SENATE JOURNAL

TWENTY-FIRST SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

1935

PUBLISHED BY AUTHORITY

The Seagull Press, Salt Lake

CERTIFICATION

The undersigned as the duly appointed Committee on Revision of the Senate Journal of the Twenty-First Session of the Legislature of the State of Utah do hereby certify that the contents herein contained is a full, true and correct record of the proceedings of the session commencing January 14, 1935 and continuing for sixty legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL.

LYNN S. RICHARDS,
Secretary of the Senate.

LEROY DRUSHALL,
Minute Clerk.

REGULAR SESSION

of the

TWENTY-FIRST LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 14, 1935.

Pursuant to a call by his Excellency, the Governor, the Senate of the Twenty-first Legislature of the State of Utah met in the Senate Chamber at the State Capitol at 12 o'clock noon.

Prayer was offered by Bishop Sylvester Q. Cannon.

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

CERTIFICATE OF MEMBERSHIP OF THE TWENTY-FIRST LEGISLATURE OF THE STATE OF UTAH
1935

State of Utah,
Office of the Secretary of State.

I, MILTON 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 6th, 1934, the following named persons were chosen by the electors as members of the Twenty-first Legislature of the State of Utah, to serve in the Senate from the several districts and for the respective term as follows:

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

Third District—Alonzo F. Hopkin, 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—D. W. Parratt, Herbert B. Maw and Mrs. Frank Page Stewart, County of Salt Lake. For the term of four years.

Seventh District—Hugh M. Woodward and Eldred M. Royle, County of Utah. For the term of four years.

Eighth District—Daniel Stevens, Counties of Beaver and Millard. For the term of four years.

Ninth District—Conrad Frischknecht, Jr., County of Sanpete. For the term of four years.

Twelfth District—W. D. Hammond, Counties of Emery, Grand and San Juan. For the term of four years.

AND I FURTHER CERTIFY: That by virtue of an election held on Tuesday, the eighth day of November, 1932, at which persons were chosen as members of said body, for the term of four years then next ensuing, the following are entitled to serve for the unexpired period, from the several districts, to-wit:

First District—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—Julian M. Bamberger, Mrs. Burton W. Musser, C. Clarence Neslen and John M. Wallace, County of Salt Lake. For the term of four years.

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.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah, this 14th day of January, A. D. 1935.

MILTON H. WELLING,
Secretary of State.

[SEAL]

Roll Call—All senators present.

Chief Justice Elias 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 Miller nominated Senator Herbert B. Maw.

Senator Day nominated Senator William H. Griffin.

Senator Maw was elected on the following roll call.

Yeas, 19; Nays, 4.

Those voting for Senator Maw were: Bamberger, Calder, Fennell, Fowles, Frischknecht, Hammond, Holbrook, Hopkin, Huggins, Maw, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace and Woodward.

Those voting for Senator Griffin were: Bowman, Day, Griffin, and Holmgren.

On motion of Senator Griffin the election of Senator Maw was made unanimous.

A committee consisting of Senators Musser and Day was appointed to escort the President-elect to the chair and the oath of office was administered by Chief Justice Elias Hansen.

President Maw expressed his gratitude for the confidence placed in him and the desire that all would forget personal interests and devote themselves whole-heartedly to the cause of the people of the State so that every class and faction would receive just consideration.

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

Lynn S. Richards	Secretary
E. C. Dayton	Chaplain
Spencer W. Madsen	Sergeant-at-Arms
LeRoy Drushall	Minute Clerk
Fred T. Odell	Docket Clerk
Mrs. E. R. Laraway	Engrossing Clerk
Echo Denning	Office Clerk
Mabel S. Moore	Mailing Clerk
Mrs. Mabel C. Speckart	Committee Clerk
Lucille Powelson	Committee Clerk
Marjorie Anderson	Committee Clerk
Katherine Eastman	Committee Clerk
Mrs. Florence Manwaring	Committee Clerk
Joseph H. Francis	Messenger
Frank Goodrich	Messenger
George Rowley	Doorkeeper
John E. Thurgood	Doorkeeper
Robert W. Dennison	Doorkeeper

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

On motion of Senator Huggins a vote of thanks was extended to Chief Justice Elias Hansen, Secretary of State Milton H. Welling and Bishop Sylvester Q. Cannon.

The President appointed a committee consisting of Senators Royle, Stewart and Griffin to notify the House that the Senate is organized and ready for business.

Senator Miller moved that the Senate and Joint Rules of the Twentieth Session of the Utah State Legislature be adopted until further amended. Motion carried.

Senator Neslen moved that the choice in the selection of seats be as follows:

1. Lady Senators.
2. Republican Senators.
3. Holdover Senators.
4. Newly elected Senators.

Motion carried.

The President introduced Mrs. Elizabeth Hayward, representing the Woman's Democratic Club, who presented the lady members of the Senate with a corsage.

COMMUNICATION FROM THE HOUSE

January 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Twenty-first Session of the House of Representatives of the State of Utah has this day organized, and the Speaker has appointed Representatives Mrs. Emily D. Aird, Mrs. Albert Jensen, Mr. Milton Twitchell, to advise the Senate that it is ready to do business.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

A committee consisting of Representatives Mrs. Emily D. Aird, Mrs. Albert Jensen and Mr. Twitchell appeared and notified the Senate the House is organized and ready for business.

