pleading of an information and indictment and of a complaint for preliminary examination; simplifying, codifying and revising the laws of criminal procedure in felony causes including the subjects of: warrant of arrest, arrest, by whom and how made, retaking after escape or rescue, preliminary examination, bail, methods of prosecution, grand jury, rules of pleading and definitions, information and indictment, information or indictment against a judge, process upon information and indictment, arraignment, motion to quash, plea, change of judge, removal of cause, calendar of criminal actions, waiver of jury trial, trial jury, presence of defendant, continuances, conduct of trial, conduct of jury after cause finally submitted and verdict, motion for new trial, motion in arrest of judgment, judgment, sentence, execution, certification of case, appeal, dismissal of an appeal, hearing on appeal, judgment on appeal, proceedings to determine mental condition of defendant, and dismissal of prosecution; and amending section 105-1-11, and chapter 10 of title 105, Revised Statutes of Utah 1933, and amending section 105-52-5; and repealing chapters 8, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 49 and 51 and section 40-0-8 of the Revised Statutes of Utah 1933; and all other laws in conflict herewith," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 103 was read the first time and referred to the Calendar Committee.

March 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No.

150, by Mr. Arnovitz, entitled, 'An Act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the Industrial Commission of Utah and its insertion into the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing for maximum hours of labor per week, and providing other penalties for violation of the provisions thereof," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 150 was read the first time and referred to the Calendar Committee.

March 4, 1933.

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. 197, by Special Joint Committee on Procedure, "An Act authorizing the Governor to administer emergency relief in aid of destitute residents of the state and giving him emergency powers in relation to state funds," and the same is herewith transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 197 was signed by the President in open session in the presence of the Senate and returned to the House for transmission to the Governor.

March 3, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 200, by Special Joint Committee on Procedure, entitled, "An Act empowering the Governor to require periodical budgets of proposed expenditures in each department, institution or agency of the state and to compel reductions in expenditures, decrease in personnel or suspension of functions or services," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 200 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.

March 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 211, by Mr. Vernon, entitled, "An Act to amend chapter 8, of title 15, Revised Statutes of Utah 1933, by adding a new section to be known as section 15-8-43-x, pertaining to municipal slaughter houses and inspection of meats," and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 211 was read the first time and referred to the Calendar Committee.

On motion of Senator Keyser the Senate adjourned.

FIFTY-SEVENTH DAY

MORNING SESSION

March 6, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Fifty-fifth Day and find it correct with noted amendments.

The President appointed Senators Miller and Day to revise the Journal for the remainder of the session.

COMMUNICATIONS FROM THE HOUSE

March 4, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 120, by Mr. Frischknecht, "An Act to amend section 75-6-1, 75-6-2, Revised Statutes of Utah 1933, relating to junior colleges," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 120 was read the first time and referred to the Calendar Committee.

March 4, 1933.

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. 4, by Mrs. Bosone, Mrs. Rich, Mr. Gammeter and Mr. Magleby, "A concurrent resolution congratulating his excellency, the President of the United States, Franklin D. Roosevelt, upon his inaugural address," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. C. R. No. 4 was read the first time and referred to the Calendar Committee.

REPORT OF STANDING COMMITTEE

March 4, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 31, by Mr. Jefferson and Mr. Bowman, entitled, "An Act to amend section 36-6-2, Revised Statutes of Utah 1933, relating to secondary roads," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 31 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.

REPORT OF SPECIAL COMMITTEE

March 6, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered: H. B.

No. 23, H. B. No. 53, S. B. No. 122, S. C. M. No. 3, S. B. No. 111, S. B. No. 132, S. B. No. 135, S. B. No. 136, S. B. No. 107, S. B. No. 103, S. B. No. 69, H. B. No. 14, S. B. No. 138, S. B. No. 139.

C. CLARENCE NESLEN.

Report filed.

Bills placed on the second reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 110 was read the third time and placed on its final passage.

S. B. No. 110 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Fennell, Musser.

S. B. No. 110 was transmitted to the House.

On motion of Senator Booth, S. B. No. 104 was recommitted to the Calendar Committee.

S. B. No. 120 was read the third time and placed on its final passage.

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

Page 1, reinstate line 11. Line 12, change the numerals "15" to "10". Line 13, change the numerals "17½" to "15". Line 15, change the numerals "22½" to "25". Line 16, change the numerals "25" to "30".

Senator Candland, with the aid of five Senators, requested a roll call on the amendment.

The amendment passed on the following roll call:

Yeas, 14; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holmgren, Hunt, Jefferson, Keyser, Neslen, Patterson, Wallace, Young.

Those voting in the negative were: Senators Bamberger, Fennell, Holbrook, Huggins, Maw, Miller, Shields, Mr. President.

Absent and not voting: Senator Musser.

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

Page 1, line 10, strike the words "cut as follows" and insert the following words, "reduced at least by the following percentages".

Senator Huggins moved to strike the enacting clause.

Senator Candland, with the aid of five Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 8; Nays, 14; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Fennell, Huggins, Maw, Miller, Neslen, Shields (explained vote), Wallace.

Those voting in the negative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser (explained vote), Patterson, Young, Mr. President.

Absent and not voting: Senator Musser.

On motion of Senator Patterson the bill was amended as follows: Page 1, line 4, strike the words "or by appropriation".

S. B. No. 120 then passed on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook (explained vote), Holmgren, Hunt, Jefferson Keyser Maw, Miller, Patterson (explained vote), Young.

Those voting in the negative were: Senators Bamberger, Fennell, Huggins (explained vote), Neslen, Shields (explained vote), Wallace, Mr. President.

Absent and not voting: Senator Musser.

S. B. No. 120 was transmitted to the House.

SPECIAL ORDER

On motion of Senator Huggins, S. B. No. 80 was made a special order of business for tomorrow, March 7, at 2:30 p. m.

S. B. No. 98 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and S. B. No. 98 was read the third time and placed on its final passage.

S. B. No. 98 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Musser.

S. B. No. 98 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 23 on second reading.

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

Page 1, line 9, after the word "type" insert the following: "and in the same position on the same page". Line 8, strike the words "on the" and on line 9 strike the words "local, editorial or first page".

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

Page 2, strike the whole of section 2 and insert in lieu thereof the material found in section 103-38-1 of the Revised Statutes of Utah 1933, which reads as follows: "A libel is a malicious defamation, expressed either by printing or by signs or pictures or the like, tending to blacken the memory of one who is dead, or to impeach the honesty, integrity, virtue or reputation, or publish the natural defects of one who is alive, and thereby to expose him to public hatred, contempt or ridicule."

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

Page 2, line 19, after the first word "any" insert the following: "publication of or any statement made in any". Line 16, after the word "publication" insert the following: "which shall not be considered as libelous per se".

H. B. No. 23 was placed on the third reading calendar on the following roll call:

Yeas, 13; Nays, 9; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Fennell, Holbrook, Huggins, Hunt, Jefferson, Keyser, Miller, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bowman, Candland, Day, Griffin, Holmgren, Maw, Musser, Patterson, Young.

Absent and not voting: Senator Calder.

H. B. No. 53 was read the second time.

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

Page 1, line 1, insert the following: "Section 1. That section 75-5-21 of the Revised Statutes of Utah 1933, be amended to read as follows".

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

Section 3 be reinserted in the bill as section 2.

On motion of Senator Maw the bill was amended as follows: Page 2, line 5, after the word "be", strike the balance of the line and insert on line 6 and insert on the end of line 6 "by the State Board of Examiners".

H. B. No. 53 was placed on the third reading calendar on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Booth, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins (explained vote), Hunt (explained vote), Jefferson, Maw, Miller, Musser, Neslen, Patterson, Shields (explained vote), Wallace, Young, Mr. President.

Those voting in the negative were: Senator Keyser.

Absent and not voting: Senators Bamberger, Bowman.

On motion of Senator Neslen the rules were suspended and H. B. No. 53 was read the third time and placed on its final passage.

H. B. No. 53 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Keyser.

Absent and not voting: Senator Bamberger.

H. B. No. 53 was transmitted to the House.

REPORT OF STANDING COMMITTEE

March 6, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 115, by Mr. Huggins, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 115 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 Maw, the Senate recessed until 3:00 p. m.

The Senate reconvened at 3:00 p. m.

COMMUNICATIONS FROM THE HOUSE

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 55, by Mr. Creer, entitled "An Act concerning water users'

associations formed to acquire reclamation projects constructed by the United States of America and providing for the determination of the validity of contracts between water users' associations and the United States of America", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 55 was read the first time and referred to the Calendar Committee.

March 6, 1933.

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. 31 by Mr. Jefferson and Mr. Bowman, relating to secondary roads, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 31 was transmitted to the Governor.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, S. B. No. 131, by Joint Committee on Procedure, "An Act relating to the State Tax Commission and amending sections 80-5-37, 80-5-38, 80-5-40, and 80-5-45 of the Revised Statutes of Utah, 1933, and subsections (a), (b), (c), (d), (f) and (k) of section 5983, Compiled Laws of Utah, 1917, as amended by chapter 53, Laws of Utah, 1931," and the same is herewith transmitted for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Keyser moved that the Senate do not concur in the House amendments.

Motion carried.

REPORT OF SPECIAL COMMITTEE

March 6, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 6, 1933, at 2 o'clock p. m.: S. B. No. 122, S. C. M. No. 3; S. B. No. 111, S. B. No. 136, S. B. No. 103, S. B. No. 138, S. B. No. 139, S. B. No. 107, S. B. No. 132, S. B. No. 69, S. B. No. 135, S. B. No. 108, H. B. No. 14.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 136 was read the second time.

On motion of Senator Keyser, the rules were suspended and S. B. No. 136 was read the third time and placed on its final passage.

S. B. No. 136 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Huggins.

S. B. No. 136 was transmitted to the House.

S. C. M. No. 3 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger, the bill was amended as follows:

After line 12, insert:

WHEREAS, the various governmental units are encouraged to issue securities and thereby incur debts and obligations because such securities are exempt from taxation and therefore more readily marketed than other securities not so exempt, and

On motion of Senator Bamberger, the rules were suspended and S. C. M. No. 3 was read the third time and placed on its final passage.

S. C. M. No. 3 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Huggins.

S. C. M. No. 3 was transmitted to the House.

S. B. 111 was read the second time.

Committee report read and adopted.

On motion of Senator Shields, the bill was amended as follows:

Page 2, line 4, strike the word "settlement" and insert in lieu thereof the word "residence".

S. B. No. 111 was placed on the third reading calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 103 was read the second time.

Committee report read and adopted.

S. B. No. 103 was rejected on the following roll call:

Yeas, 5; Nays, 15; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Day, Miller, Musser, Patterson.

Those voting in the negative were: Senators Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Keyser, Maw, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Huggins, Hunt, Jefferson.

SPECIAL ORDER

On motion of Senator Miller, S. B. No. 36 was made a special order of business for tomorrow, March 7, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 138 was read the second time.

On motion of Senator Shields, the bill was amended as follows:

Page 12, line 4, after the word "misdemeanor", strike the balance of the sentence.

Page 14, line 6, starting with the word "He", strike the balance of the paragraph.

Page 14, strike Section 24.

Change Section 25 to Section 24, and Section 26 to Section 25.

Change Section 24 to Section 25, and Section 25 to Section 26.

On motion of Senator Wallace, the bill was amended as follows:

Page 13, line 32, after the word "purposes", strike the words "and in no event shall any part" and insert in lieu thereof the following: "and the Governor or commission to be appointed by him shall determine and fix the amount".

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

Page 4, line 28. After the word "charges", strike comma and insert "provided this tax shall be in the nature of a license tax and shall be born by the company, corporation, institution, partnership, firm or organization engaged in said telephone rental business or in the business of supplying telephonic service.

Page 4, line 18, strike the word "one" and insert in lieu thereof the word "two".

Page 4, line 22. After the word "electricity", strike the period and insert: "provided this tax shall be in the nature of a license tax and shall be born by the company, corporation, institution, partnership, firm or organization engaged in said sale and distribution of electrical energy for domestic or commercial consumption."

Page 4, line 26. After the word "Utah", strike the period and insert "provided this tax shall be in the nature of a license tax and shall be born by the company, corporation, institution, partnership, firm or organization engaged in the sale and distribution of natural and artificial gas for domestic or commercial consumption."

On motion of Senator Patterson, the Senate adjourned.

FIFTY-EIGHTH DAY

MORNING SESSION

March 7, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Fifty-seventh Day and find it correct with noted amendments.

REPORT OF SPECIAL COMMITTEE

March 7, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered:

S. B. No. 138, S. B. No. 139, S. B. No. 132, S. B. No. 108, H. B. No. 55, H. B No 58, H B. No. 120, H. B. No. 172, H. B. No. 7, H. B. No. 77, H. B. No. 78, H. B. No. 79, H. B. No. 14.

C. CLARENCE NESLEN.

Report filed and bills placed on the second reading calendar.

COMMUNICATIONS FROM THE HOUSE

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments made by the Senate to H. B. No. 53, by Mr. Andersen.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 6, 1933.

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. 131, by Joint Committee on Procedure, "An Act relating to the State Tax Commission and amending Sections 80-5-37, 80-5-38, 80-5-40 and 80-5-45 of the Revised Statutes of Utah, 1933", and that the Speaker has appointed the following conference committee: Messrs. Lane, Greenhagen and Mrs. Lund, to meet with a like committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Shields, Huggins and Candland to act with a like committee from the House on S. B. No. 131.

COMMUNICATIONS FROM THE GOVERNOR

March 6, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 9, by Mr. Calder, entitled, "An Act authorizing the Governor of the State of Utah to convey certain lands in Salt Lake County to Salt Lake City, a municipal corporation".

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

March 6, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 67, by Mr. Candland, entitled, "An Act creating a fund to be known as State engineer's revolving fund and providing for payment from said fund

of expenses of the State engineer in performing his duties in determining water rights as set forth in Chapter 4, Title 100, Revised Statutes of Utah, 1933; and providing for the assessment and collection of costs of such determination, and the creation of a lien on the property of a person against whom such costs are assessed, and authorizing the State engineer to collect such costs and pay same into the State engineer's revolving fund, and amending Chapter 4, Title 100, Revised Statutes of Utah, 1933."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

March 6, 1933.

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 THE UTAH ART INSTITUTE:

To serve for a term of two years, pursuant to Sections 5301 and 5302, Compiled Laws of Utah, 1917.

A. B. Wright.....Salt Lake City
Calvin Fletcher .....Logan
Miss Eva Hollis.....Salt Lake City
Harry Poll .....Salt Lake City
Harold Clark .....Provo

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.

J. O. Elton .....Salt Lake City
O. P. Cherdron .....Salt Lake City
Richard B. Porter .....Ogden

FOR MEMBERS OF THE STATE BOARD OF CORRECTIONS:

To serve for a term of four years, pursuant to Section 5445, Compiled Laws of Utah, 1917.

Samuel W. Stewart .....Salt Lake City
James Ivers, Jr. .....Salt Lake City

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, 1927.

S. Grant Young .....Salt Lake City
A. E. Wilfong .....Ogden

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.

J. Cecil Alter .....Salt Lake City
Parley L. Williams .....Salt Lake City
Albert F. Philips .....Salt Lake City
Joel F. Ricks .....Logan
William R. Palmer .....Cedar City

FOR MEMBERS 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, from May 6, 1932.

Mrs. Laura M. Thompson.....Salt Lake City

To serve for a term of seven years, pursuant to Section 3, Chapter 75, Laws of Utah, 1929, from May 6, 1933.

Dr. Sol G. Kahn.....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.

C. R. Hollingsworth .....Ogden
W. H. Leary .....Salt Lake City
Calvin W. Rawlings .....Salt Lake City

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.

Stephen L. Richards .....Salt Lake City
Leon P. Christensen .....Vernal
Frank Francis .....Ogden
A. P. Bigelow .....Ogden
W. O. Creer .....Provo
A. F. Doremus .....Tooele
Richard R. Lyman .....Salt Lake City
Jacob A. Kahn .....Salt Lake City
S. M. Nielsen .....Mt. Pleasant
William Peterson .....Logan
J. W. Gillman .....Orem
William R. Wallace .....Salt Lake City

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to a Special Committee appointed by the President, consisting of Senators Miller, Fennell, Calder, Day and Bowman.

COMMUNICATIONS FROM THE HOUSE

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 45, by Mr. Hoyt, entitled, "An Act amending Section 75-8-2, Revised Statutes of Utah, 1933, relating to duties of the State Superintendent of Public Instruction and apportionment of school funds", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 45 was read the first time and referred to the Calendar Committee.

March 6, 1933.

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. Hoyt, entitled, "An Act amending Sections 75-7-1 and 75-7-2, Revised Statutes of Utah, 1933, relating to appointment and removal of members of the State Board of Education, and prescribing their terms of office and the powers and duties of the board", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 46 was read the first time and referred to the Calendar Committee.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 49, By Mr. Hammond, "An Act amending Section 75-9-7,

Revised Statutes of Utah, 1933, relating to the free education of children", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 49 was read the first time and referred to the Calendar Committee.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 4, by Mr. Hoyt, entitled, "A Joint Resolution proposing an amendment to Section 8, of Article X, of the Constitution relating to the State Board of Education", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 4 was read the first time and referred to the Calendar Committee.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 5, by Mr. Hoyt, "A Joint Resolution proposing an amendment to Section 1, of Article VII, of the Constitution relating to the State Executive Department, the terms, residence and duties of officers", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 5 was read the first time and referred to the Calendar Committee.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 6, by Mr. Hoyt, entitled, "A Joint Resolution proposing an amendment to Section 10, of Article VII, of the Constitution relating to Governor's appointive power and the filling of vacancies in certain offices", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 6 was read the first time and referred to the Calendar Committee.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. J. R. No. 7, by Mr. Hammond, entitled, "A Joint Resolution proposing an amendment to Section 20, Article VII, of the Constitution, pertaining to the compensation of State officers", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 7 was read the first time and referred to the Calendar Committee.

Senator Holbrook moved that the Secretary be instructed to request the Governor to return S. B. No. 7 in order that a minor amendment might be made.

Motion carried.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 181, by Mr. Keddington, entitled, "An Act providing that the Treasurer of the State of Utah may transfer into the general fund all funds known as contribution funds or treasury suspense funds", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. 181 was read the first time and referred to the Calendar Committee.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 23 was read the third time and placed on its final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Page 2, line 16, strike the following words "As used in this Act".

H. B. No. 23 then passed on the following roll call:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Keyser, Musser, Neslen, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Griffin, Jefferson, Maw, Patterson.

Absent and not voting: Senators Huggins, Miller, Shields.

H. B. No. 23 was transmitted to the House.

S. B. No. 111 was read the third time and placed on its final passage.

On motion of Senator Bowman, consideration of S. B. No. 111 was deferred until after consideration of S. B. No. 138.

UNFINISHED BUSINESS

S. B. No. 138 was made a special order of business to follow S. B. No. 36.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 139 was read the second time.

On motion of Senator Huggins, the rules were suspended and S. B. No. 139 was read the third time and placed on its final passage.

S. B. No. 139 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Holbrook.

S. B. No. 139 was transmitted to the House.

S. B. No. 108 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser, the rules were suspended and S. B. No. 108 was read the third time and placed on its final passage.

S. B. No. 108 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Maw.

S. B. No. 108 was transmitted to the House.

S. B. No. 132 was read the second time.

On motion of Senator Keyser, the rules were suspended and S. B. No. 132 was read the third time and placed on its final passage.

S. B. No. 132 passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth (explained vote), Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Day, Hunt, Jefferson, Keyser (explained vote).

S. B. No. 132 was transmitted to the House.

H. B. No. 55 was read the second time.

On motion of Senator Booth, the rules were suspended and H. B. No. 55 was read the third time and placed on its final passage.

H. B. No. 55 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell,

Griffin, Holmgren, Huggins, Hunt, Keyser, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Holbrook, Jefferson, Maw, Musser, Patterson.

H. B. No. 55 was transmitted to the House.

H. B. No. 58 was read the second time.

On motion of Senator Booth, the bill was amended as follows:

Page 2, insert a new section as follows: "Section 5. There is hereby appropriated from the funds of the State, not otherwise appropriated, the sum of $12,000.00 or so much thereof as may be necessary to defray the expenses of operating said Dixie Junior College." Add a new section to follow section 5. "Section 6. This act shall take effect upon approval".

On motion of Senator Shields, the bill was amended as follows:

Page 1, line 16, strike the word "and" and insert "the same". Strike "of $10.00". Line 17, strike the word "a" and insert "the same". Also strike the following: "of not less than $9.00". Line 18, after the period insert the following: "as is required of all other like state operated schools within the state which uniform registration and tuition fees shall be determined by the State Board of Education".

H. B. No. 58 was placed on the third reading calendar on the following roll call:

Yeas, 14; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson (explained vote), Patterson (explained vote), Young, Mr. President.

Those voting in the negative were: Senator Bamberger, Griffin, Keyser, Musser (explained vote), Shields, Wallace.

Absent and not voting: Senators Maw, Miller, Neslen.

On motion of Senator Wallace the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

COMMUNICATIONS FROM THE HOUSE

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 15, by Mr. Hoyt, relating to liquidation of banks, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 15 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.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 53, by Mr. Andersen, giving Utah State Agricultural College authority to make contracts for transmitting electrical energy to State institutions; and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 53 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.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 131 by Mr. Low, "An Act amending Section 86-5-3 of the Revised Statutes of Utah 1933, relating to the location of wells for experimental purposes by the State Land Board and providing for the lease and selling of such wells", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 131 was read the first time and referred to the Calendar Committee.

March 6, 1933.

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. 115 by Mr. Huggins, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 115 was transmitted to the Governor.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No.

65, by Mr. Lane, "An Act amending Chapter 4 of Title 79 Revised Statutes of Utah 1933, relating to barbers", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 65 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 81, by Mr. Jarvis, "An Act to punish the giving of checks or drafts on any bank or other depository wherein the persons making such check or draft shall not have sufficient funds for the payment of same", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 81 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 15, by Mr. Hunt, providing for payment of public pay-rolls in gold coin", and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Booth the Senate concurred in the House amendment.

S. B. No. 15 was referred to the Committee on Revision and Enrolling to be engrossed.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 101, by Mr. Monson, "An Act authorizing Boards of County Commissioners to create flood control districts inside or outside of incorporated cities and towns, and to create special improvement, water supply, sewer or sanitary districts outside of incorporated cities and towns and to provide for the cost of the acquisition and installation of all such improvements, pipelines, sewers, drains, levees, flood barriers, channels, side-walks, streets and alleys, and structures connected therewith to be paid from assessments levied against the property within said district, benefited by such improvement, or by fees, tolls, rents or other charges for the use of such improvements, or both, and authorizing Boards of County Commissioners to borrow from the Reconstruction Finance Corporation or other agency, where appropriate and according to law, the necessary funds and to secure and repay the same", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 101 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments

made by the Senate to H. B. No. 23, by Mr. Lane, relating to libels published by newspapers.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 173, by Mr. Young, "An Act amending section 57-7-55 of the Revised Statutes of Utah 1933, relating to the lights, reflectors and equipment required on motor vehicles, motorcycles, motor trailers, road machinery and trucks," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 173 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 48, by Mr. Neslen, relating to general powers and withdrawals from building and loan corporations," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 48 was referred to the Committee on Revision and Enrolling to be engrossed.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 61, by Mr. Miller, defining coal corporations; declaring coal corporations to be public utilities, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Miller moved that the Senate concur in the House amendment.

Motion carried.

S. B. No. 61 passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Holmgren, Huggins, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Wallace, Mr. President.