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

ORDER OF BUSINESS

1. Appointment of a committee on Senate rules.
2. Appointment of Senate members on Joint Rules.
3. Appointment of committee to act with like committee from the House to inform the Governor that the Legislature is duly organized and ready to receive communications.
4. Recess until two o'clock.
5. Report of committee on Senate Rules and action thereon.
6. Report of committee on Joint Rules.
7. Reports of other committees.
8. Miscellaneous business.
9. Adjournment.

REPORT OF SPECIAL COMMITTEE

January 14, 1935.

Mr. President:

We, your committee on Senate Rules, beg leave to report that after examining the rules of the 20th session of the Legislature, that we would recommend the adoption of those rules with the following changes:

In Rule No. 74, the last two lines be stricken "provided that it shall require unanimous consent to advance any bill on the calendar".

In Rule No. 88, after the word "it." Add "and the committee report shall carry a brief statement of the findings of the committee concerning any point or matters which in the opinion of the committee should be called to the attention of the author or the Senate".

In Rule No. 106, that in the 5th line, the words "by unanimous consent" should be stricken.

In Rule No. 116 after the word "Senator" in the 4th line, add "and it shall be the duty of the Sergeant-at-Arms to admit no one except upon the invitation of a Senator".

We recommend that in Rule No. 75 provision be made for a new committee to be known as the Committee on Trade Regulations to which committee shall be referred all bills dealing with liquor.

We further recommend that the Senate shall determine the number of members on such committee.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report adopted and filed.

The President appointed a Committee consisting of Senators Neslen, Musser and Holmgren to notify the Governor that the Senate is organized and ready for business.

The President appointed a Special Committee to revise the Joint Rules consisting of Senators Bamberger, Frischknecht and Stevens.

The President appointed a Special Committee consisting of Senators Woodward, Huggins and Holbrook to revise the Senate Rules and report this afternoon.

On motion of Senator Huggins the Senate recessed until 2 o'clock.

The Senate was called to order by the President at 2:00 p. m.

The committee appointed to wait on the Governor reported that the Governor extended his greetings and that he would meet with the Legislature in Joint Session at their convenience. It was decided by the House and Senate Committees appointed to wait upon the Governor to hear his message at 2:00 p. m. January 15.

Senator Bamberger reported that the House Committee on Joint Rules had not been appointed, therefore no report could be made.

Senator Griffin moved that when we adjourn it be until tomorrow, January 15, at 1:45 p. m.

Motion carried.

Senator Griffin moved that each Senator be allowed eleven names on the mailing list.

Motion carried.

Senator Holbrook moved that the President appoint a committee to meet with a like committee from the House to prepare a resolution fixing the compensation of Legislative employees.

Motion carried.

On motion of Senator Parratt the Senate adjourned.

SECOND DAY

January 15, 1935.

The Senate was called to order at 1:45 p. m. President Maw in the chair.

Roll call—All Senators present.

Prayer by the Chaplain.

Senator Huggins moved that a Journal Committee be appointed to revise and approve the Journal and report its findings daily.

Motion carried.

The President appointed Senators Huggins and Griffin to revise the Journal for the week ending Jan. 19, 1935.

The President appointed Senators Fowles, Wallace and Stevens to act with a like committee from the House to prepare a resolution fixing the compensation of Legislative employees.

The President announced that former Governor Eberhardt of Minnesota would, at the request of the Legislature, discuss the Federal Housing Act.

Senator Neslen moved that the Senate advise the House it will meet Friday, Jan. 18th, to hear the Federal Housing Act discussed.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

January 15, 1935.

Mr. President:

I am directed to inform your honorable body that the Speaker has appointed Mr. Kiefer, Mr. Macfarlane and Mr. Lamoreaux to act with a like committee from the Senate for the adoption of joint rules of procedure and to report the same back to this body.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

January 15, 1935.

Mr. President:

I am directed to inform your honorable body that the Speaker has appointed Mrs. Bosone, Mrs. Maeser, and Mr. Gammeter to act with a like committee from the Senate to notify the Governor that the Legislature is duly organized and ready to receive any communications from him.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

Senator Huggins moved that the Senate adjourn at the conclusion of the Joint Convention.

Motion carried.

The President declared the Senate in recess to proceed to the House Chamber to meet in Joint Convention.

JOINT CONVENTION

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

Prayer by the Chaplain of the Senate.

The President appointed a committee consisting of Senators Bamberger, Bowman and Frischknecht and Representatives Bosone, Luke and Twitchell to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

The committee returned escorting Governor Henry H. Blood who was introduced to the Joint Convention by President Maw.

GOVERNOR'S MESSAGE

To the Members of the Twenty-first Legislature of the State of Utah:

In conformity with the provisions of Section 5 of Article VII of the Constitution of Utah, it is my pleasure to submit for your consideration a statement of the condition of the state.

Your coming together now is opportune. There are very serious problems demanding solution. Your help is needed. I greet you today with sincere pleasure.

It may be doubted if ever a governor of this state stood before a newly elected legislature and presented to the members a message when conditions, as they affected the citizenry as a whole, were more difficult and involved than those now existing.

The state government has met a real challenge during the past two years. Almost daily new problems have had to be solved. As a rule there was found no precedent upon which to act. The task has been a tremendous one for all who have held official positions. That this state has come so far and so well through the turbulent period is due to the willingness of men and women to assume responsibility with or without remuneration. I pay deserved tribute to those who have served with me in elective and appointive offices. Nor can I forget how men of affairs outside of official life have willingly given their time on essential and unpaid committees, with the single purpose of performing public duty. The thanks of the state is due them. Many, indeed most, of such committees still are working. No governor could have received better support or greater evidence of unselfish service; and such service was never more needed.

The Twenty-first Legislature is destined to write important pages of Utah history. You members are here under mandate to represent all the people. You were not elected as special advocates of groups or organizations, or lines of business or industry. The people elected you to represent them, and the people are of all classes. The thing most necessary to do for the state and for its people, is the thing for which we all should stand. You know what the people back home are thinking. This knowledge will enable you to judge what should be done in the way of legislation during the next sixty days. It will be my duty and my pleasure to work with you, and to give such information as I possess that will assist you in determining the course best to take with reference to state problems.

It would be a pleasure to be able to say to you that economic conditions had so adjusted themselves in Utah that we could relax somewhat the rigid attitude it was deemed necessary to assume with reference to public expenditures when the legislature met here two years ago. But I cannot yet discern the opportunity for a change of policy. I said then and now repeat: "The dominant note of this message must be economy. * * *

"Our state government must accept leadership in inaugurating sound economics 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 it sets 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."

There has been some improvement in business and industrial and financial conditions all over the country. In these welcome changes Utah has measurably shared. Signs exist that predict further upward trends. These are most welcome. Hope has found lodgment in many a heart. This is desirable and helpful. But while unemployment is so widespread, and while such urgent necessity for assistance to the needy presses, there still must be utmost care used by government to perform necessary functions with due regard for rigid control of public expenditures. The fact always should be in the mind of public officials—state, county, city and school—that the power to use the people's money carries with it the duty to expend it profitably for the taxpayer. Government is a business and should be run with strict business efficiency.

These observations by no means indicate a thought that waste in public expenditures is the rule; my belief is to the contrary. But it is recognized that under present conditions the public budget should be scanned as carefully and as often as are the business or family income and expenditures, and should, wherever possible, be kept in balance. To do less than this in private life spells ruin, if continued. It means much the same in relation to public expenditures.

These statements of acknowledged fact lead to a report of the efforts of the present administration to control expenses.

BUDGETARY CONTROL

The law requires the governor to submit to the legislature within twenty days of its convening a budget message outlining in detail the fiscal condition of the state. It is thought proper at this time, however, in anticipation of that message, to give you a brief review of our budget control problems. A full statement of the financial condition of the state will be submitted within the required time.

In my message two years ago to the Twentieth Legislature, I stated that, at the end of the biennium, June 30, 1933, there would be a deficit in the General Fund of approximately two million dollars. Upon my request, an eight year bond issue of two million dollars was authorized, to take up the accumulated deficit.

I pointed out in that message that the State Auditor's estimate of revenues for the then succeeding two years was $4,646,550, as against more than six million dollars in the former biennium. It was evident that drastic cuts in appropriations were inevitable.

There was approximated by the regular and special sessions of the Twentieth Legislature a total of $4,720,201.30. The Budget Division reports that revenues actually received and estimated for the biennium ending June 30, 1933, including cash on hand at the beginning of the period, together with unused appropriations available for transfer ac-

cording to law, will be sufficient to carry the state to the end of the present fiscal year without incurring a deficit.

Realizing how difficult it would be to conduct state business with such drastically reduced appropriations, and faced with the possibility of further decreasing revenues, the Twentieth Legislature by appropriate laws established a system of executive budgetary control.

The powers and duties of the Board of Supplies and Purchase were enlarged to include a budget control division, and, in addition, emergency powers were conferred upon the governor to reduce, adjust, transfer or eliminate legislative appropriations, should conditions arise which, in his judgment, required such drastic action. The purpose of all this was to hold expenditures within the actual revenues available.

During the biennium, quarterly estimates have been prepared by the Budget Division for each department and institution, and a careful balance maintained between the necessary expenditures and the revenues available. Generally speaking, state agencies, by the exercise of strictest economy, have been able, under greatly reduced appropriations, to perform at least the most vital functions. Adjustments in individual appropriations have been necessary in but few cases. No general fund deficiency appropriation bill is to be submitted to you at this session.

I would fail to do justice to the Budgetary Division and to the heads of departments and institutions were I not to pause at this time to express sincere appreciation to each and every one of them for the splendid, patriotic attitude displayed by them during this most difficult and, shall I say, painful procedure.

BONDED INDEBTEDNESS

The total authorized bonded debt of the state as of June 30, 1934, was $12,860,000. The redemption fund totaled $6,187,500, leaving a net of $6,672,500, which is safely under the constitutional debt limitation of $7,725,000, based on one and one-half per cent of the assessed valuation, which at June 30, 1934, was $515,000,000. Since June 30, 1934, outstanding bonds in the amount of $200,000 have been redeemed. The net at December 31, 1934, was, therefore, $6,472,500.