Those voting in the negative were: Senators Candland, Holbrook, Hunt, Keyser, Shields, Young.

Absent and not voting: Senator Griffin.

S. B. No. 61 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Day the Senate resolved itself into a Committee of the Whole to hear Mr. E. C. Knowlton, representing the State Road Commission, talk on S. B. No. 36.

On motion of Senator Day the Committee of the Whole dissolved.

SPECIAL ORDER

S. B. No. 36 was read the third time and placed on its final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Pages 7 and 8, eliminate Article IV in its entirety.

Change article "V" to article "IV".

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

Page 5, lines 17 and 22, after the word "hire", insert the following: "as a temporary or permanent business".

On motion of Senator Shields, the bill was amended as follows:

Page 8, change "Section 20" to "Section 16" and change the number of each section thereafter accordingly, and delete in each case, "Private Motor Carriers" and insert "Contract Motor Carriers".

Page 8, eliminate section 16-c and change 16-d to 16-c.

Page 11, line 5, strike the words "or private motor carrier of property."

Page 13, line 25, strike the word "three."

Page 13, line 26, after "common motor carrier," insert the word "or".

Page 13, line 27, strike the words, "or a private motor carrier of property".

S. B. No. 36 passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller (explained vote), Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Calder, Holmgren.

S. B. No. 36 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 207, by Joint Committee on Procedure, "An Act to amend Section 43-3-7 of the Revised Statutes of Utah 1933, providing for the taxation of insurance companies and raising the rate from one and one-half (1½) per cent to two (2) per cent", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 207 was read the first time and referred to the Calendar Committee.

March 6, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body, H. B. No. 124, by Mr. Pope and Mr. Allen, "An Act to combat the existing economic emergency caused by the depression and aiming to prevent its subversive effects upon the public welfare, health and morals, and to create a State Emergency Commission to assist farmers, stockmen, miners and others to raise the existing ruinously low commodity price level, and to employ productively the able-bodied unemployed citizens of Utah and to make available for emergency work a part of revenues from gasoline tax and auto for hire tax and to pay for emergency work partly in current funds and partly in self-

redeeming emergency warrants, to keep same at par and to assist Utah and citizens in sale, purchase and barter transactions and to balance exports and imports; to give commission general emergency powers," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 124 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, H. B. No. 167, by Mr. Granger, "An Act amending Section 104-55-2, Revised Statutes of Utah 1933, relating to deficiency judgments after foreclosure sales," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 167 was read the first time and referred to the Calendar Committee.

REPORT OF STANDING COMMITTEE

March 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 48, by Mr. Neslen, relating to general powers and withdrawals from building and loan corporations, properly enrolled and engrossed for the signature of the President.

GEO M. MILLER.

Report filed.

S. B. No. 48 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.

REPORT OF SPECIAL COMMITTEE

March 7, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 7, 1933, at 2 o'clock p. m.: H. B. No. 120, S. B. No. 135, H. B. No. 172, H. B. No. 7, H. B. No. 77, H. B. No. 78, H. B. No. 79, H. B. No. 43, H. B. No. 18, H. B. No. 135, H. B. No. 84, H. B. No. 41.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

SPECIAL ORDER

On motion of Senator Huggins, S. B. No. 80 was made a special order of business for tomorrow, March 8, at 2:30 p. m.

Senator Maw moved that the rules be suspended and he be allowed to reintroduce S. B. No. 10.

Senator Maw with the aid of five Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 10; Nays, 13; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Day, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller, Musser, Neslen.

Those voting in the negative were: Senators Bamberger, Booth, Calder, Candland, Fennell, Hunt, Jeffer-

son, Keyser, Patterson, Shields, Wallace (explained vote), Young, Mr. President.

S. B. No. 138 on second reading.

On motion of Senator Maw, S. B. No. 138 was made a special order of business for tomorrow, March 8, at 3:00 p. m.

On motion of Senator Bowman, S. B. No. 111 was made a special order of business for tomorrow to follow S. B. No. 138.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 120 was read the second time.

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

Change section 2 to section 3 and insert a new section, "Section 2. The entrance and tuition fees in all junior colleges, receiving support from the State, must be equal and uniform."

On motion of Senator Keyser the rules were suspended and H. B. No. 120 was read the third time and placed on its final passage.

H. B. No. 120 then passed on the following roll call:

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Miller, Neslen, Patterson, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Keyser, Musser.

Absent and not voting: Senators Day, Fennell, Griffin, Shields.

H. B. No. 120 was transmitted to the House.

Senator Bowman moved that the Senate now consider H. B. No. 58.

Motion carried.

H. B. No. 58 was read the third time and placed on its final passage and passed on the following roll call:

H. B. No. 58 then passed on the following roll call:

Yeas, 14; Nays, 7; Absent, 2.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Miller, Patterson (explained vote), Wallace, Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Day (explained vote), Keyser, Maw, Musser, Neslen, Shields.

Absent and not voting: Senators Fennell, Griffin.

H. B. No. 58 was transmitted to the House.

REPORT OF STANDING COMMITTEE

March 7, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 15, by Mr. Hunt, entitled, "An Act providing for payment of public pay-rolls in gold coin," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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.

COMMUNICATION FROM THE HOUSE

March 7, 1933.

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. Pectol, "An Act amending chapter six of title thirty-six of the Revised Statutes of Utah 1933, relating to designation of primary state roads and adding new state roads to be known as Nos. 72 and 74," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 59 was read the first time and referred to the Calendar Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 135 was read the second time.

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

Line 4 of the title, strike the following: "training in high schools" and insert in lieu thereof the word "education".

Page 1, line 9, strike the words "or sums" and insert in lieu thereof "as a fund". After the word "vocational" insert the word "education". Strike lines 10, 11, 12, and 13 up to and including the word "apportioned".

Strike all the underlined material on pages 2 and 3.

Page 2, line 8, after the word "apportionment", insert the following: "The fund designated for vocational education shall be held by the State Treasurer and disbursed by the State Auditor upon requisition of the State Board

of Education for the maintenance and support of vocational education and vocational rehabilitation."

Line 12, after the word "Fund", insert a "," and add "exclusive of the fund designated for vocational education,".

On motion of Senator Keyser the rules were suspended and S. B. No. 135 was read the third time and placed on its final passage.

S. B. No. 135 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Sentaors Fennell, Griffin, Musser, Patterson.

S. B. No. 135 was transmitted to the House.

On motion of Senator Bamberger the Senate adjourned.

FIFTY-NINTH DAY

MORNING SESSION

March 8, 1933.

The Senate was called to order at 10:00 a. m. President Fowles in the chair.

Roll call: All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Fifty-eighth Day and find it correct with noted amendments.

COMMUNICATION FROM THE HOUSE

March 7, 1933.

Mr. President:

I am instructed to inform your Honorable Body that the House herewith returns S. B. No. 131, on recommendation of the Joint Conference Committee for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins, on behalf of the Joint Conference Committee, S. B. No. 131 was withdrawn and upon unanimous consent of the Senate the following bill was substituted therefor:

S. B. No. 140. By Joint Committee on Procedure. (Substitute for S. B. No. 131)

An Act relating to the State Tax Commission and amending Section 5983, Compiled Laws of Utah 1917, as amended by Chapter 53, Laws of Utah 1931, and Sections 80-5-37, 80-5-38, 80-5-39, 80-5-40, 80-5-41, 80-5-42, 80-5-43, 80-5-44 and 80-5-45 of the Revised Statutes of Utah 1933, was read the first time.

On motion of Senator Shields the rules were suspended and S. B. No. 140 was read the second and third times and placed on its final passage.

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

Page 4, line 2, strike the numerals "8.00" and insert "10.00".

S. B. No. 140 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 140 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 15, by Mr. Hunt, "An Act providing for payment of public payrolls in gold coin", and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 15 was transmitted to the Governor.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and the House, S. B. No. 41, by Mr. Wallace, "An Act for the protection of deposits of public funds," and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Miller moved that the Senate do not concur in the House amendments to S. B. No. 41.

Motion carried.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 48, by Mr. Neslen, relating to general powers and withdrawals from building and loan corporations, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 48 was transmitted to the Governor.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 22, by Mr. Paxton, "An Act authorizing irrigation companies, drainage districts, and irrigation districts to borrow money from the Reconstruction Finance Corporation, organized pursuant to an Act of Congress of the United States or from any other governmental loaning agency or agencies", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 22 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 23, by

Mr. Lane, relating to libels published by newspapers, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 23 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.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 33, by Mr. Hoyt, "An Act requiring licenses for the operation, maintenance, or establishment of stores, prescribing the disposition of license fees, and the powers and duties of the State Tax Commission in connection therewith, and fixing a penalty for violation", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 33 was read the first time and referred to the Calendar Committee.

March 7, 1933.

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. Hammond, "An Act amending Section 75-11-12 of the Revised Statutes of Utah 1933, relating to enumerators of school populations and their duties", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 50 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 52, by Mr. Thatcher, "An Act relating to the payment of taxes and empowering the County Assessor and County Treasurer to grant discounts on taxes paid", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 52 was read the first time and referred to the Calendar Committee.

March 7, 1933.

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. Eastman and Mr. Hammond, "An Act to amend Chapter 14, of Title 80, of the Revised Statutes of Utah 1933, providing for an income tax and to increase the rates, increase the offset for property taxes paid, eliminating personal exemptions and filing fee", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 54 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 67, by Mr. Eastman and Mr. Hammond, "An Act to amend Chapter 13,

of Title 80, of the Revised Statutes of Utah 1933, providing for a franchise tax on corporations and to increase the rate of taxation thereunder and the offset for property taxes paid", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 67 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House H. B. No. 55, by Mr. Creer, "An Act concerning water users, and the same is herewith transmitted for the signature of the President.

ERNEST R. McKAY,
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.

March 7, 1933.

Mr. President:

I am directed to inform you that the House has this day passed, as amended, H. B. No. 73, by Mr. Keddington, "An Act forbidding the sale of convict-made goods on the open market and applying State regulations as to the sale and disposition of convict-made goods to all such products, regardless of origin", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 73 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 74, by Mr. Keddington, "An Act relating to goods, wares and merchandise manufactured or produced by convicts or prisoners", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 74 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 75, by Mr. Holbrook, "An Act requiring quarantine of diseased poultry; prescribing regulations to prevent the spread of disease, and fixing penalty for violation", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 75 was read the first time and referred to the Calendar Committee.

March 7, 1933.

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. Wayman, "An Act amending Section 57-12-5, Revised Statutes of Utah 1933, relating to the tax on gasoline and exempting from taxation gasoline sold or used

in Utah which is manufactured or distilled in Utah from coals, oil shales, or hydro-carbons of Utah by low-temperature carbonization or other processes, for the purpose of developing Utah's natural resources, and providing new industries to relieve unemployment", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 83 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 87, by Mrs. Harris, "An Act to amend subdivision 13 of Section 48-0-10, Revised Statutes of Utah 1933, providing who exempt from jury duty", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 87 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 89, by Mr. Caine, "An Act to provide for the reorganization of building and loan associations", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 89 was read the first time and referred to the Calendar Committee.

March 7, 1933.

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. Clark, "An Act to amend Subdivision 6, Section 13, Chapter 37, Title 104, Code of Civil Procedure, Revised Statutes of Utah 1933, relating to exemptions", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 100 was read the first time and referred to the Calendar Committee.

March 7, 1933.

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. Holley, "An Act regulating the sale of malt, malt extracts and syrups and providing an excise tax law", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 102 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, H. B. No. 112, by Appropriation Committee, entitled, "An Act making deficiency appropriation for the maintenance of medical and hospital service for disabled miners for the period ending June

30th, 1933", and the same is transmitted herewith for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 112 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 136, by Mr. Royle, "An Act to amend Sections 73, 74 and 85 of Chapter 1, Title 42, Revised Statutes of Utah 1933, relating to the powers and jurisdiction of the Industrial Commission of Utah over lump sum payments", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 136 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 158, by Mr. Young, "An Act to amend Section 36-2-11 of the Revised Statutes of Utah 1933, relating to the improvement of highways, the plans, bids and constructions for the improvement of highways, and the duties of the State Road Commission and the contractors in relation thereto", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 158 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 169, by Mr. Granger, "An emergency measure to grant district courts discretionary power to postpone the entry of judgments of foreclosure and to forbid the issuance of execution thereon where necessary to protect substantial equities of the mortgagor and lessee and to promote the general welfare of the people of the State of Utah", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 169 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 177, by Mr. Low, "An Act to prohibit employers of labor from interfering with the political activities of the employees and providing penalties for a violation thereof", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 177 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 190, by Mrs.

Lund, "An Act to amend Section 85-2-2 of the Revised Statutes of Utah 1933, relating to the governing board of the Utah Art Institute and providing the number and qualifications of said governing board", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 190 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 191, by Mrs. Lund, "An Act to amend Section 85-2-11 of the Revised Statutes of Utah 1933, relating to the committees of the Utah Art Institute and providing for the Utah State Alice art collection", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 191 was read the first time and referred to the Calendar Committee.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 192, by Mr. Holdaway, "An Act to amend Section 18-4-16, of the Revised Statutes of Utah 1933, relating to the assessment of shares of stock in irrigation corporations and to allow for the redemption thereof", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 192 was read the first time and referred to the Calendar Committee.

REPORT OF SPECIAL COMMITTEE

March 8, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 8, 1933, at 10 o'clock a. m.:

H. B. No. 172, H. B. No. 7, H. B. No. 77, H. B. No. 78, H. B. No. 79, H. B. No. 43, H. B. No. 18, H. B. No. 135, H. B. No. 84, H. B. No. 41.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 172 was read the second time.

On motion of Senator Shields the rules were suspended and H. B. No. 172 was read the third time and placed on its final passage.

H. B. No. 172 then passed on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Candland, Fennell, Griffin, Holmgren, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Day, Holbrook, Hunt, Maw, Young.

Absent and not voting: Senator Huggins.

H. B. No. 172 was transmitted to the House.

On motion of Senator Jefferson, H. B. No. 7 was placed at the foot of the second reading calendar.

H. B. No. 77 was read the second time.

On motion of Senator Wallace H. B. Nos. 77, 78 and 79 were recommitted to the Calendar Committee.

On motion of Senator Wallace the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

REPORT OF STANDING COMMITTEE

March 8, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 61, by Mr. Miller, defining coal corporations, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 61 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.

REPORT OF SPECIAL COMMITTEE

March 8, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 8, 1933, at 2 o'clock, p. m.: H. B. No. 43; H. B.

No. 77, H. B. No. 78, H. B. No. 79, H. B. No. 18, H. B. No. 135, H. B. No. 84, H. B. No. 35, H. J. M. No. 2, H. B. No. 101, H. B. No. 59, H. B. No. 173, H. J. R. No. 10, H. B. No. 97, H. B. No. 150, H. B. No. 14, H. B. No. 48, H. B. No. 41.

C. CLARENCE NESLEN.

Report filed and bills placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 43 was read the second time.

H. B. No. 43 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Miller, Musser, Patterson, Wallace, Young, Mr. President.

Voting in the negative was Senator Candland.

Absent and not voting: Senators Jefferson, Maw, Neslen, Shields.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 141. By Mr. Bamberger.
(Substitute for S. B. No. 138)

"An Act to provide for the raising of revenue for emergency relief of unemployment by imposing a tax upon the retail purchase of certain commodities and services and for the ascertainment, assessment and collection of said taxes; to provide for the distribution of said revenue and to provide penalties for the violation of the terms of this Act," was read the first time and ordered printed and referred to the Calendar Committee.

S. B. No. 142. By Mr. Holbrook.

"An Act relating to the taxation of the sale of cigarettes, cigarette papers, and oleomargarine, providing method and time of affixing stamps, and collection of delinquent taxes, and making an appropriation for the administration of the law; amending Chapter 1 of Title 93, Revised Statutes of Utah 1933, and repealing Title 66, Revised Statutes of Utah 1933," was read the first time and ordered printed and referred to the Calendar Committee.

On motion of Senator Candland H. B. Nos. 77, 78 and 79 were referred to the Calendar Committee.

H. B. No. 18 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, at the beginning of the line insert "85-6-1", strike lines 8 and 9 and insert before line 10 "85-6-5". Line 1, after the numerals "85-6-1" insert "and 85-6-5".

Page 2, change section "3" to section "2" and section "4" to Section "3".

Page 1, line 2, change the word "is" to "are".

On motion of Senator Bamberger the rules were suspended and H. B. No. 18 was read the third time and placed on its final passage.

H. B. No. 18 then passed on the following roll call.

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw,

Miller, Musser, Neslen, Paterson, Shields, Wallace, Young, Mr. President.

Absent and not voting were: Senators Booth and Bowman.

H. B. No. 18 was transmitted to the House.

On motion of Senator Miller the Senate resolved itself into an executive session to consider appointments made by the Governor.

On motion of Senator Keyser the executive session dissolved.

On motion of Senator Miller all rules to the contrary were suspended and the Senate gave unanimous consent to now consider the report of the Special Committee of five appointed by the President to consider the Governor's appointments.

REPORT OF SPECIAL COMMITTEE

March 8, 1933.

Mr. President and Members of the Senate:

We, your committee to whom was referred the following list of persons nominated by the Governor for investigation and report, beg leave to report that we have investigated said appointments and we unanimously beg leave to report that they be confirmed.

GEO. M. MILLER.

Report filed.

On motion of Senator Keyser the Senate advised and consented to the following appointments made by the Governor:

FOR MEMBERS OF THE GOVERNING BOARD OF THE UTAH ART INSTITUTE:

To serve for a term of two years, pursuant to Sections 5301 and 5302, Compiled Laws of Utah, 1917.

A. B. Wright.....Salt Lake City
Calvin Fletcher .....Logan
Miss Eva Hollis.....Salt Lake City
Harry Poll .....Salt Lake City
Harold Clark .....Provo

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.

J. O. Elton .....Salt Lake City
O. P. Cherdron .....Salt Lake City
Richard B. Porter .....Ogden

FOR MEMBERS OF THE STATE BOARD OF CORRECTIONS:

To serve for a term of four years, pursuant to Section 5445, Compiled Laws of Utah, 1917.

Samuel W. Stewart .....Salt Lake City
James Ivers, Jr. .....Salt Lake City

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, 1927.

S. Grant Young .....Salt Lake City
A. E. Wilfong .....Ogden

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.

J. Cecil Alter .....Salt Lake City
Parley L. Williams .....Salt Lake City
Albert F. Philips .....Salt Lake City
Joel F. Ricks .....Logan
William R. Palmer .....Cedar City

FOR MEMBERS 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, from May 6, 1932.

Mrs. Laura M. Thompson.....Salt Lake City

To serve for a term of seven years, pursuant to Section 3, Chapter 75, Laws of Utah, 1929, from May 6, 1933.

Dr. Sol G. Kahn.....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.

C. R. Hollingsworth .....Ogden
W. H. Leary .....Salt Lake City
Calvin W. Rawlings .....Salt Lake City

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.

Stephen L. Richards ..... Salt Lake City
Leon P. Christensen ..... Vernal
Frank Francis ..... Ogden
A. P. Bigelow ..... Ogden
W. O. Creer ..... Provo
A. F. Doremus ..... Tooele
Richard R. Lyman ..... Salt Lake City
Jacob A. Kahn ..... Salt Lake City
S. M. Nielsen ..... Mt. Pleasant
William Peterson ..... Logan
J. W. Gillman ..... Orem
William R. Wallace ..... Salt Lake City

COMMUNICATIONS FROM THE HOUSE

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments made by the Senate to H. B. No. 58, by Mr. Miles, "An Act establishing a State Junior College at St. George City".

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments made by the Senate to H. B. No. 120, by Mr. Frischknecht, relating to Junior Colleges".

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 8, 1933.

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. 58, by Mr. Miles, "An Act establishing a State Junior College at St. George City", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 58 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.

March 8, 1933.

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. 120, by Mr. Frischknecht, relating to Junior Colleges", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 120 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.

March 8, 1933.

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. 52, by Mrs. Musser, pertaining to beauty culturists, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 52 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 59, by Mr. Huggins, relating to the requirements of applicants for license to practice as graduate or registered nurses, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Huggins moved that the Senate do not concur in the House amendment.

Motion carried.

March 8, 1933.

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. 72, by Mr. Neslen, providing for the sale for delinquent taxes, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 72 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1933.

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. 81, by Mr. Booth and Mr. Fennell, relating to the firemen's pension fund, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 81 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, as amended by Senate, S. B. No. 140, by Joint Committee on Procedure, relating to the State Tax Commission, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 140 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Bamberger the rules were suspended and S. B. No. 141 was read the second and third times and placed on its final passage.

S. B. No. 141 then passed on the following roll call:

Yeas, 22, Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Huggins.

S. B. No. 141 was transmitted to the House.

On motion of Senator Bowman S. B. No. 111 was laid on the table.

SPECIAL ORDER

On motion of Senator Huggins S. B. No. 80 was made a special order of business for tomorrow, March 9, at 2:30 p. m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 135 was read the second time.

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

Line 3 of the title strike the following "may hereafter be".

Page 2, line 8, strike the words "in writing".

Page 4, lines 16 and 20 of the House amendment insert after the word "ratification" the following "of proposed change in Constitution of the United States".

Page 5 add a new section as follows: "Section 14—This Act shall take effect upon approval."

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

Line 3 of the title after the word "which" insert the following, "have or may hereafter be".

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

Page 1, line 1, strike the word "shall". Line 2, change the word "propose" to read "proposes". Line 3, strike the word "shall" and change the word "propose" to read "proposes".

H. B. No. 135 was placed on the third reading calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Absent and not voting were: Senators Bowman and Shields.

Senator Candland moved that when the Senate do adjourn it be until tomorrow, March 9, at 8:30 a. m.

Motion carried.

Upon unanimous consent of the Senate the following bill was introduced.

S. B. No. 143. By Mr. Maw.

"An Act amending Section 13, Chapter 1, Title 86, of the Revised Statutes of Utah 1933, relating to the payment of the expenses of the State Land Office, was read the first time.

On motion of Senator Keyser the rules were suspended and S. B. No. 143 was read the second and third times and placed on its final passage.

S. B. No. 143 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Absent and not voting: Senators Bowman, Holmgren, Shields.

S. B. No. 143 was transmitted to the House.

H. B. No. 84 was read the second time.

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

Page 2, line 9, strike the following words "on deferred payments."

On motion of Senator Keyser the rules were suspended and H. B. No. 84 was read the third time and placed on its final passage.

H. B. No. 84 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Wallace, Young, Mr. President.

Absent and not voting were: Senators Booth, Holmgren, Jefferson, Patterson, Shields.

H. B. No. 84 was transmitted to the House.

H. B. No. 35 was read the second time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 35 was read the third time and placed on its final passage.

H. B. No. 35 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Wallace, Young, Mr. President.

Absent and not voting were: Senators Booth, Jefferson, Patterson, Shields.

H. B. No. 35 was transmitted to the House.

H. J. M. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Keyser the rules were suspended and H. J. M. No. 2 was read the third time and placed on its final passage.

H. J. M. No. 2 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Jefferson.

H. J. M. No. 2 was transmitted to the House.

H. B. No. 101 was read the second time.

REPORT OF STANDING COMMITTEE

March 8, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 81, by Mr. Booth and Mr. Fennell, relating to the Firemen's Pension Fund, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 81 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.

FURTHER CONSIDERATION OF H. B. NO. 101.

H. B. No. 101 was rejected on the following roll call:

Yeas, 9; Nays, 10; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Holbrook, Maw, Miller, Musser, Neslen, Patterson, Mr. President.

Those voting in the negative were: Senators Booth, Bowman, Candland, Day, Griffin, Holmgren, Huggins, Hunt, Shields, Young.