AGRICULTURE

No report of the condition of the state during the past biennium, or of present conditions, would be complete without mention being made of the devastating drouth that swept over Utah in 1934. No county of the state escaped its ravages. Mountain, valley and plain all were involved. Destruction of live stock feed on both summer and winter ranges was an outstanding aspect of the disaster. Cash crops usually relied upon by farmers to provide funds for current needs and for payment of taxes were reduced in volume and in some localities were completely lost. The Federal Government was appealed to by me early in the season and generous help was forthcoming. Elsewhere in this message mention is made of the drouth relief work. It need only be said here that $1,400,000 was received from the Federal Government and allocated to projects by a special committee in an effort to conserve and develop water for culinary and stock watering purposes and for the saving of orchards and other valuable crops. The money, which was used in widely separated sections of the state, was well expended and saved many times the cost.

Statistical information for 1934 indicates that, notwithstanding the drouth, agriculture in Utah produced returns in excess of those realized in 1933. This, of course, is accounted for by the higher prices received for agricultural products in 1934.

At the present time there are indications of additional water supply for the present year in the northern part of the state. Conditions are reported less favorable in other sections.

As a result of the drouth, live stock men were forced to reduce their holdings in order to conserve feed. The Federal Government came to the rescue by generously granting requests for large allotments of funds for the purchase of cattle and sheep, thus averting a greater disaster. I also applied for and received $200,000 for range development, including provision for wells, small watering places, and range roadways in various parts of the state. This has put live stock men in a much safer position for the coming year.

In spite of all that has been possible to do, the farmer still is in a precarious, and in many instances, a pitiable condition. Only better farm prices and immediate cessation of drouth can aid in these cases.

Aside from such extreme instances, there exists a large farming class whose income has been dwindling for years by ruinously low prices, and who were all but "wiped out" by the drouth of 1934.

Dairymen are another class similarly situated. Feed shortage has forced the sale of valuable dairy stock in some instances and the loss will be difficult to replace.

It may not be possible to cure promptly these economic ills, but I appeal to you to look with favor on such bills as may reflect benefits to distressed citizens and property owners, who for the present are trying to hold on for better times. This appeal holds good for small homeowners in cities and elsewhere who are financially stranded. These classes are probably not on relief rolls, but they need attention nevertheless.

MINING

It is especially important to the state as a whole to note a marked increase in mine employment, both in the number of men at work and the amount of pay roll. The official figures show for 1934 an increase of 789 men and of $1,116,054 in annual pay rolls of those employed at day wages in the metal mines and plants of the state. Figures given me show that the wages of the men have been increased from 33⅓ per cent to 50 per cent, and are now substantially at normal levels, although due to the enforced restrictions of working time the men are receiving less than the normal monthly or annual income.

Any consideration of the outlook with respect to the immediate future of metal production in the state must take into consideration the fact that large stocks of copper, lead and zinc remain unsold on the world's markets and that, in consequence of the existence of these large stocks, current mine operations are necessarily curtailed. The cost of producing and carrying these stocks, as well as current unprofitable production in most cases, is said to have made substantial inroads on the capital reserves of the metal mining companies of the state, and may result in further enforced curtailment of operations unless general conditions improve.

It is, however, a satisfaction to note a substantial improvement in the metal price situation as compared with two years ago. The price of gold is about 69 per cent higher, silver about 117 per cent higher, copper about 26 per cent higher, zinc about 24 per cent higher, and lead about 5 per cent lower than in January, 1932. It is evident that but for the large increases in the prices of gold and silver the metal mining industry probably would have been much more extensively curtailed than it has been.

I regret to report a still further decline in the production of coal. This is attributable to a shift of fuel use from coal to other heat producing agents. I shall take keen interest in any plan that can be devised to restore this industry so essential to the relief of unemployment and so important to the State of Utah.

MANUFACTURING

The condition of manufacturing has been much better in 1934 than in 1933. This is due to the causes that have operated to improve business in general. All branches of the industry are reported doing better than during the four years immediately preceding. While there has been a big decrease in manufacturing since 1929, the losses have not been so large as in many other basic industries.

BUSINESS CONDITIONS

Business conditions in Utah have improved during 1934 to an extent that gives reason to expect a gradual upward trend during the coming year. The inflow of Federal money for relief, reclamation, road building and other purposes, has been reflected in the cash registers of business houses, but permanent recovery must await the more stable returns from products of the mines, the factories, the flocks and herds, and the farms, orchards and fields.

RECLAMATION

The whole story of the development of agricultural Utah is comprised in one word reclamation. We acclaim a desert redeemed. The redemption was a process of reclamation. Every successful venture to establish cities and towns, except mining camps, has been developed through the fructifying results of the wedding of water with land. It is, therefore, something to be noted and made a matter of rejoicing when new reclamation projects are launched or completed.

Since the last session of this legislature two important projects of this kind have been undertaken. The Hyrum project in south Cache County was placed under construction March 26, 1934. It will, when completed, impound 14,000 acre feet of water in the Hyrum Reservoir on Little Bear River, and will add to the water supply of 11,100 acres of excellent farm land in the southern and western parts of rich and fertile Cache Valley. The cost is estimated at $930,000 and, as is the case in most reclamation projects, the water users are under contract with the Federal Government to repay the cost in forty annual installments without interest.

A second and larger reclamation project is the Pine View Reservoir on the Ogden River below Huntsville, which, when completed, will store 38,000 acre feet of water from Ogden River for use on lands adjacent to Ogden City, eastern Weber County, and southeastern Box Elder County, as far north as Brigham City. Additional and very much needed water will be furnished 19,000 acres of land. The completed cost is estimated at $2,900,000.

During 1933, financial arrangements were completed in Washington for other reclamation projects of immense value to other sections of the state. The Moon Lake project in Uintah Basin, estimated to cost $1,500,000, is in course of construction and will make it possible for owners of 40,000 acres of land to stay on their farms, secure from ravages of recurrent drouths.

Two relatively small reclamation projects are under way in Sanpete County, near Ephraim and Spring City. The completed cost is estimated at $300,000, and additional water will be furnished for 8,000 acres of land.

Finally there is the great Deer Creek-Utah Lake project, which is estimated to cost, when completed, $9,974,000, and for which an initial allocation of $2,700,000 has been made by the Federal Public Works Administration. Nearly one-half the population of Utah will be benefited, directly and indirectly, by this vast undertaking.

Discouragements have been met in negotiations looking to the actual commencement of construction on the Deer Creek-Utah Lake project, but I have never for a moment lost faith that soon all difficulties will be ironed out and that work will begin.

Additional Water Supply

Utah needs additional water. The realization of this fact has turned our eyes in the direction of a new supply which it is hoped eventually can be made available. Reference is made to the Green River-Bear River project now being given consideration. Waters of the Green River under this plan would be stored in Wyoming and conveyed to a point where they can be delivered into the Upper Bear River, to be diverted into Bear Lake, large natural reservoir, from which they can be drawn as necessary for purposes of irrigation in Cache County and Box Elder County. The same diversion will supply much needed water for Rich County. It is realized that this plan must be worked out with the cooperation of Wyoming.

Colorado River

It has been found necessary recently to take steps to protect Utah's interests in the waters of the Colorado River. Arizona sought to secure a contract with the Interior Department at Washington for 2,800,000 acre feet of water stored in the Boulder Dam. Serious danger was detected in the proposals of Arizona, and fear was expressed of an infringement of Utah's rights. I called a meeting of representatives of the seven Colorado River states October 3, 1934, at Salt Lake City, and protests were formulated and forwarded to the Interior Department. On December 17, 1934, a hearing was held before Secretary Ickes in Washington, at which William W. Ray, of Salt Lake City, presented the issues for the protesting states. Secretary Ickes refused to sign the proposed contract. A further conference is in progress yesterday and today at Phoenix, Arizona, at which Utah has a strong delegation to protect its interests. You may be sure everything possible will be done to see that there is no encroachment on our rights. As stated in another paragraph, this state needs and must have more water, and our future supply will likely come from rivers in the Colorado River drainage, Green River being an important available tributary.

Smaller Projects

An engineering study has been undertaken of the possibilities for small storage reservoirs in various parts of the state. Much preliminary data have been assembled ready for immediate use in the event an enlarged public works program is authorized by the Congress. This information could be made available to Washington officials on one day's notice. Meantime, more extended investigation is being made to ascertain the amount of water available, the location and feasibility of reservoir sites, and the value of lands to be irrigated. The results of the complete survey will probably show that most sections of the state now suffering from drouth may be placed in much better condition with a reasonable outlay. One interesting fact that has been developed by the survey is that Utah is properly controlling and making efficient use of only about one-half of the total water supply of the state. At the same time, valu-

able lands are remaining semi-arid. It cannot definitely be predicted whether Federal appropriations will be made available for the purpose of this new reclamation development, but we shall make every effort to secure funds and be ready to use them if they are granted. It may be possible to give you additional information later during this session.

There has been some mention of a possible change in the reclamation policy of the Federal Government. I need not here discuss the matter further than to direct your attention to the probable value of a concurrent Memorial to the Congress requesting that the present reclamation policy be continued.

UNDERGROUND WATER

The underground water supply of the state has a high present and future value. There is urgent need for well considered legislation that will amply protect the present user of water, and that will provide for legal appropriation and development of the underground water supply. The report of the State Engineer for the period ending June 30, 1934, devotes some space to a discussion of this important question. The estimated yield from all wells of the state is 250,000 acre feet annually. There is no adequate regulation of the wells and practically no control of the underground water from which they are supplied. The State Engineer mentions the serious situation which arises when whole groups of artesian wells used for culinary and stock watering purposes and for small gardens, go dry because of the putting down of a large irrigation well in the vicinity. The report further says:

"The conditions above referred to should be corrected so far as is possible, by the enactment of a new law drawn in such way as to recognize and protect the legitimate present user to the extent of actual and reasonable beneficial use of the underground water, giving this protection, however, only to the extent of the supply, not beyond. Finally, the law should completely define the rights so acquired. It should also set up the machinery for the appropriation of whatever additional supply of underground water there may be left, somewhat along the lines which provide for the appropriation of surface water. Obviously it must clarify the relationship between priority and correlative rights."

The recent decisions of the Supreme Court have served to make more evident the need for such legislation as will extend the state's control and conserve the underground water supply.

I consider this matter of such vital importance to the state that I have requested that a bill be prepared and presented to the Legislature. Your prompt consideration of such a measure is recommended.

LIQUOR CONTROL

A paramount duty of this Legislature will be to give careful and deliberate consideration to the question of liquor control.