Absent and not voting: Senators Fennell, Jefferson, Keyser, Wallace.

On motion of Senator Shields, the rules were suspended and the vote by which H. B. No. 101 failed to pass was reconsidered.

H. B. No. 101 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Griffin, Holbrook, Holmgren, Huggins, Hunt, Maw, Miller, Musser, Neslen, Patterson, Shields, Young, Mr. President.

Thove voting in the negative were: Senators Booth, Candland, Day, Jefferson.

Absent and not voting: Senators Fennell, Keyser, Wallace.

COMMUNICATION FROM THE HOUSE

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 26, by Mr. Booth, relating to power of towns to license, tax, and regulate businesses, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Booth, the Senate concurred in the House amendments.

S. B. No. 26 passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Miller, Musser, Neslen, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Fennell, Hunt, Keyser, Maw, Wallace.

S. B. No. 26 was referred to the Committee on Revision and Enrolling to be engrossed.

COMMUNICATION FROM THE HOUSE

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed under suspension of rules, H. B. No. 215, by Joint Committee on Procedure, entitled "An Act authorizing the State Bank Commissioner by and with the approval of the Governor to suspend, in whole or in part, payment by banks to depositors or other creditors during a period to be fixed by him, not exceeding sixty days, or during extended periods not exceeding sixty days each; providing what expenses and liabilities may be paid during such periods; providing that during such periods deposits may be received upon such terms and conditions as may be approved by the State Bank Commissioner; authorizing the issuance of clearing house certificates, post notes or other evidences of indebtedness; authorizing the State Bank Commissioner to prescribe rules and regulations in order to carry out the provisions of this Act, and repealing all acts or parts of acts in con-

flict herewith, and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 215 was read the first time.

On motion of Senator Patterson, the rules were suspended and H. B. No. 215 was read the second and third times and placed on its final passage.

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

On motion of Senator Bamberger, the Committee of the whole dissolved.

H. B. No. 215 passed on the following roll call:
Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Miller, Musser, Neslen, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Fennell, Keyser, Wallace.

H. B. No. 215 was transmitted to the House.

On motion of Senator Bamberger, the Senate adjourned.

SIXTIETH DAY

MORNING SESSION

March 9, 1933.

The Senate was called to order at 8:30 a. m. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Journal Committee report they have read the Journal for the Fifty-ninth Day and find it correct with noted amendments.

COMMUNICATION FROM THE HOUSE

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 25, by Mr. Booth, relating to the power of cities and towns, to license, tax and regulate businesses, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Booth the Senate concurred in the House amendment.

S. B. No. 25 then passed on the following roll call:

Yeas, 14; Nays, 1; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Fennell, Holbrook, Holmgren, Hunt, Keyser, Miller, Shields, Wallace, Young, Mr. President.

Voting in the negative: Senator Jefferson.

Absent and not voting: Senators Bowman, Day, Griffin, Huggins, Maw, Musser, Neslen, Patterson.

S. B. No. 25 was referred to the Committee on Revision and Enrolling to be engrossed.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to recede from its amendments made to S. B. No. 41, by Mr. Wallace, "An Act for the protection of deposits of public funds", and that the Speaker has appointed Messrs. Arnovitz, Hoyt and Hammond as a conference committee to meet with a like committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

The President appointed a conference committee consisting of Senators Wallace, Booth and Bamberger, to act with a like committee from the House to consider amendments to S. B. No. 41.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to recede in its amendments made to S. B. No. 59, by Mr. Huggins, and that the Speaker has appointed Messrs. Greenhagen, Clark and Hammond as a conference committee to act with a like committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

The President appointed a conference committee consisting of Senators Huggins, Neslen and Hunt to act with a like committee from the House to consider amendments to S. B. No. 59.

March 8, 1933.

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. 61, by Mr. Miller, defining coal corporations, and the same returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 61 was transmitted to the Governor.

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 214, by Mr. Eastman and Mr. Hammond, "An Act directing the Secretary of State to furnish the members of the 1933 House of Representatives and State Senate with copies of the Revised Statutes of Utah 1933, after containing the 1933 Session Laws fully indexed and annotated, provided the present copies of the revised statutes are surrendered," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 214 was read the first time and referred to the Calendar Committee.

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 172, by

Mr. Lane, relating to advertising, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 172 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

March 8, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 72, by Mr. Neslen, providing for the sale for delinquent taxes, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 72 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.

March 8, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 140, by Joint Committee on Procedure, relating to the State Tax Commission, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 140 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.

March 8, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 52, by Mrs. Musser, pertaining to beauty culturists, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 52 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.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 43 was read the third time and placed on its final passage.

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

In line 23 of the House amendment strike the words "of such bank".

Line 4 of the House amendment strike the following words "or capital and surplus".

H. B. No. 43 then passed on the following roll call:

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Jefferson, Patterson.

Absent and not voting: Senators, Griffin, Maw, Musser.

H. B. No. 43 was transmitted to the House.

H. B. No. 135 was read the third time and placed on its final passage.

H. B. No. 135 then passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Holbrook, Holmgren (explained vote), Huggins (explained vote), Hunt, Jefferson, Keyser, Maw, Miller, Musser Neslen, Patterson, Shields (explained vote), Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland (explained vote), Day (explained vote).

Absent and not voting: Senator Griffin.

H. B. No. 135 was transmitted to the House.

H. B. No. 101 was read the third time and placed on its final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Page 9 of the title, strike the following: "sidewalks, streets, and alleys."

Page 1. lines 7 and 8, strike the words "sidewalks, highways, streets, alleys". Lines 9 and 10, strike the words "and may curb and gutter streets, highways and alleys."

H. B. No. 101 then passed on the following roll call:

Yeas, 12; Nays, 9; Absent, 2.

Thos voting in the affirmative were: Senators Bamberger, Fennell, Holbrook, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Candland, Day, Griffin, Holmgren, Huggins, Hunt, Patterson.

Absent and not voting: Senators Booth, Jefferson.

H. B. No. 101 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 59 was read the second time.

H. B. No. 59 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Miller, Neslen, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Booth, Jefferson, Maw, Musser, Wallace.

H. B. No. 173 was read the second time.

H. B. No. 173 was placed on the third reading calendar on the following roll call:

Yeas, 14; Nays, 3; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser, Miller, Neslen, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Griffin, Patterson.

Absent and not voting: Senators Booth, Day, Jefferson, Maw, Musser, Shields.

H. J. R. No. 10 was read the second time.

H. J. R. No. 10 was placed on the third reading calendar on the following roll call:

Yeas, 13; Nays, 10; Absent, 0.

Those voting in the affirmative were: Senators Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Candland, Day, Griffin, Keyser, Patterson, Young.

COMMUNICATION FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 84, by Mr. Neslen, "An Act to amend Section 103-33-1 of the Revised Statutes of Utah 1933, relating to kidnapping and providing the punishment thereof," and the same is transmitted for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 84 was referred to the Committee on Revision and Enrolling to be engrosed.

REPORTS OF STANDING COMMITTEES

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 25, by Mr. Booth, entitled "An Act to amend Section 15-8-80, Revised Statutes of Utah 1933, relating to the power of cities and towns to license, tax and regulate businesses," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 26, by Mr. Booth, entitled "An Act to amend Section 15-12-6, Revised Statutes of Utah 1933, relating to powers of towns to license, tax, and regulate businesses," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 26 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.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 97 was read the second time.

On motion of Senator Booth, the rules were suspended and H. B. No. 97 was read the third time and placed on its final passage.

On motion of Senator Maw, the rules were suspended and the action of the Senate placing H. B. No. 97 on final passage was reconsidered and H. B. No. 97 was then placed on the third reading calendar on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Voting in the negative: Senator Griffin.

Absent and not voting: Senators Candland, Shields.

H. B. No. 150 was read the second time.

On motion of Senator Bamberger, the bill was amended as follows:

Page 5, line 23, strike the words "or aided".

H. B. No. 150 was placed on the third reading calendar on the following roll call:

Yeas, 18; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Holbrook, Holmgren, Huggins, Jeferson, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Day, Griffin, Hunt, Keyser.

Absent and not voting: Senator Candland.

COMMUNICATIONS FROM THE HOUSE

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 32, by Mr. Jefferson and Mr. Bowman, relating to motor fuels, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 32 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1933.

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. 44, by Mr. Booth, to regualte the practice of contracting, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 44 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1933.

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. Booth, "An Act requiring the employment of a registered pharmacist in pharmacies or drug stores, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 50 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1933.

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. 51, by Mr. Wallace, to require certain qualifications and segregations of capital of banks and loan and trust companies, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 51 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Wallace, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

COMMUNICATIONS FROM THE HOUSE

March 8, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 82, by Mr. Griffin, relating to irrigation or water conservation districts, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Booth the Senate concurred in the House amendments.

S. B. No. 82 passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Neslen, Patterson, Young, Mr. President.

Absent and not voting: Senators Griffin, Miller, Shields, Wallace.

S. B. No. 82 was referred to the Committee on Revision and Enrolling to be engrossed.

March 7, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House and the Senate, S. B. No. 45, by Mr. Holmgren, to provide for the payment of property taxes in installments, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Holmgren the Senate concurred in the House amendments.

S. B. No. 45 passed on the following roll call:

Yeas, 15; Nays, 2; Absent, 6.

Those voting in the affirmative were: Senators Booth, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Maw, Miller, Musser, Neslen, Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Keyser.

Absent and not voting: Senators Bowman, Griffin, Jefferson, Patterson, Shields, Wallace.

S. B. No. 45 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in the Senate amendments to H. B. No. 43, by Mr. Monson, providing

for establishment of branching of offices of banks, and requests the Senate to recede from its amendments, and that the Speaker has appointed Messrs. Monson, Hoyt, and Miles to act as a Conference Committee to meet with a like committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins, the Senate refused to recede and the President appointed a conference Committee consisting of Senators Huggins, Young and Day to act with a like committee from the House to consider amendments to H. B. No. 43.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 100 by Mr. Miller, relating to the general powers and duties of the Board of Supplies and Purchase, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 100 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Bowman, Griffin, Musser, Wallace.

S. B. No. 100 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 23, by Mr. Calder, relating to fish and game, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 24, by Mr. Calder, relating to fish and game, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 24 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 89, by Mr. Calder, relating to the appointment of agents, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 89 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 32, by Mr. Jefferson and Mr. Bowman, relating to motor fuels, properly enrolled and engrossed for the signature of the President.

Report filed. GEO. M. MILLER.

S. B. No. 32 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 50 by Mr. Booth, an Act requiring the employment of a registered pharmacist in pharmacies or drug stores, properly enrolled and engrossed for the signature of the President.

Report filed. GEO. M. MILLER.

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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 84 by Mr. Neslen, relating to kidnaping properly enrolled and engrossed for the signature of the President.

Report filed. GEO. M. MILLER.

S. B. No. 84 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.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 9, 1933, at 2:00 p. m.: H. B. No. 14, H. B. No. 48, H. B. No. 41, H. B. No. 214, H. B. No. 47, H. B. No. 89, H. B. No. 174, H. C. M. No. 4, H. B. No. 81, H. B. No. 85, H. B. No. 112, H. B. No. 73, H. B. No. 74, H. B. No. 45, H. B. No. 46, H. J. R. No. 4, H. J. R. No. 5, H. J. R. No. 6, S. B. No. 142, H. B. No. 100, H. B. No. 83.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

Senator Huggins moved that the rules be suspended and that the Senate now consider bills on the third reading calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 59 was read the third time and placed on its final passage.

H. B. No. 59 passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Key-

ser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Griffin.

H. B. No. 59 was transmitted to the House.

H. B. No. 173 was read the third time and placed on its final passage.

H. B. No. 173 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Young, Mr. President.

Absent and not voting: Senators Candland, Griffin, Wallace.

H. B. No. 173 was transmitted to the House.

H. J. R. No. 10 was read the third time and placed on its final passage.

H. J. R. No. 10 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Voting in the negative: Senator Patterson.

Absent and not voting: Senators Candland, Griffin.

H. J. R. No. 10 was transmitted to the House.

H. B. No. 97 was read the third time and placed on its final passage.

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

Page 2, line 11, strike the word "the" and insert in lieu thereof the following: "its general office in Utah".

Page 8, line 1, after the word "misdemeanor" insert a period and strike the balance of the line. Also strike lines 2, 3 and 4, including the word "imprisonment". Strike lines 9, 10, 11, 23, 24, 25, including the word "imprisonment". Line 29, strike the word "and" and strike lines 30, 31 and 32.

Page 11, line 9, after the word "authority", insert the following: "by and with the consent of the Governor". Line 10, strike the words "in its discretion".

Page 11, line 13, strike the word "such". Line 14, strike the line up to and including the word "to". Line 15, after the word "Act" insert a period and strike the balance of the paragraph.

H. B. No. 97 then passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day (explained vote), Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland (explained vote), Patterson (explained vote).

Absent and not voting: Senator Griffin.

H. B. No. 97 was transmitted to the House.

H. B. No. 150 was read the third time and placed on its final passage.

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

Page 6, line 9, after the word "misdemeanor", insert a period and strike the balance of the paragraph.

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

Page 6, between lines 13 and 14, insert a new section as follows: "Section 9. The provisions of this Act relative to hourly wages shall not apply in cases where men are employed and paid out of emergency relief or R. F. C. funds. Line 14, change the numeral "9" to "10".

H. B. No. 150 then passed on the following roll call:

Yeas, 14; Nays, 9; Absent, 0.

Those voting in the affirmative were: Senators Booth, Calder, Fennell, Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Bowman (explained vote), Candland, Day, Griffin, Hunt, Keyser, Patterson (explained vote), Young.

H. B. No. 150 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 14 was read the second time.

Committee report read and adopted.

A wire was received from the American Legislators Association requesting the President of the Senate to appoint a delegate and alternate to the Interstate Legislative Assembly.

The President appointed Mr. Julian M. Bamberger as delegate and Wilson M. McCarthy as alternate.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the Senate amendments made to H. B. No. 84, by Mr. Andersen, relating to default in payments, cancellation, notice, extensions, and reinstatement of state land contracts.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments made by the Senate to H. B. No. 101, by Mr. Monson, An Act authorizing boards of county commissioners to create flood control districts.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments made by the Senate to H. B. No. 135, by Mr. Lane, An Act to provide for conventions to pass on amendments to the Constitution of the United States.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 49, by Mr. Huggins, relating to disabilities of non-complying foreign corporations, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 49 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the Senate amendments to H. B. No. 97, by Mrs. Bosone, "An Act regulating the employment of women and minors and empowering the Industrial Commission of Utah to investigate and deal with such employment; including a minimum wage; and fixing a penalty for violation of this Act."

ERNEST R. McKAY,
Chief Clerk.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. No. 44, by Mr. Booth, to regulate the practice of contracting, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 44 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 45, by Mr. Holmgren, to provide for the payment of property taxes in installments, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 45 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 51, by Mr. Wallace, to require certain qualifications and segregations of capital of banks and loan and trust companies, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 51 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 89, by Mr. Calder, relating to the appointment of agents for the collection of fish and game

license fees, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. 89 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

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 16, by Mr. Hunt, relating to powers and duties of board of examiners, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Hunt the Senate concurred in the House amendment.

S. B. No. 16 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Calder, Holmgren, Patterson.

S. B. No. 16 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 36, by Mrs. Burton W. Musser, relating to transportation by motor vehicles, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate concurred in the House amendment.

S. B. No. 36 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Holmgren.

S. B. No. 36 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

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. 39, by Mr. Day, "An Act authorizing the killing of dogs attacking, chasing or worrying domestic animals or fowls", and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 39 was referred to the Committee on Revision and Enrolling to be engrosed.

March 9, 1933.

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. 52, by Mrs. Musser, pertaining to beauty culturists, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 52 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 72 by Mr. Neslen, providing for the sale for delinquent taxes, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 72 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 108, by Mr. Bowman, relating to fraternal insurance societies, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 108 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and the House, S. B. No. 110, by Mr. Booth, relating to Utah State Hospital, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Booth the Senate concurred in the House amendments.

S. B. No. 110 passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Holmgren, Maw, Patterson.

S. B. No. 110 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, S. B. No. 124, by Joint Committee on Procedure, relating to jurors, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Bamberger moved that the Senate do not concur in the House amendment.

Motion carried.

March 9, 1933.

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. 140, by Joint Committee on Procedure, An Act relating to the State Tax Commission, and the same is returned herewith for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 140 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. J. M. No. 2, by Mr. Mitchell, "Memorializing the Congress of the United States of America, for the passage of an act to aid counties containing a large acreage of Indian lands and Indian personal property, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. 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 Secretary of State.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the amendments made by the Senate in H. B. No. 18, by Mr. Petersen.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 215, by Joint Committee on Procedure, an Act authorizing the State Bank Commission, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 215 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 COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 23, by Mr. Calder, relating to fish and game, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 23 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 24 by Mr. Calder, relating to fish and game, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 24 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 49, by Mr. Huggins, relating to disabilities of non-complying foreign corporations, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 49 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 100, by Mr. Miller, relating to the general powers and duties of the board of supplies and purchase, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

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.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 97, by Mr. Shields, entitled, "An Act to create a legislative code committee to supervise the completion of the editorial work and the issuance of the statute book containing the revised statutes of Utah, 1933."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

Further consideration of H. B. No. 14.

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

Page 4, beginning with line 3, strike all material up to and including the word "writing" on line 21.

On motion of Senator Wallace the Senate sauntered.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 29, by Mr. Huggins, relating to form of ballot, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 29 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected S. B. No. 40, by Mr. Booth, relating to official bonds of County officers, and the same is returned herewith.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

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. 44, by Mr. Booth, "An Act to regulate the practice of contracting," and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 44 was transmitted to the Governor.

March 9, 1933.

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. 45, by Mr. Holmgren, "An Act to provide for the payment of property taxes in installments", and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 45 was transmitted to the Governor.

March 9, 1933.

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. Booth, "An Act requiring the employment of a registered pharmacist", and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 50 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and the House, S. B. No. 55, by Mrs. Musser, relating to child labor, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Musser the Senate concurred in the House amendments.

S. B. No. 55 then passed on the following roll call:

Yeas, 15; Nays, 1; Absent, 7.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Fennell, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Wallace, Mr. President.

Voting in the negative was Senator Patterson.

Absent and not voting: Senators Bamberger, Day, Griffin, Huggins, Maw, Shields, Young.

S. B. No. 55 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 77, by Mr. Bowman, "An Act providing for the release, relinquishment and conveyance to the United States of America of a portion of the southeast quarter of the southeast quarter of section thirty-six (36), township thirty-six (36) south, range four (4) west, Salt Lake Base and Meridian", and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 77 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected, S. B. No. 78, by Mr. Booth, "An Act to limit the liability of a bank or trust company", and the same is returned herewith.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

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. 81, by Mr. Booth and Mr. Fennel, relating to the firemen's pension fund, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 81 was transmitted to the Governor.

March 9, 1933.

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. 83, by Mr. Neslen, relating to gaming, making pool selling and bookmaking a misdemeanor, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 83 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

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. 88, by Mr. Bowman and Mr. Jefferson, relating to securing rights of way, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 88 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith, S. B. No. 29, by Mr. Huggins, relating to form of ballot, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 29 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 39, by Mr. Day, authorizing the killing of dogs, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 77, by Mr. Bowman, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports S. B. No. 82, by Mr. Griffin, relating to irrigation or water conservation districts, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 82 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 83, by Mr. Neslen, relating to gaming, making pool selling and bookmaking a misdemeanor, properly engrossed and enrolled for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 83 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 88, by Mr. Bowman and Mr. Jefferson, relating to securing rights of way, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 88 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 108, by Mr. Bowman, relating to fra-

ternal insurance societies, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 108 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 110, by Mr. Booth, relating to Utah State Hospital, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 110 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.

REPORT OF SPECIAL COMMITTEES

March 9, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered March 9, 1933, after H. B. No. 83, the following: H. B. No. 22, H. B. No. 36, H. B. No. 177, H. B. No. 181, H. B. No. 192, H. B. No. 158, H. B. No. 169, H. B. No. 65, H B. No. 54, H. B. No. 167, H. B. No. 124.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 48 was read the second time.

H. B. No. 48 was placed on the third reading calendar on the following roll call:

Yeas, 19; Nays, 2; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland (explained vote), Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young.

Those voting in the negative were: Senators Day, Holmgren.

Absent and not voting: Senators Miller, Mr. President.

H. B. No. 41 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 41 was read the third time and placed on its final passage.

H. B. No. 41 then passed on the following roll call:

Yeas, 18; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Day, Huggins, Patterson.

Absent and not voting: Senator Bamberger.

H. B. No. 41 was transmitted to the House.

H. B. No. 214 was read the second time.

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

Line 5 of Section 1, strike the following: "after containing all" and insert in lieu thereof the following: "and a copy".

H. B. No. 214 was placed on the third reading calendar on the following roll call:

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Fennell, Griffin, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Shields, Young, Mr. President.

Those voting in the negative were: Senators Candland, Day, Holbrook.

Absent and not voting: Senators Holmgren, Musser, Wallace.

H. B. No. 47 was read the second time.

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

Page 2, line 22, after the word "lakes" strike the following "and to provide for the production of electric power in the manner provided in section 10 of this Act".

Page 4, strike "section 10" and change "section 11" to "section 10".

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

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, relat-

ing to the power of cities and towns, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 25 was transmitted to the Governor.

March 9, 1933.

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. 26, by Mr. Booth, relating to powers of towns to license, tax, and regulate businesses, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 26 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and the House, S. B. No. 30, by Mr. Miller, relating to the suspension and liquidation of banks, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 30 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Grif-

fin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Fennell, Jefferson, Neslen.

S. B. No. 30 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

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. 32, by Mr. Jefferson and Mr. Bowman, relating to motor fuels, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 32 was transmitted to the Governor.

March 9, 1933.

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. 49, by Mr. Huggins, relating to disabilities of non-complying foreign corporations, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 49 was transmitted to the Governor.

March 9, 1933.

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. 51, by Mr. Wallace, "An Act to require certain qualifications and segregations of capital of banks and loan and trust companies", and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 51 was transmitted to the Governor.

March 9, 1933.

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. 84, Substitute for S. B. No. 20, by Mr. Neslen, relating to kidnapping, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 84 was transmitted to the Governor.

March 9, 1933.

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. 89, by Mr. Calder, relating to the appointment of agents, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 89 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to S. B. No. 124, by Joint Committee on Procedure, and appointed Messrs. Thatcher, Hopkin and Young to confer with a like committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Keyser the President appointed a Conference Committee consisting of Senators Fennell, Shields and Keyser to act with a like committee from the House to consider amendments to S. B. No. 124.

March 9, 1933.

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. 18, Substitute for H. B. No. 12, by Mr. Petersen, relating to the location and purposes of the State Industrial School, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 18 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.

March 9, 1933.

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. 84, Substitute for H. B.

No. 38, by Mr. Andersen, relating to default, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 84 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 217, by Joint Committee on Procedure, "An Act authorizing the Governor to appoint one of the elective officers in the executive department of the State government to act as ex officio a member of the State Road Commission", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 217 was read the first time and referred to the Calendar Committee.

COMMUNICATIONS FROM THE GOVERNOR

March 9, 1933.

To the Senate:

I am returning to you, without my approval, Senate Bill No. 63, by Mr. Holmgren, entitled, "An Act relating to the issuance of tax deeds, requiring notice thereon to drainage, or water districts in certain cases, and permitting redemption by said interested persons before delivery to a third party".

My disapproval is based on a conviction that the bill is unconstitutional.