The voters of this state have placed the matter squarely before this body. At the election November 7, 1933, the people voted emphatically for repeal of Section 3, Article 22 of the State Constitution. As I interpret that vote, it is a mandate to the Legislature to take action repealing state statutes prohibiting the sale of liquor. None of us should hesitate to carry out the wishes of the majority thus expressed; indeed the will of the majority recorded in a duly constituted manner has binding force and effect which in a democracy must be respected. The only question before you is the best method to be adopted to accomplish the result desired.

Expressions of opinion, before the vote on repeal, and since that time, have indicated widespread and perhaps almost universal desire to promote temperance.

Two guide posts for action can, therefore, be set up:

1. There should be no legislation that would permit the return of the saloon in whatever guise.
2. Exploitation of liquor use, and efforts to promote its sale, should be made unlawful.

The control of the sale and use of liquor is an exceedingly complex question. In order to prepare to present the matter to you and to assist you in arriving at a proper solution of the problem, I appointed, late in 1933, a committee of representative citizens of Utah, men and women of judgment and ability who reflected as nearly as possible a true cross section of the sentiment of the people of the state. It seemed expedient to me that in order to insure fairness in the selection of this committee, due consideration should be given to geographical location of the appointees, as well as to their political and religious affiliations and their social, business and professional standing. I, therefore, chose at first twelve men and later, with their assistance, broadened the membership to forty-nine. This committee accepted the call and assignment. The members were requested to consider fully plans now in effect in the United States and elsewhere—in Canada, in Europe, and wherever efforts have been made to set up adequate liquor control. They were to enter upon and pursue their studies and investigations with fairness to every shade of sentiment or opinion that should be found anywhere in the state. So far as I have been able to learn the deliberations of the committee have been so conducted that everyone has had a chance to be heard. Their unselfish work has been appreciated.

After a free and open discussion, the committee formulated and presented to me its findings. This report and the conclusions reached therein have been given wide publicity throughout the state in the last month and have resulted in further discussions among the people generally. The report of the committee recommends the State Store plan of control. Explanation of this plan is contained in paragraphs of the report which I am pleased to quote:

"Under the State Control Plan recommended by your Committee, the State, through a central authority, operates and maintains an exclusive monopoly of the retail sale of all liquor by the package for off-premises consumption, and in general manages the trade in such a way as to meet a minimum, unstimulated demand.

"The Commission is authorized to establish and operate State Stores for the sale of alcoholic beverages, except light beer, at such places as shall be considered advisable. In places where there would not be enough business to warrant state stores package agencies may be established by the Commission appointing a retail merchandising store to sell liquor in original packages to be furnished by the Commission. Such appointee will be paid a salary, will be under heavy bond, and will have no interest in the proceeds of the business. No liquor is to be sold for consumption on the premises.

"An overwhelming majority of your Committee favored adoption of the State Store Plan instead of the private licensing system. We believe a large majority of the people of Utah are opposed to the return of saloons and it is believed any form of private license plan usually leads to legalizing the saloon. President Roosevelt in his Proclamation announcing the ratification of the Twenty-first Amendment said:

'I ask especially that no State shall by law or otherwise, authorize the return of the saloon in its old form or in some modern guise.'

"The operation of state stores eliminates the private profit feature which is the greatest evil of the liquor traffic. It makes the control of the liquor business in the state a public enterprise to be operated solely in the interest of the people of the State. Since all profits will now go into the public treasury, and the employes operating the stores will receive fixed salaries, there will be no incentive for anyone to stimulate sales or to work to increase the consumption of liquor. These State Liquor Stores can always be kept respectable and they will be operated on a high plane, and regulating the hours and conditions of sale should prove comparatively easy.

"The State Liquor Stores ought in the end to eliminate the bootlegger for the reason that the volume of the State's purchases should enable it to buy at a lower price and to sell at a much lower figure—even at cost, temporarily, until the bootlegger is forced out of business.

"The bootlegger exists by reason of the profits derived from ilicit liquor trade. Therefore, any system designed to eliminate the bootlegger should provide for the sale of alcoholic beverages at such prices and under such conditions as will make it not only difficult but economically unprofitable for him to try to compete with the State as a dispenser of liquor."

I am pleased to present to you with my endorsement the committee report, including a draft of the proposed bill. I recommend the passage of a measure establishing the State Store Plan presented by the Committee, leaving to you the working out of details.

The cause of good government demands that you act promptly and make the law effective at the earliest possible date. I am sure the people of the state expect this of you.

I shall hold myself ready to give you any assistance possible during your consideration of the measure, and shall likewise be glad to present you with additional available information as desired.

SOCIAL LEGISLATION

We are living in a new era. Political policies and social conditions tolerated and condoned in the past, even though not always completely accepted, are gradually being replaced. New and progressive trends influence our every thought and action. The problem before us is to choose the best of these trends.

A change has been emphatically demanded by the people of this state and this nation. As a result remedies have been and are being sought for conditions that through the break-down of our economic machinery have become intolerably oppressive. The solutions offered by the Federal Government have not yet had time to prove in full their efficacy. The President, himself, has properly said that ailments of long standing cannot be cured in a short time. Results, on the whole, are very encouraging, and the fact that some of the most vexing problems still remain unsolved should not cause us to lose faith in their ultimate solution. The future of our state and our nation is secure because of the undaunted courage of the American citizen in his search for ways and means to meet his problems, and because of the democratic structure of our government itself.

Unemployment

The most serious problem which still confronts us is that of unemployment. No socially minded person will contend that it is possible

again to attain prosperity until the great number of unemployed men and women who are willing and able to work have been granted that right. There is, perhaps, no social condition more subversive of self-reliant manhood and womanhood than enforced idleness. The very nature of our compactly organized group life demands that co-operative labor must be performed by man in order that he may live. When through no fault of his own he is unable to fulfill this demand that he sustain himself through work, extreme discontent with conditions is engendered. The minds of those who seek work without finding it become imbued with the idea that social justice is absent in our present system.

Real men and women, true American citizens, are never satisfied while they are recipients of charity; on the contrary they are insistent in their demands to be permitted to support themselves. The new policies outlined in President Roosevelt's address to the 74th Congress show conclusively that it is his aim to return every employable person to his place in the world of men where he can earn his livelihood through his labor. I hail the day when this high purpose of the Federal administration shall be consummated.

It is my understanding that we shall receive from the Federal Government in the near future a clearly outlined policy for carrying out this program. At present it seems that, as a state, we shall be expected to assume the responsibility of caring for the unemployables; those persons who are unable to enter into the competition of life; those who, for physical or other reasons, are unable to support themselves. This group has always been a part of our social structure. It is sincerely hoped that its number has not increased under the devastating influences of the present depression.

This Legislature should provide for the care of those who cannot support themselves. The legislation, however, should in no way take from the counties, charitable organizations, churches, fraternal societies, community chest agencies, and clubs their normal responsibility in helping to care for this group. Only after these unofficial agencies and the counties in their official capacities have done their part should the state stand ready to see that no one unfortunate enough to find it necessary to accept public support shall be permitted to suffer. Careful study should be made of the ability of each political sub-division to contribute to the care of its dependent members as a basis for equalizing and allocating aid to such sub-divisions. The maintenance of standards in supervision and personnel in this work will place the State of Utah in the foremost ranks of those states carrying out an enlightened public welfare program. It is a mark of civilization that we give adequate care to those unfortunate enough to become public charges.

Unemployment Insurance

The evidences of the past five years have proved conclusively that there has been serious omission in our preparation to meet economic disasters. We must make provision against the direful effects of unemployment which are inevitable when the wheels of industry cease to turn. To appreciate what unemployment means one needs but to know the terror in the hearts of members of a family when the wage earner comes home with the news that he has lost his position. Gone is the opportunity for feeding, clothing and educating his family. Such scenes occurring in millions of homes since the disaster of 1929 must be prevented in the future. No mental, moral, or social security can be maintained while such conditions exist. Unemployment insurance is declared by competent economists and sociologists to be the answer to the prob-

lem. I recommend to you, therefore, careful preparation to meet this important issue. Any legislation that you may enact should fit into the plans of the Federal Government. The announcement of Federal policy I am confident will be presented in time for you to give it proper attention during this session. I shall be glad to confer with you, or with committees appointed by you, for the purpose of carrying into effect definite provisions for unemployment insurance co-ordinated with Federal policy.

Old Age Pensions

The old age pension system is another type of social legislation which is demanding public attention. The Committee on Economic Security appointed by the President is studying this problem at the present time. When a workable plan is developed by the Federal administration, I shall be glad to give you full information concerning it.

Summary

In summarizing my recommendations to you concerning social legislation, may I emphasize that human welfare is a paramount issue? It is, therefore, sound social policy that any legislative program enacted contain the following provisions:

1. That local agencies assume their share of the total burden.
2. That state aid be given localities which cannot carry the entire burden of their unemployables; this to be done after full investigation has disclosed the facts.
3. That social legislation be of a nature to permit the state to participate in whatever Federal grants may be made to assist states with their problems of unemployment, old age pensions, unemployment insurance, maternity care, child welfare, and other social welfare programs.

WORKMEN'S COMPENSATION ACT

I am advised that the Workmen's Compensation Act, first made effective in 1917, has been but very slightly amended since 1921. During the intervening fourteen years there have been discovered many inequalities which, in the opinion of the Industrial Commission, should be corrected. Such corrections would be for the further and better protection of those who come within the provisions of the law. Inasmuch as human welfare is a matter of such prime importance, I recommend that consideration be given to essential amendments.

COMMITTEE TO INVESTIGATE AND STUDY OPERATION OF STATE GOVERNMENT

In connection with my reveiw of the comprehensive report of the Committee to Investigate and Study Operation of Government, I shall present the following: (1) Education, (2) Public Utilities, and (3) Taxation Proposals. The Committee's analyses of these subjects are typical of the exhaustive treatment given a wide variety of topics.

In my first message to the regular session of the Twentieth Legislature, I recommended the appointment of a committee on Reorganization of State Government, consisting of nine members, three appointed from the Senate, three appointed from the House, and three of my own selection.

This Committee did excellent work in the very short time allotted. The results were shown in economies recommended to and adopted by the Twentieth Legislature.