I requested an opinion from the Attorney General on two points,—first, the constitutionality of the proposed legislation, and, second, as to whether there should be general broadening of opportunities for redemption from tax sales. In reply to the first question the Attorney General advises as follows:

> "A careful study of the proposed legislation contained in said Senate Bill No. 63 reveals that it is violative of the Constitution in the following particulars: Section 26 of Article VI. provides the Legislature is prohibited from enacting any private or special laws in the following cases in the enumeration of which appears the following under sub-division 8:
>
> 'Assessing and collecting taxes.'
>
> "Redemption from delinquent general taxes is one of the main steps in the machinery provided by law in the collection of taxes within the purview of the constitutional inhibition above mentioned. Therefore, any legislation providing for a special privilege of redemption to a special class, particularly where the original owner to whom the property is assessed is excluded, is plainly in contravention of the provisions of our Constitution just referred to."

On the second question the Attorney General advises that in his opinion the rights of all interested parties are sufficiently protected under present laws, and that consequently, in his opinion, "there is no necessity for broadening the opportunities for redemption beyond those already provided by law".

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

March 9, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 66, by Mr. Fennell, entitled, "An Act to amend Sections 57-12-1, 57-12-3, 57-12-7, 57-12-8, 57,12-10, 57-12-15, and 57-12-16 of the Revised Statutes of Utah, 1933, by redefining "motor fuels"; by defining the term "person"; by requiring the furnishing of a bond before any license is issued to any person intending to distribute or deal in motor fuel; by providing for three per cent deduction to allow for evaporation, loss in handling and expense of collection; by vesting in the State Tax Commission the power to exact information with respect to the movement of petroleum products in this State; by providing for the automatic revocation of any license issued for failure to comply with any provisions of Chapter 12 and providing for a refund of the tax on motor fuel sold for export on proof of actual exportation".

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

March 7, 1933.

To the Senate:

After being held at the request of the author, I have this day approved and transmitted to the Secretary of State S. B. No. 7, by Mr. Holbrook, entitled, "An Act amending Sections 3-9-1, 3-9-2, 3-9-3, and 3-9-5, Revised Statutes of Utah, 1933, providing for the licensing, bonding and regulation of produce dealers, truckers 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

of sales to be rendered to producers, shippers and consignors, and adding Sections 3-9-6 and 3-9-7 thereto."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 16, by Mr. Hunt, relating to powers and duties of Board of Examiners, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 16 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith, S. B. No. 36, by Mrs. Burton W. Musser, relating to transportation by motor vehicles, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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.

March 9, 1933.

President of the Senate and
Speaker of the House:

Your Conference Committee, to whom was referred S. B. No. 59, by Mr. Huggins, "An Act to amend Section 79-10-2 of the Revised Statutes of Utah 1933, relating to the requirements of applicants for license to practice as graduate or registered nurses", beg leave to report as follows:

That the amendment in subsection 3 thereof, as made by the House be stricken, and that subsection 3 read as follows:

(3) "On and after January 1, 1936, furnish a certificate of graduation from a high school or its equivalent for studies taken prior to entering the school for nurses, said equivalent to be determined by the State Department of Education", and recommend that the bill pass.

Respectfully,

CONFERENCE COMMITTEE,

I. A. HUGGINS,
Chairman Senate Committee.

CHRIS GREENHAGEN,
Chairman House Committee.

Report adopted.

S. B. No. 59 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

S. B. No. 59 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Patterson the Senate sauntered.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

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, by Mr. Calder, relating to fish and game, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 23 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 24, by Mr. Calder, relating to fish and game, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 24 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 100, by Mr. Miller, relating to the general powers and duties of the board of supplies and purchase, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 100 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 35, by Mr. Jarvis, providing for the marking of ballots in elections, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 35 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 135, by Mr. Lane, to provide for conventions to pass on amendments to the Constitution of the United States, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 135 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

March 9, 1933.

To the Senate and House of Representatives:

Your Conference Committee, to which was referred the matter of differences between the action of the

Senate and the House on H. B. No. 43, by Mr. Monson, relating to branch banking, hereby recommends that the following sentence at the beginning of the House amendment on page 1 of the bill, to wit:

> "Any bank having a paid in capital of not less than $100,000.00 may with the approval of the Bank Commissioner together with the Governor, establish and operate branches for the transaction of its business within this State."

be changed to read as follows:

> "Any bank having a paid in capital of not less than $50,000.00 and a paid in capital and surplus of not less than $100,000.00 may with the approval of the Bank Commissioner and the Governor, establish and operate branches for the transaction of its business within this State, provided that no bank shall establish more than one branch for each $50,000.00 of its paid in capital.

I. A. HUGGINS,
Chairman Senate Committee.

E. E. MONSON,
Chairman House Committee.

Report adopted.

H. B. No. 43 then passed on the following roll call:

Yeas, 16, Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins (explained vote), Keyser, Miller, Neslen, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland (explained vote), Hunt (explained vote), Jefferson.

Absent and not voting: Senators Maw, Musser, Patterson, Shields.

H. B. No. 43 was transmitted to the House.

Further consideration of H. B. No. 47.

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

Page 1, line 13, after the comma insert "on the east by the meander line of said lake. Line 14, strike the word "and" at the end of the line. Line 15, strike "by the meander line of said lake". Lines 15 and 16, after the word "within" strike the words "meander line" and insert in lieu thereof the word "said". Line 16, after the word "lake" insert the word "therein".

Page 2, line 2, strike the word "foregoing" and insert after the word "condition" the word "herein". Line 4, after the word "mineral" insert "oil, asphalt".

Page 3, line 25, after the word "of" insert the word "boating". Line 25, strike the words "any fresh water" and insert the word "the". Line 26, change the period to a comma and insert "nor the right of persons to prospect, drill, or develop any oil, asphalt or minerals.

Page 4, line 8, after the word "therein" add "over public waters". Line 10, after the word "jurisdiction" add "over public waters". Line 20, after the word "Utah" add "and its political subdivisions". Line 20, strike the word "is" and insert "are".

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

Page 4, line 20, after the word "thereto" strike the period and insert a comma and insert the following: "but is forbidden to borrow money from any private corporation or individual without direct authority to do so from the Legislature".

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

Page 3, line 14, before the numerals "$10,000.00" insert "not to exceed".

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

Add a new section to be known as section 11.

"Section 11. This Act shall not become effective until the Governor shall have caused the effect of the project proposed herein upon the users of water of the streams flowing into the Great Salt Lake, and upon the cities discharging their sewage into said lake, and upon the owners of land adjacent to said lake to be investigated by three disinterested engineers, one of whom shall be from the State Agricultural College, and one from the University of Utah, and shall have become satisfied therefrom or from such other investigation as he may determine to make that said project will not have any detrimental effect upon said cities water users, or owners of land, and shall have approved the report or reports of said investigation."

On motion of Senator Holbrook the rules were suspended and H. B. No. 47 was read the third time and placed on its final passage.

H. B. No. 47 then passed on the following roll call:

Yeas, 16; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Fennell, Holbrook, Hunt (explained vote), Jefferson (explained vote), Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland (explained vote), Day, Griffin, Holmgren (explained vote), Huggins (explained vote).

Absent and not voting: Senators Bamberger (excused), Musser.

H. B. No. 47 was transmitted to the House.

H. B. No. 89 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 89 was read the third time and placed on its final passage.

H. B. No. 89 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Griffin, Musser, Patterson.

H. B. No. 89 was transmitted to the House.

H. B. No. 174 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 174 was read the third time and placed on its final passage.

H. B. No. 174 then passed on the following roll call:

Yeas, 13; Nays, 6; Absent, 4.

Those voting in the affirmative were: Senators Booth, Calder, Fennell, Griffin, Holbrook, Huggins, Maw, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Day, Holmgren, Hunt, Jefferson, Keyser.

Absent and not voting: Senators Bamberger, Bowman, Musser, Patterson.

H. B. No. 174 was transmitted to the House.

H. C. M. No. 4 was read the second time.

On motion of Senator Neslen the rules were suspended and H. C. M. No. 4 was read the third time and placed on its final passage.

H. C. M. No. 4 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Musser.

H. C. M. No. 4 was transmitted to the House.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 30, by Mr. Miller, relating to the suspension and liquidation of banks, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 30 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 55, by Mrs. Musser, relating to child

labor, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 55 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 the Senate considered bills on the third reading calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 48 was read the third time and placed on its final pasage.

H. B. No. 48 passed on the following roll call:

Yeas, 16; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Holbrook, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Candland, Day, Griffin, Holmgren, Young.

Absent and not voting: Senators Booth, Jefferson.

H. B. No. 48 was transmitted to the House.

On motion of Senator Patterson the President appointed a committee consisting of Senators Miller, Holbrook and Young to meet with a like committee from the House to confer with the Governor as to the adjournment sine die of the Twentieth Session of the Legislature.

H. B. No. 214 was read the third time and placed on its final passage.

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

Change "Section 2" to "Section 3" and insert a new section as follows:

"Section 2. And the Secretary of State is further directed to supply, free of charge, the members of the Legislative Code Committee of the Nineteenth Legislature, who are not members of the Twentieth Legislature, and those members of the Nineteenth Legislature who surrendered their copies of the Code Commissioners' Report for the use of said Committee, with copies of the Revised Statutes of Utah 1933, after the same are officially published."

H. B. No. 214 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Day, Maw.

H. B. No. 214 was transmitted to the House.

H. B. No. 81 was read the second time.

H. B. No. 81 was rejected on the following roll call:

Yeas, 8; Nays, 15; Absent, 0.

Those voting in the affirmative were: Senators Booth, Bowman, Huggins, Hunt, Jefferson, Keyser, Miller, Mr. President.

Those voting in the negative were: Senators Bamberger, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young.

H. B. No. 81 was transmitted to the House.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

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 UTAH STATE AGRICULTURAL COLLEGE:

To serve for a term of four years, beginning July 1, 1933, pursuant to Section 5235, Laws of Utah, 1917.

Frank B. Stephens.....Salt Lake City
Frederick P. Champ.....Logan
Dr. M. J. Macfarlane.....Cedar City
P. H. Mulcahy.....Ogden
Joseph B. White.....Paradise
Mrs. Claire Parrish Dorius.....Salt Lake City

To serve for the unexpired term ending July 1, 1935, caused by the resignation of Weston Vernon.

Olof Nelson.....Logan

FOR MEMBERS OF THE STATE BOARD OF AGRICULTURE:

To serve for a term of four years, pursuant to Chapter 2, Laws of Utah, 1921.

J. R. Rawlins.....Draper
John H. Hansen.....Riverton
H. L. Richards.....Fielding
Walter M. Boyden.....Coalville

FOR COMMISSIONER OF AGRICULTURE:

To serve for a term of four years, pursuant to Section 174, Compiled Laws of Utah, 1917, as amended by Section 1 of Chapter 2, Laws of Utah, 1921.

David F. Smith.....Salt Lake City

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.

George S. Eccles.....Ogden

To serve for the unexpired term ending April 1, 1937, caused by the resignation of C. Clarence Neslen.

Rabbi Samuel H. Gordon.....Salt Lake City

FOR STATE ENGINEER:

To serve for a term of four years, pursuant to Chapter 69, Laws of Utah, 1921.

T. H. Humphreys.....Logan

FOR MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH:

To serve for a term of four years from July 1, 1933, pursuant to Section 5523, Compiled Laws of Utah, 1917.

Dr. John J. Galligan .....Salt Lake City
James Ingebretsen .....Salt Lake City
Mrs. A. J. Gorham.....Salt Lake City
Thomas A. Williams .....Salt Lake City
Robert H. Hinckley.....Ogden
Dr. Joseph Hughes .....Spanish Fork

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.

William C. Winder .....Salt Lake City
A. G. Mackenzie .....Salt Lake City
Charles H. Smith .....Centerville
William J. Cowan .....Salt Lake City
Dr. R. C. Swalberg .....Spanish Fork
Mrs. Elmer G. Smith .....Tooele

FOR MEMBERS OF THE STATE BOARD OF PARK COMMISSIONERS:

To serve for a term of four years, pursuant to Chapter 22, Laws of Utah 1925.

Lafayette Hanchett .....Salt Lake City
Randall L. Jones .....Cedar 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.

John E. Jones .....Salt Lake City
Miss Nellie U. Hendricks.....Ogden

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.

Hugo B. Anderson .....Salt Lake City
Vigo R. Madsen .....Salt Lake City

To serve for the unexpired term ending April 1, 1935, caused by the resignation of Joseph Chez.

F. R. Eckhardt .....Ogden

FOR STATE COMMISSIONER OF INSURANCE:

To serve for a term of four years, pursuant to Section 1122, Compiled Laws of Utah 1917.

Elias A. Smith, Jr. .....Salt Lake City

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

To serve for a term of seven years from December 31, 1932, pursuant to Section 2705, Compiled Laws of Utah 1917.

Dr. T. B. Beatty .....Salt Lake City

To serve for the unexpired term ending December 31, 1936, caused by the resignation of John M. Wallace.

Dr. T. J. Howells .....Salt Lake City

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to a Special Committee, appointed by the President, consisting of Senators Maw, Musser, Miller, Candland and Holmgren.

Further consideration of H. B. No. 14.

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

Title, lines 2 and 3, delete "without liability on the part of the State of Utah".

Senator Huggins moved to strike the enacting clause.

Motion carried.

H. B. No. 85 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 85 was read the third time and placed on its final passage.

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

Page 2, insert a new section as follows: "Section 2. This Act shall take effect when the Revised Statutes of Utah 1933, become effective.

H. B. No. 85 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Neslen, Shields, Wallace.

Voting in the negative: Senator Jefferson.

Absent and not voting: Musser, Patterson, Young, Mr. President.

H. B. No. 85 was transmitted to the House.

H. B. No. 112 was read the second time.

On motion of Senator Maw the rules were suspended and H. B. No. 112 was read the third time and placed on its final passage.

H. B. No. 112 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Shields, Wallace, Young.

Absent and not voting: Senators Musser, Patterson, Mr. President.

H. B. No. 112 was transmitted to the House.

H. B. No. 73 was read the second time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 73 was read the third time and placed on its final passage.

H. B. No. 73 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Wallace, Young, Mr. President.

Absent and not voting: Senators Day, Musser, Patterson, Shields.

H. B. No. 73 was transmitted to the House.

H. B. No. 74 was read the second time.

On motion of Senator Miller the rules were suspended and H. B. No. 74 was read the third time and placed on its final passage.

H. B. No. 74 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Neslen, Wallace, Young, Mr. President.

Absent and not voting: Senators Day, Musser, Patterson, Shields.

H. B. No. 74 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered this day after H. B. No. 81: H. B. No. 45, H. B. No. 46, H. J. R. No. 4, H. J. R. No. 5, H. J. R. No. 6, S. B. No. 142, H. B. No. 217, H. B. No. 100, H. B. No. 83, H. B. No. 77, H. B.

No. 78, H. B. No. 79, H. B. No. 22, H. B. No. 36, H. B. No. 177, H. B. No. 181, H. B. No. 192, H. B. No. 158, H. B. No. 169, H. B. No. 65, H. B. No. 54, H. B. No. 167, H. B. No. 124, H. B. No. 75, H. B. No. 7, H. B. No. 103.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

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

On motion of Senator Bamberger the Committee of the Whole dissolved.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

Mr. President:

We, your Conference Committee, to which was referred S. B. No. 41, by Mr. Wallace, for the protection of deposits of public funds, recommends that the said Bill be adopted by the Senate and the House, but with the following amendments:

On page 9, in lieu of the insert placed between lines 14 and 15, substitute the following: "No service charge shall be required by any depository for the handling of public funds. Interest shall be paid on deposits of public funds at a rate not less than one percentum per annum nor less than rates currently paid on similar deposits of individuals or corporations, provided that interest on inactive deposits shall be paid at least as high as is paid on deposits or funds of the United States or Postal Savings funds."

Also on page 10, line 17, strike the period, insert a semicolon and add the following: "provided further, that if any depository shall protect by surety bond or otherwise any deposits of individuals or corporations, or of

the United States, or of Postal Savings funds, like protection shall be required for similar deposits of the State of Utah or any of its political sub-divisions".

Respectfully submitted,

By JOHN M. WALLACE,
Senate Chairman,

By IRWIN ARNOVITZ,
House Chairman.

Report adopted.

S. B. No. 41 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Jefferson.

Absent and not voting: Senator Musser.

S. B. No. 41 was referred to the Committee on Revision and Enrolling to be engrossed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

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. 16, by Mr. Hunt, relating to powers and duties of Board of Examiners, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 16 was transmitted to the Governor.

March 9, 1933.

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. 29, by Mr. Huggins, relating to form of ballot, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 29 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 36, by Mrs. Burton W. Musser, relating to transportation by motor vehicles, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 36 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 39, by Mr. Day, An Act authorizing the killing of dogs, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 39 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 77, by Mr. Bowman, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 77 was transmitted to the Governor.

March 9, 1933.

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. 30, by Mr. Miller, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 30 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 82, by Mr. Griffin, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 82 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 83, by

Mr. Neslen, relating to gaming, making pool selling and book-making a misdemeanor, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 83 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 88, by Mr. Bowman and Mr. Jefferson, relating to securing rights of way, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 88 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 101, by Mr. Monson, authorizing boards of county commissioners to create flood control districts, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 108, by Mr. Bowman, relating to fraternal insurance societies, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 108 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 110, by Mr. Booth, relating to Utah State Hospital, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 110 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and House, S. B. No. 135, by Mr. Holbrook, providing a special fund to be set apart and used for vocational education, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Holbrook the Senate concurred in the House amendments.

S. B. No. 135 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller Musser, Neslen, Patterson, Wallace Young, Mr. President.

Absent and not voting: Senators Candland, Shields.

S. B. No. 135 was referred to the Committee on Revision and Enrolling to be engrossed.

COMMUNICATIONS FROM THE GOVERNOR

March 9, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 14, by Mr. Miller, entitled, "An Act providing that all monies received by the State of Utah from the United States on account of royalties from the sale of coal shall be given to the counties for the construction and maintenance of roads and the support and maintenance of public schools".

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

On motion of Senator Keyser the Senate sauntered.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 217 was read the second time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 217 was read the third time and placed on its final passage.

H. B. No. 217 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Mr. President.

Absent and not voting: Senators Griffin, Huggins, Young.

H. B. No. 217 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 43, by Mr. Monson, providing for establishment of branching of offices of banks, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 43 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 59, by Mr. Pectol, relating to designation of primary state roads,

and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 173, by Mr. Young, relating to the lights, reflectors and equipment required on motor vehicles, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 173 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. J. R. No. 10, by Mrs. Bosone, a Joint Resolution proposing an amendment to article 16 of the Constitution, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. J. R. No. 10 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

H. B. No. 36 was read the second time.

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

Page 2, line 10, strike the word "ten" and insert "eight". Line 1 of the title, after the word "section", insert "3-5-11 and". Line 1, after the word "section", insert "3-5-11 and". Line 2, change the word "be" to "are".

Page 1, between lines 2 and 3, insert the following:

> 3-5-11. The brand inspectors shall charge and collect a fee of eight cents per head as brand inspection tax on all such cattle, horses or mules so inspected, to be collected by the inspectors from the owners or persons in charge of said cattle, horses or mules before issuing any such certificate of brand inspection, And the fees so collected shall be reported and transmitted to the state board of agriculture at such time and in such manner as it shall by regulation require."

Page 2, line 22, after the word "inspector", strike the balance of the paragraph. Page 3, line 7, before the word "this', insert "section 2".

On motion of Senator Jefferson the rules were suspended and H. B. No. 36 was read the third time and placed on its final pasage.

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

Page 3, line 6, after the word "misdemeanor", strike the period and insert a semicolon and insert the following: "provided the provisions of this section shall not apply to sheep".

H. B. No. 36 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Senators Griffin, Mr. President.

H. B. No. 36 was transmitted to the House.

H. B. No. 45 was read the second time.

On motion of Senator Neslen the rules were suspended and H. B. No. 45 was read the third time and placed on its final passage.

H. B. No. 45 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Day, Fennell, Griffin, Holmgren, Huggins, Hunt, Keyser, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Senators Booth, Holbrook, Jefferson, Miller, Mr. President.

H. B. No. 45 was transmitted to the House.

H. B. No. 46 was read the second time.

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

Strike amendments to section 75-7-1 and reinsert the printed copy.

On motion of Senator Keyser the rules were suspended and H. B. No. 46 was read the third time and placed on its final passage.

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

Page 1, line 4, strike the parenthesis and insert "the President of the University of Utah, the President of the Utah State Agricultural College". Strike the word "eight" and insert "six".

On motion of Senator Bowman the rules were suspended and the action of the Senate placing H. B. No. 46 on final passage was reconsidered and H. B. No. 46 was then placed on the third reading calendar on the following roll call:

Yeas, 14; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller, Musser, Neslen, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Booth, Candland, Day, Hunt, Patterson.

Absent and not voting: Senators Fennell, Jefferson, Keyser, Shields.

H. J. R. No. 4 was read the second time.

On motion of Senator Booth the rules were suspended and H. J. R. No. 4 was read the third time and placed on its final passage.

H. J. R. No. 4 failed to pass on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin (explained vote), Holbrook, Holmgren (explained vote), Huggins, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Booth, Candland, Day, Hunt, Keyser, Patterson, Young.

Absent and not voting: Senator Jefferson.

H. J. R. No. 4 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 55, by Mrs. Musser, relating to child labor, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 55 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 73, by Mr. Keddington, An Act forbidding the sale of convict-made goods on the open market, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 73 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open

session, in the presence of the House, H. B. No. 74, by Mr. Keddington, "An Act relating to goods, wares, and merchandise manufactured or produced by convicts or prisoners," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 74 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 85, Substitute for H. B. No. 9 and H. B. No. 13, by Mr. Thatcher and Mr. Magleby, relating to date of delinquency of taxes, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 85 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 89, by Mr. Caine, "An Act to provide for the reorganization of building and loan associations," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 89 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 97, by Mrs. Bosone, regulating the employment of women and minors, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 97 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 112, by Appropriation Committee, An Act making deficiency appropriation for the maintenance of medical and hospital service, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 112 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 150, by Mr. Arnovitz, to provide for the payment of not less than the general prevailing rate of wages on public works, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 150 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 174, by Mr. Boyden, defining conventions, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 174 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 COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith Senate Bill No. 59, by Mr. Huggins, relating

to the requirements of applicants, properly enrolled and engrossed for the signature of the President.

GEO M. MILLER.

Report filed.

S. B. No. 59 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 135, by Mr. Holbrook, providing a special fund to be set apart and used for vocational education, properly enrolled and engrossed for signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 135 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.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 5 was read the second time.

On motion of Senator Holbrook the rules were suspended and H. J. R. No. 5 was read the third time and placed on its final passage.

H. J. R. No. 5 failed to pass on the following roll call:

Yeas, 12; Nays, 8; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Griffin, Holbrook, Huggins, Maw, Miller, Musser, Neslen, Shields, Wallace, Mr. President.

Those voting in the negative were: Senators Booth, Candland, Day, Holmgren, Hunt, Keyser, Patterson, Young.

Absent and not voting: Bowman, Fennell, Jefferson.

H. J. R. No. 5 was returned to the House.

H. J. R. No. 6 was read the second time.

On motion of Senator Maw the enacting clause was stricken.

H. J. R. No. 6 was returned to the House.

S. B. No. 142 was read the second time.

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

On page 8, line 12, strike parenthesis and insert the following: "Passenger trains operating within this State may stock their dining or buffet cars with cigarettes that have been stamped and cancelled with the cancellation number at division headquarters."

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

Page 8, strike lines 1 to 6 inclusive.

Senator Booth moved to strike the enacting clause.

Senator Holbrook with the aid of five Senators requested a roll call.

The motion was lost on the following roll call:

Yeas, 8; Nays, 12; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Fennell, Jefferson, Keyser, Miller, Patterson, Wallace.

Those voting in the negative were: Senators Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Maw, Musser, Young, Mr. President.

Absent and not voting: Senators Candland, Neslen, Shields.

S. B. No. 142 was placed on the third reading calendar on the following roll call.

Yeas, 15; Nays, 5; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Musser, Neslen, Young, Mr. President.

Those voting in the negative were: Senators Booth, Fennell, Jefferson, Patterson, Wallace.

Absent and not voting: Senators Candland, Miller, Shields.

Senator Neslen moved to strike the enacting clause on H. B. No. 46.

Motion carried.

H. B. No. 46 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in the amendments made by the Senate on H. B. No. 214, except section 2 of the bill, by Mr. Eastman and Mr. Hammond, entitled "An Act directing the Secretary of State to furnish the members of the 1933 House of Representatives and the State Senate with copies of the Revised Statutes of Utah 1933", and requests the Senate to recede from the balance of their amendments, and that the Speaker has today appointed a committee composed of Messrs. Eastman, Hammond and Lane to meet with a like committee of the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Candland the Senate refused to recede from its position and the President appointed a Conference Committee consisting of Sentaors Shields, Huggins, and Hunt, to act with a like committee from the House to consider amendments to H. B. No. 214.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the Senate and the House, S. B. No. 136, Substitute for S. B. No. 122, by Special Joint Committee on Procedure: providing for the membership, appointment, term of office, and salary to be received by the members of the Public Utilities Commission, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Huggins moved that the Senate do not concur in the House amendments.

Motion carried.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

TO THE LEGISLATURE:

The time has arrived when it is reasonable to suppose that the Legislature is contemplating an early adjournment.

Up to the present time, adequate provision has not been made for unemployment relief. A number of bills have been introduced, but no measure has yet been agreed upon that will meet the situation. I very strongly urge that the Legislature take prompt action to provide funds

for this absolutely necessary purpose. The amount should be sufficient to meet present necessities and exigencies that may arise at any time.

Under the same revenue plan it should be possible to provide against a deficit in the general fund at the end of the biennium beginning July 1, 1933. I am sure you will agree that appropriations must be held within the estimated revenues for the biennial period; but provision should be made for what now seems an inevitable shrinkage of the estimated revenue. Support for the general fund up to the amount of the appropriations made by the Legislature should be provided. I most earnestly suggest prompt consideration of these important matters.

I shall be glad to confer with the appropriate committees of both houses if it is your desire that I do so and assist in deciding upon the amounts to be provided and the method by which the funds are to be raised.

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

Senator Jefferson moved that the President appoint a committee to act with a like committee from the House to confer with the Governor regarding his message and the amount of money suggested as necessary for unemployment relief.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 100 was read the second time.

H. B. No. 100 was rejected on the following roll call:

Yeas, 0; Nays, 19; Absent, 4.

Those voting in the negative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Wallace, Young.

Absent and not voting: Senators Holmgren, Patterson, Shields, Mr. President.

H. B. No. 100 was returned to the House.

H. B. No. 83 was read the second time.

On motion of Senator Neslen the rules were suspended and H. B. No. 83 was read the third time and placed on its final passage.

H. B. No. 83 then passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Fennell, Holbrook, Huggins, Keyser (explained vote), Maw, Miller, Musser, Neslen, Patterson (explained vote), Wallace, Young, Mr. President.

Those voting in the negative were: Senators Booth, Day, (explained vote), Griffin, Holmgren (explained vote), Hunt, Jefferson.

Absent and not voting: Senator Shields.

H. B. No. 83 was transmitted to the House.

On motion of Senator Bowman the Senate sauntered.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. C. M. No. 4 by Mr. Pectol, "A Memorial to the Congress of the United

States requesting the creation of a National Park or Monument in Wayne County, Utah", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. C. M. 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 41, by Mr. Wayman, creating small claims departments of Justice's courts and city courts, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 45, by Mr. Hoyt, relating to duties of the State Superintendent of Public Instruction, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 45 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 47 by Mr. Wayman, creating the Great Salt Lake Improvement Association, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 217, by Joint Committee on Procedure, authorizing the Governor to appoint one of the elective officers in the executive department of the State government to act as ex officio a member of the State Road Commission", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 217 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 213, by Joint Appropriations and Claims Committee, "An Act making appropriations for the support of the State government for the period beginning July 1, 1933, and ending June 30, 1935; conferring certain powers on the Governor relating thereto; providing for emergency relief; requiring reports from State officers; forbidding deficits; and restricting out of State travel", and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 213 was read the first time.

Senator Keyser moved that the rules be suspended and the Senate now consider H. B. No. 213.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. 213 was read the second time.

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

Page 4, line 15, strike the word "and".

Page 6, line 28, after the semicolon insert "to general fund".

Page 7, line 5, after the semicolon insert "to general fund".

Page 7, line 20, strike the numerals "11" and re-insert "26".

Page 8, line 2, after the word "commission" insert the following: "for disabled miners relief".

On motion of Senator Keyser the rules were suspended and H. B. No. 213 was read the third time and placed on its final passage.

H. B. No. 213 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefterson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

H. B. No. 213 was transmitted to the House.

The President appointed Senators Maw, Fennell and Keyser to act with a committee from the House to confer with the Governor regarding his message.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

Mr. President:

Your Calendar Committee reports out the following bills for second reading calendar to be considered in the following order: H. B. No. 77, H. B. No. 78, H. B. No. 79, H. B. No. 167, H. B. No. 169, H. B. No. 181, H. B. No. 22, H. B. No. 7, H. B. No. 177, H. B. No. 192, H. B. No. 158, H. B. No. 65, H. B. No. 54, H. B. No. 124, H. B. No. 75, H. B. No. 103.

C. C. NESLEN.

Report filed and bills placed on the second reading calendar.

Senator Holbrook moved that the rules be suspended and H. B. No. 54 be placed at the head of the second reading calendar.

Senator Holbrook with the aid of five Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 11; Nays, 12; Absent, 0.

Those voting in the affirmative were: Senators Bowman, Calder, Candland (explained vote), Day, Griffin, Holbrook, Holmgren, Huggins, Maw, Miller, Mr. President.

Those voting in the negative were: Senators Bamberger, Booth, Fennell, Hunt, Jefferson, Keyser, Musser (explained vote), Neslen (explained vote), Patterson, Shields, Wallace, Young.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 77 on second reading.

On motion of Senator Day the rules were suspended and H. B. No. 77 was read the third time and placed on its final passage.

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

Page 6, line 12 strike the word "therefor" and insert in lieu thereof the word "thereof".

Page 7, line 18, after the numerals "18" insert "of this act".

H. B. No. 77 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Miller, Musser, Neslen, Wallace, Young, Mr. President.

Those voting in the negative were: Senator Patterson.

Absent and not voting: Senators Fennell, Keyser, Maw, Shields.

H. B. No. 77 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform you that the House refuses to recede from its amendments to Senate Bill No. 136, Substitute for Senate Bill No. 122, by Special Joint Committee on Procedure, providing for the membership, appointment, term of office, and salary to be received by the members of the Public Utilities Commission; and that the Speaker today has appointed a conference committee composed of Messrs. Holley, Vernon, and Henderson to meet with a like committee from the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Miller, Bowman, and Bamberger to act with a like committee from the House to consider amendments to S. B. No. 136.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 36, by Mr. Caine, relating to the inspection of neat animals, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 36 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.

Complying with the requirements set forth in S. B. No. 97, creating a Legislative Code Committee to supervise the completion of the editorial work and the issuance of the statute book containing the Revised Statutes of

Utah 1933, the President appointed as such committee Senators Shields, Keyser and Huggins to act with a like Committee from the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 78 was read the second time and on motion of Senator Bamberger the rules were suspended and H. B. No. 78 was read the third time and placed on its final passage.

Senator Shields moved that the rules be suspended and that the Senate now consider S. B. No. 92.

Motion carried.

S. B. No. 92 was read the second time.

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

Page 2, line 11, after the word "law" strike the period and insert the following: "except that the organization, regulation, examination, and liquidation and fees therefor for cooperative banks for personal credit otherwise known as credit unions shall be as provided in Chapter 7 of this title and not otherwise."

Page 3, line 2, strike the word "four" and insert "three". Also strike the words "two of whom" and insert "who". Line 3, beginning with the word "and" strike the balance of the line also strike lines 4 and 5 to and including the word "years". Line 13, after the word "time", insert a period and strike the balance of the sentence. Line 25, strike the word "three" and insert "two". Line 28, strike the second word "commission" and insert "Governor".

Page 2, line 23, strike the word "four" and insert "three". Line 24, beginning with the word "and" strike the balance of the line, also strike line 25 to and including the word "party".

Page 4, strike the word "commission" and insert "Governor".

Page 5, lines 4 and 5, strike the words "three-fourths" and insert "two-thirds". Line 25, after the word "emergency" insert the following:

"The commission, may, whenever it deems it necessary in order to conserve the assets of any bank for the benefit of the depositors and other creditors thereof, authorize the director to appoint, and the director may appoint, a conservator for such bank, and require of him such bond and security as he deems proper. The conservator, under the direction of the department shall take possession of the books, records and assets of every description of such bank, and take such action as may be necessary to conserve the assets of such bank pending further disposition of its business as provided by law. During the time that such conservator remains in possession of such bank, the rights of all parties with respect thereto shall, subject to the other provisions of this title, be the same as if possession thereof had been taken by the department for the purpose of liquidation. If the department becomes satisfied that it may safely be done, and that it would be in the public interest, it may, in its discretion, terminate the conservatorship and permit such bank to resume the transaction of its business, subject to such terms, conditions, restrictions and limitations as it may prescribe. The department may permit any such conservator to receive deposits, but deposits received while the bank is in the hands of the conservator shall not be subject to any limitation as to payment or withdrawal, and such deposits shall be segregated and shall not be used to liquidate any indebtedness of such bank existing at the time that a conservator was appointed for it and such deposits shall be kept in cash or invested in bonds of the United States or of the State of Utah or deposited in such bank or banks as the department may direct."

Page 9, insert a new section as follows:

"Section 2. Notwithstanding the fact that this Act proposes to amend Section 7-1-1, 7-1-3, 7-1-5, 7-1-6, 7-1-7, 7-1-9, 7-1-11 and 7-1-26 Revised Statutes of Utah 1933, and that said Revised Statutes of Utah 1933, are not yet effective, nevertheless an emergency existing, the foregoing Sections of the Revised Statutes of Utah 1933, are so amended, and the same and this Act shall take effect upon approval."

Page 2, line 24, after the word "Governor" insert "by and with the advice and consent of the Senate."

Page 3, line 28, after the word "Governor" insert "by and with the advice and consent of the Senate".

S. B. No. 92 was placed on the third reading calendar on the following roll call:

Yeas, 16; Nays, 5; Absent, 2.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Candland (explained vote), Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Booth, Huggins, Jefferson, Maw, Patterson.

Absent and not voting: Senators Day, Musser.

On motion of Senator Shields the rules were suspended and S. B. No. 92 was read the third time and placed on its final passage.

S. B. No. 92 then passed on the following roll call:

Yeas, 17; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Hunt, Keyser, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Booth, Huggins, Jefferson, Maw, Patterson.

Absent and not voting: Senator Day.

S. B. No. 92 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 48, by Mr. Lane, An Act to define and limit the jurisdiction of courts sitting in equity, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 48 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the present of the House, H. B. No. 83, by Mr. Wayman, relating to the tax on gasoline, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 83 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.

March 9, 1933.

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. 1, by Mr. Holbrook, relating to the filling of vacancies in the Legislature of the State of Utah, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 1 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 21, by Mr. Neslen, relating to annual tax levies in cities, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 21 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 59, by Mr. Huggins, relating to the requirements of applicants for license to practice as graduate or registered nurses, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 59 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 135, by Mr. Holbrook, providing a special fund to be set apart and used for vocational education, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 135 was transmitted to the Governor.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Senate:

I respectfully call your attention to my letter of January 18, 1933, transmitting the names of the recess appointees of Governor George H. Dern.

Attention is called to this now in order that action by the Senate confirming the appointees therein named may be taken before adjournment.

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORT OF STANDING COMMITTEES

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 41, by Mr. Wallace, for the protec-

tion of deposits of public funds, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 41 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 Wallace the Senate sauntered.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 1, by Mr. Holbrook, entitled, "An Act amending section 25-1-5, Revised Statutes of Utah 1933, relating to the filling of vacancies in the Legislature of the State of Utah," properly enrolled and engrossed for the signature of the President..

GEO. M. MILLER.

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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 21, by Mr. Neslen, entitled, "An Act to amend section 15-8-87, Revised Statutes of Utah 1933, relating to annual tax levies in cities," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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 Maw the Senate resolved itself into executive session to consider appointments made by the Governor.

On motion of Senator Maw the executive session dissolved.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 124 was read the second time.

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

Strike the whole of section 1.

Change section 2 to section 1, section 3 to section 2, section 4 to section 3, section 5 to section 4, section 6 to section 5, section 7 to section 6.

Strike section 3 down to and including the words "tax burden" and on the last line of the paragraph strike the word "this" and insert in lieu thereof the word "the" and at the end of the line strike the period and insert "of this act."

Strike the first and third paragraphs of section 5.

At the end of section 4 insert the following: "and may engage in a program of public works as they may deem necessary".

Strike the whole of subsection "a" of Section 4.

On motion of Senator Keyser the rules were suspended and H. B. No. 124 was read the third time and placed on its final passage.

H. B. No. 124 then passed on the following roll call:

Yeas, 19; Nays, 4; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Booth, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Huggins, Hunt, Keyser (explained vote), Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Candland, Griffin, Jefferson, Patterson.

H. B. No. 124 was transmitted to the House.

H. B. No. 167 was read the second time.

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

Page 2, change section 2 to section 3 and insert as section 2 the following: "This Act shall have no application to indebtedness accruing subsequent to the effective date of this Act."

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

Page 1, line 3, before the word "if" insert the following: "on or before December 31, 1934".

On motion of Senator Bamberger the rules were suspended and H. B. No. 167 was read the third time and placed on its final passage.

H. B. No. 167 then passed on the following roll call:

Yeas, 15; Nays, 8; Absent, 0.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Griffin, Holbrook, Holmgren, Huggins (explained vote), Hunt, Jefferson, Maw, Musser, Neslen (explained vote), Patterson, Wallace, Mr. President.

Those voting in the negative were: Senators Bamberger, Candland, Day, Fennell, Keyser, Miller, Shields, Young.

H. B. No. 167 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 77, by Mr. Young, to require certificates of titles for registered motor vehicles.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 220, by Mr. Hoyt, "An Act declaring vacant the office of a person failing to qualify or whose official bond becomes void," and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 220 was read the first time and referred to the Calendar Committee.

March 9, 1933.

Mr. President:

I am instructed to transmit to you H. B. No. 101, by Mr. Monson, "An Act authorizing boards of county commissioners to create flood control districts inside or outside of incorporated cities and towns". In this house bill an error was discovered after you had affixed your signature, for which reason it is returned for your approval of the correction made in section 3, line 16, which line is being corrected to read, "so fixed

owners of forty five percent of the property benefited endorse".

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the correction, as made by the House was approved.

H. B. No. 101 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Voting in the negative: Senator Day.

Absent and not voting: Senator Shields.

H. B. No. 101 was returned to the House.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 121A, Substitute for H. B. No. 121, by Mrs. Ericksen, "An Act to regulate the dispensing of certain hypnotic and depressant drugs", and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 121A was read the first time and referred to the Calendar Committee.

March 9, 1933.

Mr. President:

I am instructed to transmit to you H. B. No. 214, by Mr. Eastman and Mr. Hammond, "An Act directing the

Secretary of State to furnish the members of the 1933 House of Representatives and State Senate with copies of the Revised Statutes of Utah 1933," amended in accordance with the Conference Committee Report for final approval by the Senate.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

Mr. President:

Your Conference Committee on H. B. No. 214 by Mr. Eastman and Mr. Hammond, "An Act directing the Secretary of State to furnish the members of the 1933 House of Representatives and State Senate with copies of the Revised Statutes of Utah, 1933, after containing the 1933 Session Laws fully indexed and annotated, provided the present copies of the Revised Statutes are surrendered" begs to report that it has met with the committee appointed by the President of the Senate and has arrived at the following recommendations:

That the Senate amendment be stricken in the title which is to read: "An Act directing the Secretary of State to furnish the members of the 1933 House of Representatives and State Senate with copies of the Revised Statutes of Utah 1933, fully indexed and annotated, and the 1933 Session Laws, provided the present copies of the Revised Statutes are surrendered."

Lines 1 and 2 of Section 1, reinstate deletion made by Senate.

Lines 3 and 6 of Section 1, that the House concur in the Senate amendment. Also that the words: "Fully annotated and indexed" be placed after "Utah 1933" in line 5, and a period be placed after "1933 Session Laws" in line 6. That the House concur in the Senate amend-

ments inserting section 2 and changing former section 2 to section 3.

CONFERENCE COMMITTEE,

DAN B. SHIELDS,
Senate Chairman,

FRANK G. EASTMAN,
House Chairman.

Report adopted.

H. B. No. 214 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Jefferson, Shields.

H. B. No. 214 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

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. Neslen, relating to annual tax levies in cities, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 21 was transmitted to the Governor.

March 9, 1933.

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. Holbrook, relating to the filling of vacancies in the Legislature of the State of Utah, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 1 was transmitted to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 169 was read the second time.

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

Page 2, line 23, after the word "plaintiff" strike the balance of the line. Also strike line 24 and the first word on line 25.

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

Page 1, line 7, after the word "mortgage" insert "now existing". Line 8, strike the words "in any case" and insert "now existing." Line 14 after the word "mortgage" insert "now existing".

Senator Shields moved to amend the bill as follows:

Page 2, line 27, after the word "warranted" change the "." to a "," and add "or, where the mortgagor or his successor in interest shall fail promptly to pay all interest, taxes and fire insurance premiums provided for in the mortgage or the note which it secures, or by law."

Motion carried.

Senator Maw moved to strike the amendment offered by Senator Shields on page 2, line 27.

Senator Maw, with the aid of five Senators requested a roll call.

The motion was lost on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Griffin, Holbrook, Huggins, Jefferson, Maw, Musser, Patterson.

Those voting in the negative were: Senators Bamberger, Day, Fennell, Hunt, Keyser, Miller, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Holmgren.

On motion of Senator Bamberger the rules were suspended and H. B. No. 169 was read the third time and placed on its final passage.

H. B. No. 169 then passed on the following roll call:

Yeas, 12; Nays, 9; Absent, 2.

Those voting in the affirmative were: Senators Booth, Bowman, Calder, Holbrook, Huggins, Hunt, Jefferson, Maw, Musser, Neslen, Patterson, Mr. President.

Those voting in the negative were: Senators Bamberger, Day, Fennell, Griffin, Keyser, Miller, Shields, Wallace, Young.

Absent and not voting: Senators Candland, Holmgren.

H. B. No. 169 was transmitted to the House.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Legislature:

The Committee on Reorganization and Operation of State Government was called into being under a concur-

rent resolution passed in the early days of the present session. This committee performed its duties in a very commendable way and reported on February 10 with recommendations.

Due to the very heavy legislative program that has been undertaken by this Legislature it has been impossible for this Committee to continue its work, and, of course, the Committee passes out of existence with the close of this session.

I believe the situation justifies the creation of a new committee to pursue the investigations undertaken by the Committee on Reorganization and Operation of State Government. Such committee, in my opinion, should be composed of the same number of persons and be appointed under like authority. Its scope of activities, however, should be broadened to include an investigation of the governmental set-up of the State, the counties, school districts and all cities and towns.

It is recognized that this would require a great deal of time and research, but the demand for a reduction of the expenses of government is so insistent and the need thereof so great that I deem it proper to call this to your attention and to submit a tentative draft of a bill that should be given consideration before the conclusion of this session. Such a tentative bill has been drafted and placed in the hands of the Joint Committee on Procedure.

The new committee should report to the Governor its findings not later than December 1, 1934.

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

Senator Neslen moved that the Senate do now consider H. B. No. 181.

H. B. No. 181 was read the second time.

On motion of Senator Holbrook the rules were suspended and H. B. No. 181 was read the third time and placed on its final passage.

H. B. 181 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Holmgren, Patterson.

H. B. No. 181 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the conference committee report and passed, as amended in title and body by the Senate and the House, S. B. No. 136, Substitute for S. B. No. 122, by Special Joint Committee on Procedure, "An Act amending sections 4774 and 4777 of the Compiled Laws of Utah 1917, and sections 76-1-1 and 76-1-3, Revised Statutes of Utah 1933, providing for the membership, appointment, term of office, and salary to be received by the members of the Public Utilities Commission; making the State Engineer ex officio a member of the commission and terminating the terms of office of the present Public Utilities Commissioners," and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your honorable body that the House has this day adopted the Conference Committee report on S. B. No. 124 by the Joint Committee on Procedure relatig to Jurors and herewith return the same for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

To the Senate and House of Representatives:

Your Conference Committee, to whom was referred S. B. No. 136, by Special Joint Committee on Procedure, begs leave to make the following recommendations:

That the title be amended to read as follows: "An Act amending sections 4775 and 4777 of the Compiled Laws of Utah 1917, and Sections 76-1-1 and 76-1-3, Revised Statutes of Utah 1933, providing for the membership, appointment, term of office, and salary to be received by the members of the Public Utilities Commission; making the State Engineer ex-officio a member of the commission and terminating the terms of office of the present Public Utilities Commissioners," that the Senate concur in the following amendments:

That on page 2, line 22, a "comma" be inserted after the word "to".

That on page 2, line 23, a "comma" be inserted after the word "of".

On page 3, line 12, the following be added: "The board of supplies and purchase shall fix the salaries of the members of the commission within the limits herein set forth".

On page 3, strike the whole of section 4.

On page 3, change section 5 to read section 4.

That the House recede from its amendment on page 3, line 3, by striking "$3,000.00" and inserting "$3,500.00" as originally printed.

That the House recede from its amendment on page 3, line 4, by striking "$8.00" and inserting "$10.00" in lieu thereof as originally printed.

CONFERENCE COMMITTEE,

GEO. M. MILLER,
Chairman for the Senate.

JOHN HOLLEY,
Chairman for the House.

Report adopted.

S. B. No. 136 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Holmgren, Maw, Patterson.

S. B. No. 136 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

President of the Senate and
Speaker of the House:

We, your Conference Committee, appointed to consider differences on S. B. 124, relating to Fees of Jurymen, beg leave to report we have met and considered the

bill and we now recommend that the House recede from its amendment on Page 1, Line 10, increasing the rate per day of jurors from $3.00 to $4.00.

Respectfully,

C. J. FENNELL,
Senate Chairman,

GILBERT THATCHER,
House Chairman.

Report adopted.

S. B. No. 124 was referred to the Committee on Revision and Enrolling to be engrossed.

COMMUNICATION FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 41, by Mr. Wallace, An Act for the protection of deposits of public funds, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 41 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your honorable body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 101 by Mr. Monson, and the same is herewith transmitted for the signature of the President.

ERNEST R. McKAY,
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.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 7 was read the second time.

On motion of Senator Keyser, the rules were suspended and H. B. No. 7 was read the third time and placed on its final passage.

On motion of Senator Booth, the bill was amended as follows:

Page 1, line 2, after the word "corporation" add "partnership, association or person".

Page 1, line 4, after "certificate", add "installment or fully paid bonds and installment or fully paid investment trust certificates" and after the word "Utah" insert the words "and hereinafter in this act referred to as the depositor".

Page 1, line 7, change the word "corporation" to "depositor".

Page 1, line 8, change the words "depositing companies" to "depositors".

Page 1, line 11, change the words "depositing companies" to "depositors".

Page 1, line 14, after the words "on hand", insert "in cash value, or in the case of stocks, the number and kind thereof and the name of the issuing company".

Page 2, line 4, strike out the words "The instrument".

Page 2, line 8, after the amendment of the house, add "And the State Treasurer shall, at the request of the said depositor, deliver to any such bank or trust company, taking proper receipt therefor, any security or securities

held for such depositor under the Trust Agreement, where such action is necessary in carrying out the terms of such Trust Agreement".

Page 2, line 15, after the word "month", add "In the case of stocks, all such certifications of liabilities shall be given in the number and kind of such stocks and the name of the issuing company."

Page 3, lines 3 and 4, after the word "calendar" change the word "month" to "year" and on line 4, after the words "fee of" strike out the words "ten cents" and from there to the end of the paragraph and substitute therefor the following: "one-tenth of one per cent of the value of all securities and cash held and valued as of the last day of the said calendar year, provided that there shall be a minimum fee of Fifty Dollars per year."

H. B. No. 7 failed to pass on the following roll call:

Yeas, 8; Nays, 11; Absent, 4.

Those voting in the affirmative were: Senators Booth, Candland, Day, Jefferson, Maw, Patterson, Young, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Holmgren, Huggins, Hunt, Keyser, Shields, Wallace.

Absent and not voting: Senators Holbrook, Miller, Musser, Neslen.

H. B. No. 7 was returned to the House.

FURTHER CONSIDERATION OF H. B. NO. 78

On motion of Senator Bamberger, the bill was amended as follows:

Page 19, line 23, strike the following "pay not more than "$3.00 hereafter", and on line 22, reinsert the following: "under the provisions of this act take a higher rate."

Page 20, strike lines 23, 24 and 25, and insert the material in these lines between lines 7 and 8 of page 20.

Page 21, insert the following section in place of section k.

(j) No truck, trailer, or semi-trailer shall be licensed under sub-division "e" or "h" of this section in excess of five ton capacity, and no truck, trailer or semi-trailer shall be licensed under sub-division "f" or "i" of this section in excess of two ton capacity. Change of this section in excess of two ton capacity.

Change section j to k and section k to section l.

On motion of Senator Jefferson, the bill was amended as follows:

Page 19, line 16, after the word "H. P.", insert "or over" and strike line 17.

H. B. No. 78 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Hunt, Jefferson, Keyser, Maw, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Huggins, Miller.

H. B. No. 78 was transmitted to the House.

H. B. No. 79 was read the second time.

On motion of Senator Patterson, rules were suspended and H. B. No. 79 was read the third time and placed on its final passage.

On motion of Senator Bamberger, the bill was amended as follows:

Page 5, line 13, change the word "sixteen" to "eighteen".

On motion of Senator Young, the bill was amended as follows:

Page 2, line 32, after the word "tractor" insert the following: "or his own truck for the purpose of hauling his own produce to or from his farm not to exceed two miles."

H. B. No. 79 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Voting in the negative: Senator Patterson.

H. B. No. 79 was transmitted to the House.

Senator Bamberger moved that the presentation speech given by Senator Candland be printed in the Journal.

Motion carried.

Mr. President:

Your colleagues in the Senate desire to express their esteem and appreciation of your very fair, impartial and able conduct as the presiding officer of this body. In saying this, I make no distinction as to groups. Your decisions have uniformly been fair, courageous and correct, and in accordance with parliamentary procedure. That there has been in this session an almost entire absence of partisanship and political contention is largely due to your observance of a neutral policy and a fair interpretation of the rules.

If our progress has not been entirely satisfactory it is no fault of the President. When the smoke has cleared

away, when the captains and the kings depart, I feel that the session over which you have so ably presided will measure up with its predecessors. As you daily looked down on the faces confronting you, I think you must have been impressed by the earnestness and honesty of purpose of the members of the Senate; that each one was conscientiously doing his duty as he saw it even as they, critically observing you, felt that your motives were purely for the best interest of the State, and that you were conscientiously trying to fill the great office—for it is a great an honorable position, only one officer intervening between that and the Governor—to the best of your ability and that mutual respect and confidence has abided here.

Mr. President, I have witnessed several occasions of this kind during my 37 years of legislative experience but I cannot recall one where there was a more complete absence of petty feeling, of spite and distrust, and where there existed such a thorough good fellowship.

I have been selected to present to you this gavel as a token of these high regards.

Not for its great intrinsic value, or for its beauty or for its utility, but because it expresses a deep sentiment. Perhaps some cynic may say it symbolizes the Senate in that its head is made of wood, however, it does symbolize the Senate in that each little piece represents one of your colleagues, and that joined together, they make a perfect whole even as the individual Senators create a perfect whole, without perfection. It further symbolizes the Senate in that it is bound around with purest silver, even as this body is bound around with a band of purest respect and love and confidence for its presiding officer.

We present this to you in the hope that you will accept it as a token of good will. That you will preserve it so that your posterity will prize it, not for what it is, but for what is stands for, and with the further hope that it will bring you success, happiness and we wish for you a long and useful life.

REPORT OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 136, substitute for S. B. No. 122, by Special Joint Committee on Procedure, providing for the membership, appointment, term of office, and salary to be received by the members of the Public Utilities Commission, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 136 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

March 9, 1933.

Mr. President:

I am instructed to inform you that H. B. No. 58, by Mr. Miles, "An Act establishing a Junior College at St. George City", passed by the House on the 4th day of March and by the Senate on the 7th day of March, 1933, has been returned to the House by the Governor without his signature. The House passed H. B. No. 58, as amended and transmits the amended H. B. No. 58 for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

On motion of Senator Bowman the Senate concurred in the House amendment, striking Section 5.

Senator Bowman moved that the Senate do not concur in the balance of the House amendments.

Motion carried.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, H. B. No. 221, by Joint Committee on Procedure, providing for a committee to investigate and study operation of the Government of the State and all its political subdivisions and defining its powers and duties, and the same is transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 221 was read the first time.

On motion of Senator Miller the rules were suspended and H. B. No. 221 was read the second and third times and placed on its final passage.

H. B. No. 221 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

H. B. No. 221 was transmitted to the House.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 136, Substitute for S. B. No. 122, by Special Joint Committee on Procedure, providing for the membership, appointment, term of office, and salary to be received by the members

of the Public Utilities Commission;", and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 136 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has concurred in the Senate amendments made to H. B. No. 167, by Mr. Granger, relating to deficiency judgments after foreclosure sales.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 77, by Mr. Young, to require certificates of title for registered motor vehicles, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 77 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the Senate amend-

ments to H. B. No. 124, by Mr. Pope and Mr. Allen, to combat the existing economic emergency caused by the depression and aiming to prevent its subversive effects upon the public welfare, health and morals.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has today accepted the Senate amendments on H. B. No. 79, by Mr. Young, relating to the licensing of motor vehicle.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Senate:

I have this day nominated the following person for the office designated, and hereby respectfully submit his name for your advice and consent:

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.

B. D. Nebeker .....Salt Lake City

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

On motion of Senator Jefferson the Senate resolved itself into executive session.

On motion of Senator Jefferson the executive session dissolved.

On motion of Senator Jefferson the rules were suspended and the Senate advised and consented to the following appointment made by the Governor.

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.

B. D. Nebeker .....Salt Lake City

Senator Huggins moved that the Senate now consider H. B. No. 65.

Motion carried.

On motion of Senator Wallace the rules were suspended and H. B. No. 65 was read the second and third time and placed on its final passage.

H. B. No. 65 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland (explained vote), Fennell, Griffin, Holbrook, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Day, Holmgren, Jefferson.

H. B. No. 65 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 22 was read the second time.

On motion of Senator Keyser the rules were suspended and H. B. No. 22 was read the third time and placed on its final passage.

H. B. No. 22 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Huggins, Hunt, Keyser, Maw, Miller, Musser, Neslen, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Holmgren, Jefferson, Patterson.

H. B. No. 22 was transmitted to the House:

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Legislature:

I am advised that the purposes of House Bill No. 218 are in danger of being defeated. This is the so-called sales tax bill designed to provide for unemployment and support of the general fund.

It is my earnest request that the Legislature remain in session until it has enacted a measure making adequate provision for these two purposes. Both can be accomplished under the provisions of House Bill No. 218.

The situation confronting the State of Utah with reference to providing for unemployment relief is such that the Legislature is not justified in failing to heed the proper demand for legislation that will provide revenue to assist in meeting the emergency now existing. The

Federal Government has been and is extremely liberal in its allotment of funds to Utah, but this State should not fail to indicate its ability and willingness to assist.

The need for support of the general fund arises from the fact that appropriations made by this Legislature are based on estimated revenues as reported by the State Auditor; which estimated revenues it is evident will not be received. Unless the general fund is supported up to the amount authorized by you to be expended, a deficit at the end of the biennial period is inevitable. This should not be forced upon the State by failure to act favorably on this measure. It is my judgment that nothing less than one per cent general sales tax will be adequate to meet the situation.

I shall be pleased to know that favorable action has been taken on this bill.

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, H. B. No. 218, by Special Committee on Revenue for Emergency Relief, to provide for the raising of revenue for emergency purposes by imposing a tax upon the retail purchase of certain commodities, and the same is herewith transmitted for your action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 218 was read the first time.

On motion of Senator Bamberger the rules were suspended and H. B. No. 218 was read the second and third times and placed on its final passage.

A committee from the House consisting of Mr. Lane, Mr. Mendenhall and Mr. Hoyt, appeared and requested that the Senate pass H. B. No. 218.

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

Page 13 strike lines 2 to 22 inclusive.

Page 14, line 32, at the end of the line insert the following "and shall remain in effect until April 1, 1935, provided, however, that if the Governor shall at any time determine that the emergency relief for which this Act is adopted is no longer necessary, he may, by proclamation, set any prior date for the termination of this Act".

Senator Jefferson moved to amend the bill as follows:

Page 4, line 9, strike the numeral "2" and insert "½". Line 11 strike the word "two" and insert "one-half". Line 13, beginning with the word "except" strike the balance of the paragraph. Strike lines 17 to 31 inclusive and insert in lieu thereof the following: "A tax equivalent to ½ of 1% of the amount paid for all services rendered or commodities furnished for domestic, industrial or commercial consumption by any utility of the State of Utah". Line 32, strike the word "two and insert "one-half".

Senator Huggins moved to amend the amendment by inserting on lines 9, 11 and 32 "three-fourths" instead of "one-half".

Motion as amended carried.

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

Page 12, line 19, strike the words "there is hereby" and insert "the fund raised hereby are". Line 23, place

a period after the word "circumstances" and strike the balance of the paragraph.

Page 14, line 8, after the word "color" insert a period and strike the balance of the sentence.

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

Page 4 in subsection "B" insert the following after the word "Utah" A tax of one-half (½) of one (1) per cent of the amount paid for all meals furnished at any restaurant, eating house, hotel, drug store or other place at which meals are regularly served to the public.

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

Page 6, line 15, after the word "Constitution" insert "or laws".

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

Page 5, strike lines 6 and 7 and first three words on line 8.

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

Page 5, line 17, strike the words "collected by any vendor" and insert in lieu thereof "accruing".

On motion of Senator Shields the bill was amended as follows: Page 12 strike all of line 2 except the last word "the".

Page 3, line 28, insert a period after the word "misdemeanor" and strike the balance of the sentence.

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

Page 2, insert the following between lines 24 and 25 and change section "I" to section "J". The term "utility"

as herein used, shall be constructed to mean any utility under the jurisdiction of the Public Utilities Commission.

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

Page 6, line 16, after the word "States" insert "or of the State of Utah".

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

In the title, line 3, strike the word "purchase" and insert "relief of unemployment". Last line of the title after the word "for" insert "the", change the word "violations" to "violation" and insert "of the terms of this Act". Page 1, line 2, strike the word "Revenue" and insert "relief".

H. B. No. 218 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Booth, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young.

Absent and not voting: Senator Bowman and Mr. President.

H. B. No. 218 was transmitted to the House.

Senator Neslen moved to strike the enacting clauses of the following bills: S. B. Nos. 69, 107, 17, 18, 19, 27, 33, 37, 38, 53, 54, 64, 65, 75, 79, 87, 93, 95, 96, 99, 101, 104, 106, 109, 112, 113, 118, 119, 125, 111, 13, 142, S. J. M. No. 1, S. J. R. No. 6, S. C. M. No. 6, H. B. Nos. 80, 8, 17, 27, 31, 39, 44, 52, 67, 87, 131, 136, 190, 191, 207, 211, 102, 49, 50, 33, 177, 192, 158, 54, 75, 103, 121-a, 220, 19, H. J. R. No. 1, H. J. R. No. 9, H. J. R. No. 7.

Motion carried.

Above House Bills were transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am instructed to inform you that the House has refused to concur in Senate amendments to H. B. No. 213, by Joint Appropriations and Claims Committee, "An Act making appropriations", and asks the Senate that it rescind its action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Young moved that the Senate do not recede from its amendments.

Motion carried.

The President appointed a Conference Committee: consisting of Senators Maw, Huggins and Candland to act with a like committee from the House to consider amendments made to H. B. No. 213.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 214, by Mr. Eastman and Mr. Hammond, directing the Secretary of State to furnish the members of the 1933 House of Representatives and State Senate with copies of the Revised Statutes of Utah, 1933, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 214 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected S. B. No. 92, by Mr. Miller, and the same is returned herewith.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day receded from those of its amendments in which the Senate refused to concur in H. B. No. 58, by Mr. Miles, entitled, "An Act establishing a State Junior College at St. George City".

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 58 then passed on the following roll call:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Fennell, Griffin, Holbrook, Holmgren, Huggins, Jefferson, Maw, Miller, Neslen, Patterson, Wallace, Young, Mr. President.

Those voting in the negative were: Senators Day, Keyser, Musser, Shields.

Absent and not voting: Senators Bamberger, Booth, Hunt.

H. B. No. 58 was transmitted to the House.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, S. B. No. 46,

by Mr. Holmgren, to reduce the burden of taxation upon property, and the same is returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 46 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, S. B. No. 47, by Mr. Holmgren, relating to the sale of property for delinquent taxes, and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 47 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body, that the House has this day rejected S. B. No. 132, by Mr. Holbrook, and the same is returned herewith.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 181, by Mr. Keddington, providing that the Treasurer of the State

of Utah may transfer into the General Fund all funds known as contribution funds or treasury suspense funds, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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 transmission to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 143, by Mr. Maw, relating to the payment of the expenses of the State Land Office" and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 143 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has refused to concur in the Senate amendments to H. B. No. 218, by Special Committee on Revenue for Emergency Relief, "An Act to provide for the raising of revenue for emergency relief of unemployment", and the Senate is hereby asked to rescind this action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

Senator Keyser moved that the Senate do not recede from its position.

Motion carried.

The President appointed a Conference Committee consisting of Senators Bamberger, Hunt and Fennell to act with a like committee from the House to consider amendments to H. B. No. 218.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 58, by Mr. Miles, "An Act establishing a State Junior College at St. George City," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 58 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.

March 9, 1933.

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. 34, by Mr. Miller, authorizing the State Land Board to merge and consolidate the properties, rights, privileges, and franchises acquired by the State through foreclosure of the mortgage of the Carbon Water Company to the State of Utah with the properties", and the same is herewith returned for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 34 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORT OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 124, by Joint Committee on Procedure, relating to jurors, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 124 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

March 9, 1933.

To the Senate:

I am returning Senate Bill No. 140, by Joint Committee on Procedure, entitled, "An Act relating to the State Tax Commission and amending Section 5983, Compiled Laws of Utah, 1917, as amended by Chapter 53, Laws of Utah, 1931, and amending Sections 80-5-37, 80-5-38, 80-5-39, 80-5-40, 80-5-41, 80-5-42, 80-5-43, 80-5-44 and 80-5-45 of the Revised Statutes of Utah, 1933," with the suggestion that you make the following correction and amendment:

1. That the word and figures "Sec. 5983" on line 4, Section 1 of the bill be eliminated.

2. That the bill be amended by adding after the word "April" on line 7, Section 1, the following:

"Of the said members first appointed, two, who shall belong to different political parties, shall hold office until March 31, 1935, and two, who shall belong to different political parties, shall hold office until March 31, 1937. Their successors shall be appointed

for a full term of four years from the expiration of the terms of their predecessors in office."

The suggested amendment will provide for rotation in office. Your attention is called to the fact that the section amended by this bill contained the provisions of the amendment I am suggesting.

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

On motion of Senator Shields the rules were suspended and the vote by which S. B. No. 140 passed was reconsidered.

Senator Shields moved to amend the bill as follows: That the word and figures "Sec. 5983" on line 4, Section 1 of the bill be eliminated.

Line 7 of Section 1, after the word "April" insert the following: "Of the said members first appointed, two, who shall belong to different political parties shall hold office until March 31, 1935, and two, who shall belong to different political parties, shall hold office until March 31, 1937. Their successors shall be appointed for a full term of four years from the expiration of the terms of their predecessors in office."

Motion carried.

S. B. No. 140 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Day, Fennell, Griffin, Holbrook, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Candland, Holmgren, Huggins, Maw.

S. B. No. 140 was transmitted to the House together with the communication from the Governor.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

To the Senate and House of Representatives:

Your Committee appointed with a like Committee of the House to consider the matter assigned to it relating to H. B. No. 213, beg leave to report as follows:

That by a vote of five to one the Joint Committees recommend that Page 7, Line 20, be amended to read as follows:

"From the State High School Fund for vocational training $15,000."

"From the State High School Fund for vocational inspection $11,000."

That on Page 8, between lines 2 and 3, a new section, to be known as Section 9-A, to read as follows, be added:

"There is hereby appropriated out of the funds administered to the State Land Board, or so much thereof as may be necessary.

State Land Board Administration $50,000.00

HERBERT B. MAW,
Chairman Senate Committee,

HANS P. ANDERSEN,
Chairman House Committee.

Report adopted.

H. B. No. 213 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Maw, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senators Bamberger, Booth.

H. B. No. 213 was transmitted to the House.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Senate:

Ihave 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, pursuant to Section 5571, Chapter 37, Laws of Utah, 1931.

John F. Tolton .....Beaver

To serve as member and secretary for the unexpired term ending April 1, 1937, caused by the death of John F. Mendenhall.

George A. Fisher .....Keetley

FOR MEMBERS OF THE STATE BOARD OF EDUCATION:

To serve for a term of six years, pursuant to Chapter 75, Laws of Utah, 1925.

James A. Langton .....Salt Lake
A. J. Ashman .....Richfield

To serve for the unexpired term ending April 1, 1937, caused by the resignation of Dr. M. J. Macfarlane.

George S. Glen .....Ogden

FOR MEMBERS OF THE STATE TAX COMMISSION:

Pursuant to Senate Bill No. 140, which has just reached me.

Full-time commissioner and chairman, to serve for a term of four years, ending March 31, 1937.

George A. Critchlow.....Salt Lake

Full-time commissioner, to serve for a term of two years, ending March 31, 1935.

Roscoe E. Hammond .....Salt Lake

Part-time commissioners, to serve for a term of two years, ending March 31, 1935.

J. William Knight ..... Provo

Part-time commissioner, to serve for a term of four years, ending March 31, 1937.

Howard P. Leatham .....Wellsville

FOR MEMBERS OF THE PUBLIC UTILITIES COMMISSION OF UTAH:

Pursuant to Senate Bill No. 136, which has just reached me.

Full-time member, to serve for a term of four years, ending April 1, 1937.

Judge E. E. Corfman .....Salt Lake City

Part-time member, to serve for a term of two years, ending April 1, 1935.

Thomas E. McKay .....Huntsville

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to House Bill No. 217, which has just reached me.

To serve, ex officio, for the unexpired term ending December 1, 1935, caused by the resignation of Henry H. Blood.

Attorney General Joseph Chez.....Salt Lake City

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication filed.

On motion of Senator Young the Senate resolved itself into Executive Session.

On motion of Senator Young the Executive Session dissolved.

On motion of Senator Keyser the rules were suspended and the Senate advised and consented to the following appointments made by the Governor:

FOR MEMBERS OF THE STATE LAND BOARD:

To serve for a term of six years, pursuant to Section 5571, Chapter 37, Laws of Utah, 1931.

John F. Tolton .....Beaver

To serve as member and secretary for the unexpired term ending April 1, 1937, caused by the death of John F. Mendenhall.

George A. Fisher .....Keetley

FOR MEMBERS OF THE STATE BOARD OF EDUCATION:

To serve for a term of six years, pursuant to Chapter 75, Laws of Utah, 1925.

James A. Langton .....Salt Lake
A. J. Ashman .....Richfield

To serve for the unexpired term ending April 1, 1937, caused by the resignation of Dr. Macfarlane.

George S. Glen .....Ogden

FOR MEMBERS OF THE STATE TAX COMMISSION:

Pursuant to Senate Bill No. 140, which has just reached me.

Full-time commissioner and chairman, to serve for a term of four years, ending March 31, 1937.

George A. Critchlow .....Salt Lake

Full-time commissioner, to serve for a term of two years, ending March 31, 1935.

Roscoe E. Hammond .....Salt Lake

Part-time commissioners, to serve for a term of two years, ending March 31, 1935.

J. William Knight ..... Provo

Part-time commissioner, to serve for a term of four years, ending March 31, 1937.

Howard P. Leatham .....Wellsville

FOR MEMBERS OF THE PUBLIC UTILITIES COMMISSION OF UTAH:

Pursuant to Senate Bill No. 136, which has just reached me.

Full-time member, to serve for a term of four years, ending April 1, 1937.

Judge E. E. Corfman .....Salt Lake City

Part-time member, to serve for a term of two years, ending April 1, 1935.

Thomas E. McKay .....Huntsville

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to House Bill No. 217, which has just reached me.

To serve, ex officio, for the unexpired term ending December 1, 1935, caused by the resignation of Henry H. Blood.

Attorney General Joseph Chez.....Salt Lake City

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open

session, in the presence of the House, H. B. No. 22, by Mr. Paxton, "An Act authorizing irrigation companies, drainage districts, and irrigation districts to borrow money from the Reconstruction Finance Corporation, organized pursuant to an Act of Congress of the United States or from any other governmental loaning agency or agencies," and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 22 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, under suspension of the rules, S. B. No. 140, by Joint Committee on Procedure, and the same is returned herewith for your further action.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 140 was referred to the Committee on Revision and Enrolling to be engrossed.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 124, by Joint Committee on Procedure, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 124 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 167, by Mr. Granger, relating to deficiency judgments after foreclosure sales, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 167 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 221, by Joint Committee on Procedure, providing for a committee to investigate and study operation of the government of the State, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 221 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 124, by

Mr. Pope and Mr. Allen, to combat the existing economic emergency, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 124 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 COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 46, by Mr. Holmgren, to reduce the burden of taxation upon property, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 46 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports back S. B. No. 140, by Joint Committee on Procedure, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 140 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 47, by Mr. Holmgren, relating to the sale of property for delinquent taxes, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 47 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.

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 143, by Mr. Maw, relating to the payment of the expenses of the State Land Office," properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

Report filed.

S. B. No. 143 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 Neslen the Senate advised and consented to the following appointments made by Governor Dern on January 11, 1933.

FOR MEMBERS OF THE STATE TAX COMMISSION:

Pursuant to Section 5983, Chapter 53, Laws of Utah, 1931. To serve for the unexpired portion of the term ending March 31, 1935:

Roscoe E. Hammond .....Salt Lake City

To serve for the unexpired portions of the terms ending March 31, 1933:

George A. Critchlow ..... Salt Lake City
Howard P. Leatham ..... Wellsville

FOR MEMBERS OF THE BOARD OF REGENTS OF the UNIVERSITY OF UTAH:

Pursuant to Section 5523, Compiled Laws of Utah, 1917. To fill the vacancy caused by the resignation of Mrs. J. W. Aird, and to serve for the unexpired term ending July 1, 1933:

Wilson McCarthy ..... Salt Lake City

To fill the vacancy caused by the resignation of Mrs. Edward Rosenbaum, and to serve for the unexpired term ending July 1, 1933:

Mrs. A. J. Gorham ..... Salt Lake City

FOR MEMBERS OF THE LAND BOARD:

Pursuant to Section 5571, Chapter 37, Laws of Utah, 1931. To serve until the next meeting of the Senate and until his successor shall have been appointed and qualified:

George A. Fisher ..... Keetley

To serve until April 1, 1933:

Elias A. Smith ..... Salt Lake City

To serve until April 1, 1935:

L. R. Anderson ..... Manti

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 Mrs. Lillie Greaves Eggertson, and to serve until April 1, 1933:

Mrs. Elmer G. Smith ..... Tooele

FOR MEMBERS OF THE STATE GEOLOGICAL AND MINERALOGICAL SURVEY:

Pursuant to Section 1, Chapter 43, Laws of Utah, 1931:

R. B. Ketchum .....Salt Lake City
Ernest A. Hodges .....Salt Lake City
James C. Dick .....Salt Lake City
M. J. Dailey .....Salt Lake City
Elmer G. Peterson .....Logan

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to Chapter 61, Laws of Utah, 1921. To serve for a term of six years beginning December 1, 1931:

W. J. Parker ..... Ogden

FOR MEMBER OF THE STATE INDUSTRIAL COMMISSION OF UTAH:

Pursuant to Section 3061, Compiled Laws of Utah, 1917. To serve for the unexpired term ending April 1, 1933:

Byron D. Nebeker .....Salt Lake City

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 resignation of Walter N. Farr, and to serve for the unexpired term ending April 1, 1935:

Dr. W. S. Payne.....Ogden

FOR STATE BANK COMMISSION:

Pursuant to Chapter 18, Laws of Utah, 1919. To fill the vacancy caused by the resignation of Walter H. Hadlock, and to serve for the unexpired term ending April 1, 1933:

John A. Malia .....Salt Lake City

FOR MEMBER 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 expiration of the term of Dr. Barnet E. Bonar, and to serve for a term of seven years, ending December 31, 1938.

Dr. Barnet E. Bonar .....Salt Lake City

FOR MEMBERS OF THE 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 J. R. Murdock, and to serve for the unexpired term ending April 1, 1933:

Jacob A. Kahn .....Salt Lake City

To fill the vacancy caused by the death of John G. M. Barnes, and to serve for the unexpired term ending April 1, 1933:

Frank Francis ..... Ogden

Senator Neslen moved to extend thanks to Mr. Lynn S. Richards and his associates for the efficient and intelligent services rendered.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 65, by Mr. Lane, "An Act amending Chapter 4 of Title 79, Re-

vised Statutes of Utah, 1933, relating to barbers", and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House S. B. No. 140, by Joint Committee on Procedure, and the same is returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 140 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEE

March 9, 1933.

Mr. President:

Your Committee on Revision and Enrolling reports herewith S. B. No. 34, by Mr. Miller, authorizing the State Land Board to merge and consolidate the properties, rights, privileges, and franchises acquired by the State through foreclosure of the mortgage of the Carbon Water Company to the State of Utah, properly enrolled and engrossed for the signature of the President.

GEO. M. MILLER.

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.

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

Mr. President and Members of the Senate:

We, your committee to whom was referred the list of persons nominated by the Governor for investigation and report, beg leave to report that we have investigated said appointments and we unanimously beg leave to report that they be confirmed.

HERBERT B. MAW.

Report filed.

On motion of Senator Bowman the Senate resolved itself into Executive Session to consider appointments made by the Governor.

On motion of Senator Bowman the Executive Session dissolved.

On motion of Senator Keyser the rules were suspended and the Senate advised and consented to the following appointments made by the Governor.

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE:

To serve for a term of four years, beginning July 1, 1933, pursuant to Section 5235, Laws of Utah, 1917.

Frank B. Stephens.....Salt Lake City
Frederick P. Champ.....Logan
Dr. M. J. Macfarlane.....Cedar City
P. H. Mulcahy.....Ogden
Joseph B. White.....Paradise
Mrs. Claire Parrish Dorius.....Salt Lake City

To serve for the unexpired term ending July 1, 1935, caused by the resignation of Weston Vernon.

Olof Nelson.....Logan

FOR MEMBERS OF THE STATE BOARD OF AGRICULTURE:

To serve for a term of four years, pursuant to Chapter 2, Laws of Utah, 1921.

J. R. Rawlins.....Draper
John H. Hansen.....Riverton
H. L. Richards.....Fielding
Walter M. Boyden.....Coalville

FOR COMMISSIONER OF AGRICULTURE:

To serve for a term of four years, pursuant to Section 174, Compiled Laws of Utah, 1917, as amended by Section 1 of Chapter 2, Laws of Utah, 1921.

David F. Smith.....Salt Lake City

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.

George S. Eccles.....Ogden

To serve for the unexpired term ending April 1, 1937, caused by the resignation of C. Clarence Neslen.

Rabbi Samuel H. Gordon.....Salt Lake City

FOR STATE ENGINEER:

To serve for a term of four years, pursuant to Chapter 69, Laws of Utah, 1921.

T. H. Humphreys.....Logan

FOR MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH:

To serve for a term of four years from July 1, 1933, pursuant to Section 5523, Compiled Laws of Utah, 1917.

Dr. John J. Galligan ..... Salt Lake City
James Ingebretsen ..... Salt Lake City
Mrs. A. J. Gorham ..... Salt Lake City
Thomas A. Williams ..... Salt Lake City
Robert H. Hinckley ..... Ogden
Dr. Joseph Hughes ..... Spanish Fork

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.

William C. Winder ..... Salt Lake City
A. G. Mackenzie ..... Salt Lake City
Charles H. Smith ..... Centerville
William J. Cowan ..... Salt Lake City
Dr. R. C. Swalberg ..... Spanish Fork
Mrs. Elmer G. Smith ..... Tooele

FOR MEMBERS OF THE STATE BOARD OF PARK COMMISSIONERS:

To serve for a term of four years, pursuant to Chapter 22, Laws of Utah 1925.

Lafayette Hanchett ..... Salt Lake City
Randall L. Jones ..... Cedar 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.

John E. Jones ..... Salt Lake City
Miss Nellie U. Hendricks ..... Ogden

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.

Hugo B. Anderson .....Salt Lake City
Vigo R. Madsen .....Salt Lake City

To serve for the unexpired term ending April 1, 1935, caused by the resignation of Joseph Chez.

F. R. Eckhardt .....Ogden

FOR STATE COMMISSIONER OF INSURANCE:

To serve for a term of four years, pursuant to Section 1122, Compiled Laws of Utah 1917.

Elias A. Smith, Jr. .....Salt Lake City

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

To serve for a term of seven years from December 31, 1932, pursuant to Section 2705, Compiled Laws of Utah 1917.

Dr. T. B. Beatty .....Salt Lake City

To serve for the unexpired term ending December 31, 1936, caused by the resignation of John M. Wallace.

Dr. T. J. Howells .....Salt Lake City

REPORT OF SPECIAL COMMITTEE

March 9, 1933.

To the Senate and House of Representatives:

Your conference committee to which was referred the matter of difference between the action of the Senate

and the House on H. B. 218 relating to emergency revenue, hereby reports as follows:

Your committee recommends that H. B. No. 218, as amended by the Senate and the House, be passed and adopted with the following changes in the bill as passed by the Senate:

Line 2 of the title, restore original language.

Line 2 of page 1, restore printed language.

Page 4, lines 13 to 16, restore printed text, except on line 16 change "10" to "5".

Page 4, line 6, strike (a).

Page 4, line 8, make indentation for new paragraph and insert (a).

Page 4, Senate amendment (b), strike the word "industrial" in the third line, and change "one-half (½)" in line 1 to "three-quarters (¾)".

Page 4, Senate amendment (c), line 1, change "one-half (½)" to "three-fourths (¾)".

Page 5, line 1, after "recreation", change period to comma and add "provided that the tax on any admission to any theatrical entertainment shall be not less than 1c on each admission".

Page 5, line 6, strike lines six and seven and the syllable "sumer)" on line 8 and insert "be responsible for the collection of the amount of the tax imposed on said sale".

Page 5, line 10, strike "pay" and insert "shall remit".

Page 5, line 17, strike "accruing" and insert "to be remitted by any vendor".

Page 12, line 19, strike the Senate amendment and restore line as printed in the bill.

Page 12, line 21, strike "in the manner hereinafter provided".

Page 12, line 23, after "circumstances" insert comma "$500,000.00; the balance, if any, shall be credited to the state general fund".

SPECIAL CONFERENCE COMMITTEE,

JULIAN BAMBERGER,
Chairman for the Senate,

IRWIN ARNOVITZ,
Chairman for the House.

Report adopted.

On motion of Senator Bamberger reinsert the words "and shall" on page 8, line 5. Also on page 12, line 20, after "500,000.00" insert the word annually.

H. B. No. 218 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Booth, Bowman, Calder, Candland, Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Hunt, Jefferson, Keyser, Miller, Musser, Neslen, Patterson, Shields, Wallace, Young, Mr. President.

Absent and not voting: Senator Maw.

H. B. No. 218 was transmitted to the House.

COMMUNICATIONS FROM THE GOVERNOR

March 9, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 15, by Mr. Hunt, entitled "An Act providing for payment of public payrolls in gold coin."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

March 9, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 136, substitute for S. B. No. 122, by Special Joint Commitee on Procedure, entitled "An Act amending Sections 4775 and 4777 of the Compiled Laws of Utah 1917, and Sections 76-1-1 and 76-1-3, Revised Statutes of Utah 1933, providing for the membership, appointment, term of office, and salary to be received by the members of the public utilities commission; making the State Engineer ex officio a member of the Commission and terminating the terms of office of the present Public Utilities Commissioners."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

March 9, 1933.

To the Senate:

I have this day approved and transmitted to the Secretary of State, S. B. No. 140, by Joint Committee on Procedure, entitled "An Act relating to the State Tax Commission and amending Section 5983, Compiled Laws of Utah 1917, as amended by Chapter 53, Laws of Utah 1931, and amending Sections 80-5-37, 80-5-38, 80-5-39, 80-5-40, 80-5-41, 80-5-42, 80-5-43, 80-5-44, and 80-5-45 of the Revised Statutes of Utah 1933."

Very respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 34, by Mr. Miller, authorizing the State Land Board to merge and consolidate the properties, rights, privileges, and franchises acquired by the State through foreclosure of the mortgage of the Carbon Water Company, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 34 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 46, by Mr. Holmgren, to reduce the burden of taxation upon property, and the same is returned herewith for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 46 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am instructed to inform you that Senate Bills Nos. 4, 5, 6, 60, 62, 68, 71, 76, 85, 86, 90, 94, 98, 105, 116, 117, 120, 127, 130, 139, 141, S. J. R. No. 3, S. C. M. No. 3 were

rejected by the House today and are returned to you herewith.

ERNEST R. McKAY,
Chief Clerk.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 47, by Mr. Holmgren, relating to the sale of property for delinquent taxes, and the same is returned herewith for transmission to the governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 47 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 143, by Mr. Maw, relating to the payment of the expenses of the State Land Office, and the same is herewith returned for transmission to the Governor.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

S. B. No. 143 was transmitted to the Governor.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open

session, in the presence of the House, H. B. No. 78, by Mr. Young, to require the registration of motor vehicles, and the same is herewith transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 78 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 79, by Mr. Young, relating to the licensing of motor vehicle operators and chauffeurs, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 79 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 169, by Mr. Granger, "an emergency measure to grant district courts discretionary power to postpone the entry of judg-

ments of foreclosure, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 169 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 213, by Joint Appropriations and Claims Committee, making appropriations for the support of the State Government, and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 213 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.

March 9, 1933.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, H. B. No. 218, by Special Committee on Revenue for Emergency Relief, to provide for the raising of revenue for emergency purposes,

and the same is transmitted for the signature of the President.

ERNEST R. McKAY,
Chief Clerk.

Communication filed.

H. B. No. 218 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 President appointed Senators, Shields, Booth 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 Holbrook, Fennell and Miller to wait upon the Governor and ask if he had any further communications for the Senate.

COMMUNICATION FROM THE GOVERNOR

March 9, 1933.

To the Senate:

Permit me to thank you for the courtesy of informing me that you are ready for adjournment. I have the honor to advise that I have no more matters requiring legislation to present to you.

In this hour of separation I wish to extend cordial thanks to the members of the Legislature, individually and collectively, for the outstanding service you have rendered to the State. Particularly, I desire to express deep appreciation for the confidence you have expressed in me, and for your courtesy and cooperation.

The task assigned to you has been a difficult one requiring sound judgment, long hours and hard work. You have undertaken your duties and carried them on in a way that has shown unusual and outstanding devotion to duty. I commend your activities, and congratulate you on your accomplishments.

I wish it had been possible to have had closer personal contact with each member of the Legislature, but my duties have deprived me of that pleasure.

It is my earnest hope that conditions in our State and in the Nation will from this time forward show continuous improvement until there is a return to a normal condition of prosperity.

I am sure that each of you will be able to look back upon the experiences connected with your legislative work with pleasure and satisfaction. May I express the hope that abundant success and prosperity will in the future attend you.

I shall esteem it an honor if you will call upon me at any convenient time. I shall still need your support in attempting to perform the arduous duties of my office.

Very respectfully,

HENRY H. BLOOD,
Governor.

The committee appointed by the President to wait upon the House reported the House had no further business and was read to adjourn.

Communication filed.

On motion of Senator Candland the Twentieth Session of the Utah State Senate was adjourned sine die.

General Index

SENATE BILLS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
1	Holbrook—Filling Legislative vacancies	132	136	157	166	176	510	823	825	832		188, 234, 487, 509
2	Shields—Revised Statutes	147		159								168, 169, 178, 182, 183, 192, 215, 220, 237, 239, 269, 271
3	Holmgren—Property Tax for State Roads	147	154	264	282							292
4	Fennell—Bonds—Cities and Towns	148	162	265	284	356	448	881				357, 365, 411, 412, 431, 448
5	Fennell—School Band Elections	148	162	265	285	356	431	881				357, 365, 412, 431
6	Fennell—Counties—Bond Elections	148	163	266	285	357	449	881				366, 412, 430, 448
7	Holbrook—Produce Dealers	148	155	206	231	259	324	573	578	581	773	244, 247, 272, 296, 307, 323, 678
8	Neslen—Deficit Bonds	158			158	158	210	242	254	262	297	166, 182, 210
9	Calder—Deed to Salt Lake City	164	175	256	282	295	295	567	572	581	672	
10	Maw—Telephone Tax	164	177	405	479	541						457, 480, 488, 692
11	Patterson—Bonds—Sureties	165	191									
12	Holbrook—Franchise Tax	165	190	355	399	524						402, 412, 478, 526
13	Holbrook—Income Tax	165	190	355	402	526						412, 478, 853
14	Miller—Coal Royalties	192	204	405	457	468	481	625	630	634	797	480
15	Hunt—Payrolls in Gold	192	205	293	296	381	381	685	694	698	879	
16	Hunt—Board of Examiners—Deficits	192	205	257	281	308	382	750	774	792		293, 294, 324, 382

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
17	Maw—Natural Gas Tax	208	228	561								853
18	Neslen—Handbills—Dodgers in Cities	208	229	255								267, 518, 853
19	Neslen—Non-shatterable Windshields	208	239	560								853
20	Neslen—Kidnapping	208	230	255	281	307						324, 381, 412, 413
21	Neslen—Tax Levies in Cities	230	240	495	579	580	580	823	826	831		576
22	Holmgren—Payment of Property Tax	230	244	266								285, 292
23	Calder—Fishing	241	252	363	413	415	415	741	755	776		
24	Calder—Fishing—Guides	241	252	364	414	414	415	741	756	776		
25	Booth—Licenses—Cities and Towns	241	253	424	490	491	491	727	735	766		
26	Booth—Powers to Regulate Business	241	253	424	471	479	479	724	735	767		
27	Huggins—Chain Store Tax	247	287	561								853
28	Griffin & Holmgren—Refund of Fuel Tax	258	275	422	556							
29	Huggins—Ballots	259	276	398	456	467	467	757	762	793		
30	Miller—Liquidation of Banks	259	276	387	416	428	428	767	782	794		
31	Jefferson & Bowman—Secondary Roads	259	277	346	383	410	411	614	659	666		622, 640
32	Jefferson & Bowman—Gas Tax and Secondary Roads	259	277	308	383	410	410	736	742	768		
33	Musser—Human Ailment Contracts	267	278	559								853
34	Miller—Carbon Water Co.	268	316	421	457	478	540	858	873	881		468, 515, 539
35	Fennell—Dissemination of Gases	268	278	423								467
36	Musser—Motor Trucks	268	288	499	646	689	690	751	774	793		631, 643, 649, 669, 688

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
37	Day—Abolishing District Attorneys	269	289	533								853
38	Day—Duties of Attorney General	269	290	534								853
39	Day—Killing of Dogs	269	290	461	555	556	556	751	762	793		
40	Booth—Bonds of County Officers	269	291	399	456	467	468	758				
41	Wallace—Public Depositories	280	299	425	493	540	541	698	825	838		510, 526, 728, 791
42	Holmgren—Redemption of Property	280										292
43	Griffin—Irrigation Districts	280	298									405, 410
44	Booth—Licensing Contractors	291	300	532	621	621	642	737	749	758		610, 642
45	Holmgren—Real Property Tax Installments	291	298	397	433	451		739	749	758		292
46	Holmgren—Tax for State Roads	292	300	397	433	452	452	855	868	881		
47	Holmgren—Sale for Delinquent Taxes	301	317	516	603	603	603	856	869	882		600
48	Neslen—Building and Loan	301	359	458	549	562	563	687	692	699		561
49	Huggins—Foreign Corporations	301	318	398	454	455	455	748	756	768		
50	Booth—Registered Pharmacists	302	318	442	548	548	548	737	742	759		
51	Wallace—Trust Companies	302	319	365	415	447	447	737	749	769		428
52	Musser—Beauty Culturists	302	320	459	550	563	564	718	731	752		561
53	Maw—Electric Power Tax	302	352	561								853
54	Wallace—Public Accountants	303	353	495								853
55	Musser—Child Labor Law	303	353	423	490	567	584	759	783	803		510, 542, 570, 583
56	Shields—Code—Governor's Proclamation	303			304	305	306	310	312	314	321	

SENATE BILLS—Continued

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
57	Shields—Code—Certified by Senate and House	303			305	306	306	310	313	315	321	322
58	Shields—Code—Amending and Repealing Text	304			305	306	306	311	313	316	322	
59	Huggins—Registered Nurses	304	354	553	603	604	604	718	807	823		600, 728, 775
60	Huggins—Training Schools for Nurses	304	354		624	629	629	881				610
61	Miller—Coal—Public Utilities	348	359	516	596	600	613	688	710	729		588, 613
62	Holmgren—Mutural Fire Insurance	348	360	442	545	547	547	881				
63	Holmgren—Tax Deed—Drainage Districts	349	361	421	471	479	489	605	628	635	771	481, 488
64	Holmgren—Escape from County Jails	349	361	534								853
65	Neslen—Tax on Aircraft Fuels	349	362	561								853
66	Fennell—Motor Fuels	349	393	522	579	579	579	607	616	625	773	576
67	Candland—State Engineer's Revolving Fund	350	363	440	526	527	527	567	572	582	672	
68	Calder—Use of Rowboats	380	389	441	543	543	543	881				
69	Wallace—Sale of Alcohol	380	438	533								644, 660, 667, 853
70	Holmgren—Actions, Commencement of	380	390	459	551	565						561, 577, 589
71	Neslen—Fumigation of Buildings	385	390	459	550	564	564	881				561
72	Neslen—Sale for Delinquent Taxes	385	391	443	548	562	562	718	730	752		561
73	Patterson—Agriculture Cooperative Ass'ns	385	392	561	604	642						600, 628
74	Bowman—Fees of Jurors	396	404	495	580	588						576, 600, 611
75	Booth—Contracts for School Construction	408	417	496								853
76	Huggins—Sale of Produce of A. C. Colleges	408	418		585	589	610	881				576, 610

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
77	Bowman—Deed	408	418	496	605	605	605	760	762	794		600
78	Booth—Non-payment of Checks	409	419	517	626	626	626	760				610
79	Booth and Fennell—Board on Tariff	409	419	516								853
80	Huggins—U. of U.—A. C. Boards	409	474	559								611, 630, 644, 662, 692, 720
81	Booth & Fennell—Firemen's Pension Fund	409	419	496	578	578	578	719	723	760		570, 576
82	Griffin—Irrigation Districts	410	440	497	597	602	602	738	763	794		588, 598
83	Neslen—Gaming—Bookmaking	415	420	485	597	600	601	761	763	794		588
84	Neslen—Kidnaping	413			413	413	413	734	743	769		
85	Shields—Amending S. B. No. 56	416	420	497	586	586	586	881				576
86	Shields—Franchise and Income Tax	417	420	523	621	621	631	881				600, 610, 631
87	Maw—Elections	425	476	559								853
88	Bowman and Jefferson—Right of Way	427	439	497	595	596	596	761	763	795		588
89	Calder—Fish and Game Licenses	432	440	486	595	595	595	741	750	769		588
90	Wallace—Sale of Notes, Bonds	445	466	498	622	629	629	881				610
91	Neslen—Securities by Public Utilities Commission	445	466	523	633							507, 631, 643, 645
92	State Banking Commission	445	461	559	819	821	822	855				
93	Hunt—Income Tax	446	461	561								631, 853
94	Holbrook—Salaries of State Officers	446	460	515	587	587	587	881				576
95	Miller—Board of Education	446	465	560								853

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
96	Shields—Corporation Reports	446	462	535								631, 853
97	Shields—Legislative Code Committee	447	465	498	609	609	609	616	628	635	757	600, 818
98	Huggins—Securities Commission	447	486	534	662	662	662	881				611, 631, 643, 645
99	Shields—Soft Drinks	449	476	561								853
100	Miller—Board of Supplies and Purchase	449	487	560	590	611	613	740	757	776		576, 588, 600
101	Bowman—Predatory Animals	449	462	559								853
102	Day—Legal Printing	450	462	524	632							611, 631
103	Day—Payment of Delinquent Taxes in Produce	450	477	498	669							631, 644, 660, 667
104	Booth—State Board of Institutions	450	474		650							643, 660, 853
105	Wallace—Borrowing of Money by Municipalities	450	466	517	632	644	645	881				631
106	Shields—State Dist. School Equalization Fund	450	477	560								853
107	Huggins—Tax Deed Conveyances	451	487	559								631, 644, 660, 667, 853
108	Bowman—Fraternal Insurance Societies	451	463	517	680	680	681	752	764	796		643, 667, 671
109	Neslen—Adjutant General	451	463	560								853
110	Booth—State Hospital	451	528		650	660	660	753	764	796		643
111	Bowman—Poor Relief	453	463	499	668	680						643, 660, 667, 693, 720, 853
112	Patterson—Bonds of Public Officers	454	475	535								853
113	Hunt—Elective and Appointive Officers	455	475	503								853
114	Neslen—Delinquent Taxes—Waiving of Interest	457										

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
115	Huggins—Beer Bill	491	513	559	571	571	572	652	665	684		570
116	Special Com. on Procedure—U. of U.	508	513	554	590	591	591	881				576, 588
117	Special Com. on Procedure—U. A. C.	508	514	554	591	591	591	881				576, 588
118	Griffin—Shorthand Reporters	509	514	536								853
119	Candland—Death Penalty	509	514	535								853
120	Special Com. on Procedure—Salaries of State Employees	519	529		651	660	662	881				600, 631, 643
121	Special Com. on Procedure—Chairman State Road Com.	519	529		617							600, 610
122	Special Com. on Procedure—Public Utilities Com.	521	530									604, 643, 660, 667
123	Special Com. on Procedure—Emergency Relief	521	530		617							600, 610
124	Special Com. on Procedure—Jurors—Relating thereto	521	530		594	601	602	753	859	866		588, 770, 836, 837
125	Special Com. on Procedure—State Engineer's Fees	521	531		618							600, 610, 853
126	Special Com. on Procedure—St. Hospital & Training School Board	521	531		618							600, 610, 620, 637
127	Special Com. on Procedure—Clerk of Supreme Court	522	531		637	637	638	881				600, 610, 620
128	Special Com. on Procedure—Budgets of Proposed Expenditures	522	532		638							600, 610, 620
129	Special Com. on Procedure—Insurance Companies—Taxation	539	546		638							600, 610, 620
130	Special Com. on Procedure—Executive Secretary	539	546		638	639	640	881				600, 610, 620

SENATE BILLS—Continued

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
131	Special Com. on Procedure—State Tax Commission	547	575		641	642	642	666				600, 610, 620, 672, 697
132	Holbrook—Eliminate Filing Fee	562	575		681	681	681	856				643, 660, 667, 671
133	Wallace—Sales Tax	563	575									643, 649
134	Musser—1933 Motor Licenses	577			577	577	577	581	582	585	599	
135	Holbrook—Training Schools	588	616		695	696	696	796	807	824		644, 660, 667, 692
136	Special Com. on Procedure—Utilities Commission—Membership	604			667	667	667	810	844	845	880	644, 660, 667, 818, 835, 836
137	Special Com. on Procedure—Holidays	620			620	620	620	623	626	627	630	
138	Special Com. on Procedure—Sales Tax	649			669							660, 667, 671, 680, 693, 711
139	Day—Lease Real Estate Deeded to County	649			680	680	680	881				660, 667, 671
140	Special Com. on Procedure—State Tax Commission	697			697	697	698	719	730	754	880	859, 866, 868, 873
141	Bamberger—Sales Tax	711			719	719	720	881				
142	Holbrook—Cigarette and Oleomargarine Tax	712			808							743, 790, 853
143	Maw—State Land Board—Payment of Expenses	721			721	721	722	857	869	882		

SENATE JOINT RESOLUTIONS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
	SPECIAL SESSION											
1	Booth—Creating Position of Messenged to Governor	17			18	18		22	23	24		
2	Holbrook—Expenses of Special Session	27			27	66	67	78	79			
	REGULAR SESSION											
1	Musser—Commencement Term of President of U. S.	122	130	156	165	166	166	172	173	173		
2	Patterson—Sale Intoxicating Liquors	158	161	254	324	428	429	594				279, 292, 382, 410
3	Hunt—Gold Coin Payments	191	206	292	295	357	358	881				
4	Huggins—Control of City Schools	456	464	559								
5	Maw—Economies of State Government	444										480
6	Fennell—Legislature—Elibility of Members	444	464	536								853
7	Joint Com. on Procedure—Reduction of Salaries—Voluntary	508	515	561	587	587						576, 588
8	Jt. Appropriation & Claims Com.—Appropriations to Branch A. C.	519			519	520	542	552	559	566		

SENATE CONCURRENT RESOLUTIONS

Number	AUTHOR —— SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
1	Wallace—Study of State Government	131			131	131	132	133	134	137	139	160, 324, 505

SENATE JOINT MEMORIALS

1	Neslen—Trustee of Funds of National Guard	444	465	518								853

SENATE CONCURRENT MEMORIALS

1	Booth—Appropriation for Highways	128			128	128	129	141	145	150	157	
2	Patterson—Public Range of U. S.	128			128	128	128	273	435	438	537	274, 432
3	Bamberger and Candland—Tax Exemption on Securities	396	438	504	668	668	668	881				631, 643, 660, 667
4	Candland—Assassin's Bullet—Escape Therefrom	427			427	427	428	434	435	435	436	
5	Wallace—Bear River Refuge	444	476	504	542	542	543	558	576	582	598	
6	Booth—Tax on Gasoline	444	464	522								853
7	Huggins—S. L. Veterans Hospital	453			453	453	454	469	470	481	483	

HOUSE BILLS

Number	AUTHOR —— SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
	SPECIAL SESSION									
1	Maw—Appropriation	16		17	17	17	21	21	66	
	REGULAR SESSION									
1	Maw—Appropriation	126		126	126	127	137	137		
2	Hoyt—Revised Statutes	239	270	271	271	272	286	286	345	280, 322
7	Hoyt—Treasurer as Trustee	491	559	839	839	840				671, 692, 709, 710, 791, 816
8	Royle—Small Loans	585				853				853
14	Adams—Unemployment Reserve Fund	472	537	746						576, 588, 600, 611, 631, 644, 660, 667, 671, 671, 711, 743, 757, 788
15	Hoyt—Bank Liquidation	512	559	646	646	646	683	683	879	631, 643
17	Peterson—Physicians' Liens	436	536			853				853
18	Peterson—State Industrial School	388	555	712	712	713	770	770		570, 576, 692, 709, 711, 755
19	Keddington—Salaries of State Officers	210		211	211	217				216, 249, 383, 506, 853
22	Paxton—R. F. C. Loans to Irrigation Companies	699		849	849	849	866	866		764, 791, 816
23	Lane—Libels	351	460	552	679	680	699	700		555, 570, 600, 611, 631, 643, 660, 663, 687
24	Lane—County Auditors	432	504	602	602	603	618	618		570, 588, 600, 614
25	Maw—Appropriation	386	394	395	395	395	407	407	537	437, 473

HOUSE BILLS—Continued

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
27	Hammond—Taxes	474	524			853				853
29	Grossenbach—Use of Seines	407	442	543	544	545	566	566		558
30	Grossenbach—Fish and Game	406	441	542	542	542	553	553		
31	Royle—Interest Rates on Loans	613				853				853
32	Hammond—Dipping of Sheep	386	421	470	470	470	481	481	538	
33	Hoyt—Stores Licenses	700				853				853
35	Jarvis—Ballots	406	559	722	722	722	777	777		711
36	Caine—Animal Inspection	653		800	800	801	818	818		764, 791
39	Hammond—Bounty Fund	608				853				853
41	Wayman—Small Claims Dept. in Courts	494	559	765	765	765	813	813		692, 709, 711, 743
43	Monson—Branching of Banks	615		711	731	731	798	798		692, 709, 710, 739, 778
44	Hoyt—Mileage Fees	483	560			853				853
45	Hoyt—Supt. of Public Instruction	676		801	801	801	813	814		743, 790
46	Hoyt—Board of Education—State	676		801						743, 790, 802, 809
47	Wayman—Great Salt Lake Improvement Ass'n.	565		766	780	781	814	814		743, 779
48	Lane—Jurisdiction of Courts	545	559	765	783	783	822	822		711, 743
49	Hammond—Free Education	676				853				853
50	Hammond—School Enumerators	700				853				853
52	Thatcher—Taxes	701				853				853
53	Anderson—U. S. A. C. Transmitting Electrical Energy	492		664	664	665	683	684		611, 631, 644, 660, 671
54	Eastman-Hammond—Income Tax	701				853				764, 791, 816, 853

HOUSE BILLS—Continued

Number	AUTHOR —— SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
55	Creer—Water Users' Ass'n.	665		681	681	682	702	702		671
58	Miles—Junior College at St. George	653		682	694	694	717	717		671, 716, 844, 855, 858
59	Pectol—State Roads	694		733	743	744	798	799		711
65	Lane—Barbers	685		848	848	848	872	873		764, 791, 816
66	Vernon—State Tree	452		452	452	453	472	472	484	
67	Eastman-Hammond—Franchise Tax	701				853				853
71	Hoyt—Official Publication of Revised Statutes	469	478	478	478	478	484	484	538	
73	Keddington—Sale of Convict Made Goods	702		789	789	790	803	803		743
74	Keddington—Goods Manufactured by Convicts	703		790	790	790	803	804		743
75	Holbrook—Quarantine of Diseased Poultry	703				853				791, 816, 853
77	Young—Certificates for Motor Vehicles	636		710	817	817	846	846		671, 692, 709, 711, 712, 790, 816, 828
78	Young—Registration of Motor Vehicles	636		819	819	841	883	883		671, 692, 709, 710, 711, 712, 791, 816, 840
79	Young—Licensing of Motor Vehicle Operators	641		841	841	842	883	883		671, 692, 709, 710, 711 712, 791, 816, 847
80	Lane—Costs and Proceedings by Poor Persons	492	559			853				853
81	Jarvis—Bad Checks	685		784		784				743
83	Wayman—Tax on Gasoline	703		812	812	812	822	822		743, 790
84	Anderson—Default in Payments on State Land Contracts	654		722	722	722	770	771		692, 709, 711, 747
85	Thatcher—Delinquency of Taxes	592		788	788	789	804	804		743

HOUSE BILLS—Continued

Number	AUTHOR —— SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
87	Harris—Exemption from Jury	704				853				853
89	Caine—Reorganization of Bldg. and Loan Assoc.	704		781	781	781	804	805		743
97	Bosone—Employment of Women and Minors	574		735	744	745	805	805		711, 748
100	Clark—Exemptions	705		811		812				743, 790
101	Monson—Flood Control Districts	686		723	732	733	795	795		711, 724, 747, 828, 838
102	Holley—Sale of Malt	705				853				853
103	Lane—Amending Criminal Code	654				853				791, 816, 853
112	Appropriation Com.—Appropriations for Hospital Service	705		789	789	789	805	805		743
120	Frischknecht—Junior Colleges	658		693	693	694	717	717		671, 692, 716
121A	Erickson—Dispensing of Drugs	829				853				853
124	Pope—State Emergency Commission	690		826	826	827	867	868		764, 791, 816, 847
131	Low—Location of Wells	684				853				853
135	Lane—Conventions to Pass on Amendments to Constitution	592		720	732	732	777	777		692, 709, 711, 747
136	Royle—Industrial Commission	706				853				853
150	Arnovitz—Payment of Wages for Public Work	656		736	745	746	806	806		711
158	Young—State Road Commission	706				853				764, 791, 816, 853
167	Granger—Deficiency Judgments	691		827	827	827	867	867		764, 791, 816, 846
169	Granger—Postponement of Judgments on Foreclosure	707		832	833	833	883	884		764, 791, 816
172	Lane—Advertising	606		709	709	709	729	730		671, 692, 709
173	Young—Equipment of Motor Vehicles	687		733	744	744	799	799		711
174	Boyden—Candidates for Public Office	607		781	781	781	806	806		743

HOUSE BILLS—Continued

Number	AUTHOR —— SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
177	Low—Political Interference by Employers	707				853				764, 791, 816, 853
181	Keddington—State Treasurer	679		834	835	835	856	857		764, 791, 816
190	Lund—Utah Art Institute	707				853				853
191	Lund—Utah Art Institute	708				853				853
192	Holdaway—Irrigation Corporation Assessments	708				853				764, 791, 816, 853
197	Special Com. on Procedure—Emergency Relief	593		617	629	644	656	657		644
198	Special Com. on Procedure—State Road Commission	593		617	617	617	624	625		
200	Special Com. on Procedure—Periodical Budgets	593		638	638	638	657	657		
207	Special Com. on Procedure—Tax Insurance Companies	690				853				853
211	Vernon—Municipal Slaughter Houses	657				853				853
213	Joint Appropriation and Claims Com.—Appropriation	815		815	816	816	884	884		854, 861
214	Eastman-Hammond—Furnish members of Legislature with copy of Revised Statutes 1933	729		765	783	784	854	854		743, 809, 829, 830
215	Spec. Com. on Procedure—State Bank Commission	725		726	726	726	755	755		
217	Special Com. on Procedure—State Road Com.—Ex-Officio member	771		797	797	798	814	814		790
218	Special Com. on Procedure—Sales Tax	850		851	851	853	884	885		857, 878
220	Hoyt—Failing to Qualify for Official Office	828				853				853
221	Special Com. on Procedure—Study Operation of State Government	845		845	845	845	867	867		

HOUSE JOINT RESOLUTIONS

Number	AUTHOR —— SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
1	Adams—Study Unemployment Situation in State	143	422	145	145	853				489, 563, 853
4	Hoyt—State Board of Education	677		802	802	803				743, 790
5	Hoyt—Duties of Officers—State Executive Dept.	677		807	807	808				743, 790
6	Hoyt—Governor's Appointive Power	678		808		808				743, 790
7	Hammond—Compensation of State Officers	678				853				853
9	Royle—Workmen's Compensation Act—Study of	512	555			853				853
10	Bosone—Wage for Women and Minors	574		733	744	744	799	799		711

HOUSE CONCURRENT RESOLUTIONS

2	Lamoreaux—Appointment of George H. Dern to Sec. of Interior	176	258	272	273	273	283	283	345	346
4	Rich-Gammeter-Magleby—Congratulating Franklin D. Roosevelt on Inaugural Address	659								

HOUSE JOINT MEMORIALS

Number	AUTHOR —— SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
1	Hall—Frazier Bill	314	460	551	551	552	566	566		
2	Mitchell—Appropriation for Indian Lands and Personal Property	485	518	723	723	723	754	754		711

HOUSE CONCURRENT MEMORIALS

1	Lund—Stabilize Monetary and Credit Bases	127	140	141	141	141	145	146		144
3	Bosone—Unemployment Relief	283	423	489	489	489	494	494	539	
4	Pectol—Creating National Park Monument	557		781	782	782	812	813		743

GOVERNOR'S ACTION ON SENATE BILLS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Holbrook	Filling Legislative Vacancies	March 18	
7	Holbrook	Produce Dealers	March 7	
8	Neslen	Deficit Bonds	Feb. 7	
9	Calder	Deed to Salt Lake City	March 6	
14	Miller	Coal Royalties	March 9	
15	Hunt	Payrolls in Gold	March 9	
16	Hunt	Board of Examiners—Deficits		March 21
21	Neslen	Tax Levies in Cities		March 21
23	Calder	Fishing	March 17	
24	Calder	Fishing—Guides	March 17	
25	Booth	Licenses—Cities and Towns		March 21
26	Booth	Powers to Regulate Business		March 21
29	Huggins	Ballots	March 17	
30	Miller	Liquidation of Banks	March 20	
31	Bowman and Jefferson	Secondary Roads	March 17	
32	Bowman and Jefferson	Gas Tax and Secondary Roads	March 21	
34	Miller	Carbon Water Co.	March 20	
36	Musser	Motor Trucks	March 21	
39	Day	Killing of Dogs	March 17	
41	Wallace	Public Depositories	March 21	
44	Booth	Licensing Contractors	March 21	
45	Holmgren	Real Property Tax Installments	March 21	
46	Holmgren	Tax for State Roads	March 21	
47	Holmgren	Sale for Delinquent Taxes	March 21	
48	Neslen	Building and Loan	March 20	
49	Huggins	Foreign Corporations	March 16	
50	Booth	Registered Pharmacists	March 16	
51	Wallace	Trust Companies	March 20	
52	Musser	Beauty Culturists	March 16	
55	Musser	Child Labor Law	March 17	
56	Shields	Code—Governor's Proclamation	Feb. 10	
57	Shields	Code—Certified by Senate and House	Feb. 10	
58	Shields	Code—Amending and Repealing Text	Feb. 10	
59	Huggins	Registered Nurses	March 16	
61	Miller	Coal—Public Utilities		March 21
63	Holmgren	Tax Deed—Drainage Districts		March 21
66	Fennell	Motor Fuels	March 9	

GOVERNOR'S ACTION ON SENATE BILLS—Continued

No.	Author	Subject	Signed by Governor	Vetoed by Governor
67	Candland	State Engineer's Revolving Fund	March 6	
72	Neslen	Sale for Delinquent Taxes		March 21
77	Bowman	Deed	March 16	
81	Booth and Fennell	Firemen's Pension Fund	March 16	
82	Griffin	Irrigation Districts		March 21
83	Neslen	Gaming—Bookmaking	March 18	
84	Neslen	Kidnaping	March 16	
88	Bowman and Jefferson	Rights of Way	March 17	
89	Calder	Fish and Game Licenses	March 16	
97	Shields	Legislative Code Committee	March 9	
100	Miller	Board of Supplies & Purchase	March 21	
108	Bowman	Fraternal Insurance Societies	March 16	
110	Booth	State Hospital	March 21	
115	Huggins	Beer Bill	March 21	
124	Joint Com.	Jurors—Relating thereto	March 9	
134	Musser	1933 Motor Licenses	March 1	
135	Holbrook	Training Schools	March 17	
136	Joint Com.	Utilities Com.—Membership	March 9	
137	Joint Com.	Holidays	March 2	
140	Joint Com.	State Tax Commission	March 9	
143	Maw	Payment of Expenses—State Land Board	March 16	

GOVERNOR'S ACTION ON HOUSE BILLS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
		SPECIAL SESSION		
1	Maw	Appropriation	Jan. 5	
		REGULAR SESSION		
1	Maw	Appropriation	Jan. 17	
2	Hoyt	Revised Statutes	Feb. 7	
15	Hoyt	Bank Liquidations	March 20	
18	Peterson	State Industrial School	March 17	
22	Paxton	R. F. C. Loans to Irrigation Companies	March 18	
23	Lane	Libels	March 18	
24	Lane	County Auditors	March 9	
25	Maw	Appropriation	Feb. 20	
29	Grossenbach	Use of Seines	March 1	
30	Grossenbach	Fish and Game	March 4	
32	Hammond	Dipping of Sheep	Feb. 23	
35	Jarvis	Ballots	March 18	
36	Caine	Animal Inspection	March 18	
41	Wayman	Small Claims Dept in Courts	March 20	
43	Monson	Branching of Banks	March 20	
45	Hoyt	Supt. of Public Instruction		March 21
47	Wayman	Great Salt Lake Improvement Association		March 21
48	Lane	Jurisdiction of Courts	March 21	
53	Anderson	U. S. A. C. Transmitting Electrical Energy	March 21	
55	Creer	Water Users' Association	March 20	
58	Miles	Junior College at St. George	March 21	
59	Pectol	State Roads	March 18	
65	Lane	Barbers	March 15	
66	Vernon	State Tree	Feb. 20	
71	Hoyt	Official Publication of Revised Statutes	Feb. 23	
73	Keddington	Sale of Convict Made Goods	March 21	
74	Keddington	Goods Manufactured by Convicts	March 21	
77	Young	Certificates for Motor Vehicles	March 21	
78	Young	Registration of Motor Vehicles	March 21	
79	Young	Licensing of Motor Vehicle Operators	March 21	
83	Wayman	Tax on Gasoline		March 21
84	Anderson	Default in Payments on State Land Contracts	March 20	
85	Thatcher	Delinquency of Taxes		March 21

GOVERNOR'S ACTION ON HOUSE BILLS—Continued

No.	Author	Subject	Signed by Governor	Vetoed by Governor
89	Caine	Reorganization of Building and Loan Associations	March 20	
97	Bosone	Employment of Women and Minors	March 21	
101	Monson	Flood Control Districts	March 21	
112	Appropriation Committee	Appropriation for Hospital Service	March 18	
120	Frischknecht	Junior Colleges	March 21	
124	Pope and Allen	State Emergency Commission	March 21	
135	Lane	Conventions to Pass on Amendments to Constitution	March 21	
150	Arnovitz	Payment of Wages for Public Work	March 21	
167	Granger	Deficiency Judgments		March 21
169	Granger	Postponement of Judgments on Foreclosure		March 21
172	Lane	Advertising		March 21
173	Young	Equipment of Motor Vehicles	March 18	
174	Boyden	Candidates for Public Office	March 18	
181	Keddington	State Treasurer	March 20	
197	Joint Com.	Emergency Relief	March 21	
200	Joint Com.	Periodical Budgets	March 21	
213	Joint Com.	Appropriation	March 21	
214	Eastman and Hammond	Furnish Members of Legislature with Copy of Revised Statutes 1933	March 18	
215	Joint Com.	State Bank Commission	March 21	
217	Joint Com.	State Road Commission—Ex-Officio Member	March 9	
218	Joint Com.	Sales Tax	March 21	
221	Joint Com.	Study Operation of State Government	March 18	

RESOLUTIONS AND MEMORIALS PASSED

SENATE CONCURRENT MEMORIALS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Booth	Appropriation for Highways	Jan. 19	
2	Patterson	Public Range of U. S.	Feb. 23	
4	Candland	Assassin's Bullet—Escape Therefrom	Feb. 16	
5	Wallace	Bear River Refuge	March 1	
7	Huggins	Salt Lake Veterans Hospital	Feb. 20	

SENATE CONCURRENT RESOLUTION

1	Wallace	Study of State Government	Jan. 17	

SENATE JOINT RESOLUTIONS

No.	Author	Subject	Transmitted to Secretary of State	
		SPECIAL SESSION		
1	Booth	Messenger to Governor	Jan. 5	
		REGULAR SESSION		
1	Musser	Commencement of Term of President of United States	Jan. 23	
8	Joint Com.	Appropriations to Branch A. C.	Feb. 27	

RESOLUTIONS AND MEMORIALS PASSED

HOUSE CONCURRENT RESOLUTION

No.	Author	Subject	Signed by Governor	Vetoed by Governor
2	Lamoreaux	Appointment of George H. Dern to Sec. of Interior	Feb. 6	

HOUSE CONCURRENT MEMORIALS

1	Lund	Stabilize Monetary and Credit Bases	Jan. 20	
3	Bosone	Unemployment Relief	Feb. 23	
4	Pectol	Creating National Park Monument	March 15	

HOUSE JOINT RESOLUTION

No.	Author	Subject	Transmitted to Secretary of State	
10	Bosone	Wage for Women and Minors	Feb. 27	

HOUSE JOINT MEMORIALS

1	Hall	Frazier Bill	March 9	
2	Mitchell	Appropriation for Indian Lands and Personal Property	March 9	

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1	Abstractors and Abstracts of Title	70	169		
2	Agricultural Cooperative Associations	69	169		76
3	Agricultural Department	69		169, 181	204
4	Aircraft and Aeronauts	69	169		
5	Assignment for Benefit of Creditors	70	169		
6	Attorneys and Counselors	70		169	
7	Banks and Banking	69		179, 201, 270, 271	203
8	Bonds and Warrants	69	179		
9	Boxing Contests and Wrestling Matches	70	170		
10	Building Commission	69	179	180	
11	Capitol Grounds	69	179		
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14	Child Welfare	69	179	181	204
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22	Criminal Identification	71	180		
23	Depositary Board	70	183		
24	Dogs—Injuries By	69	183		
25	Elections	70	183		
26	Examiners—Board of	70	183		
27	Federal Jurisdiction	70	183		86
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32	Foxes	69	186		
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35	Health	70	186		
36	Highways	69	186		
37	Holidays	70	186		
38	Homesteads	70	186		
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42	Industrial Commission	70		186, 234, 236	73
43	Insurance	69		186, 209, 211, 219, 235	72
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