Late in the regular session, the Legislature passed and I approved an act creating a Committee to Investigate and Study Operation of State Government, known as the Investigating Committee, consisting of nine members appointed in the same manner as the original group. Wide powers eventually were given this committee, and highly valuable and painstaking studies have been made and conclusions reached. The scope of the investigations was so broad that experts, allowed under the Act, were engaged and made exhaustive reports.

The results are available in printed form, and may well constitute a source of information touching many controversial problems.

I have hereinbefore mentioned the excellent work done by committees without pay. This is one of the committees to which reference was made as being entitled to the commendation of the people of the state.

The Investigating Committee presents studies which set forth facts bearing on various problems as developed by its research staff. Subjects treated include economic aspects of Utah tax laws, mine taxation, financing of state, county and municipal governments, financial problems of public schools and higher institutions of learning. The facts set forth are basic. Part 2 of the report will prove highly valuable to you as legislators.

Important recommendations of the Committee are to be found in the first part of the published report. The law creating the Committee required that these recommendations should be made to me for your benefit and that of the public. It is with these that you as legislators will be chiefly concerned.

EDUCATION

In the letter of transmittal which accompanies the Investigating Committee's report, the Committee lays down the general principle that economy and efficiency in governmental operation call for centralization and unification of administrative activities. The recommendations suggest application of this principle, long tested in private business, to various governmental functions. It is proposed that it be used in connection with operation of the school system, which in Utah takes about one-half the entire revenues derived from the tangible property tax. I am heartily in favor of maintaining the present high educational standards of the public schools of Utah. This state has already progressed farther than most states in the centralizing of school administration, and with good results. However, my reaction to proposals for major movements looking to centralizing control is that such steps should be taken only after the most careful study.

Concerning Duplication

The committee has recommended a plan by which it hopes that any unnecessary duplication of efforts among the state institutions of higher education can and will be eliminated. It is highly desirable that the public be assured either that no such duplication exists or that, if it does exist, it will at once be removed.

Junior Colleges

Discussion of higher education brings up the problem of junior colleges which is assuming larger proportions in Utah year by year.

Waiving for the moment the question of the limit, if any exists, of education which should be given at the expense of the state, the fact remains that at this time the state General Fund can bear no material increase in its expenditures for higher education, or any other purpose, unless coresponding increase is made in contributions from the taxpayers to that fund. Still, the state and its school sub-divisions should provide all its citizens as nearly as possible equal opportunities for higher education.

It is understood a bill will be presented covering the Junior College situation. I bespeak earnest consideration of its provisions.

PUBLIC UTILITIES

The Committee finds that the proper solution of problems dealing with the regulation of public utilities can best be reached through an authoritative regulatory body such as now exists, the Public Utilities Commission. The present statutes confer on the Utilities Commission much if not all of the desired authority, but restricted appropriations have all but nullified the law. Increased appropriations in large amounts under the present condition of state finances are virtually impossible. Partly because of this fact, and partly because of the merits of the plan itself, the Committee urges that the utilities shall bear a large portion of the cost of utilities regulation. I strongly recommend that the legislature provide an equitable plan for distribution of the costs between the state and the utilities under regulation.

TAXATION PROPOSALS

The Committee presents a series of recommendations with regard to taxation to which I invite your careful attention. Briefly, they include the increasing of revenues from other sources in the hope that thereby the demand on the property tax will be reduced. For the administration of the property tax the Committee returns to the thought of obtaining increased efficiency and greater economy in operation by further centralizing the executive authority in tax administration.

REVENUE AND TAXATION

Improved business conditions and better administration are assigned by the State Tax Commission as reasons for an increase of revenue during the past biennium. The revenue from the sales tax has mounted with few fluctuations since the tax was imposed. Revenue from gasoline tax also shows a decided increase during the biennium. Collections of general property tax during the past year show an improvement in spite of the serious drouth which affected the entire state. At no time since definite information on property tax collections has been kept has the redemption from tax sales been as large as during the past year. Improved business is one factor in this result, and the operation of the Home Owners' Loan Corporation Act also assisted. Receipt of Federal benefit payments of various kinds and the liberalization of Farm Credit administration has also aided. The state itself and all taxing units of the state have been benefited by these redemptions. Some obligations have been paid off and the financial structure of school districts and cities and towns has been placed on firmer basis.

The problem of taxation has involved a great deal of discussion since taxes first were levied. So far, the mind of man has not conceived a tax system which meets the standards and measurements of a perfect plan, and until such time arrives, if it ever does arrive, it is prob-

able that there will be a great deal of antagonism in the discussion of tax systems and in the formulation of particular tax laws. It is significant to note, however, that taxing authorities generally come to an agreement upon certain underlying principles of a good tax system. In this connection it is worth while to observe that the recommendations of the State Investigating Committee, relative to taxation, and the findings of the State Tax Commission, are very largely in accord. These groups made their reports from different angles and yet both of them have come pretty much to the same conclusions. Where there are differences, in the main they are merely details. Both groups recommend a decided improvement in the administration of the property tax law. Property tax, in their opinion, will likely remain an integral part of our tax system. Both groups also recommend an increase in the income tax.

Property Taxes

There is general agreement that tangible property carries too great a proportion of the total taxes. It is difficult, if not impossible, to determine at this time just how far we may safely go toward remedying these conditions, but a sound plan of reduction may well be undertaken which will provide a solid foundation and which can be built upon in the future, if necessary. The acid test of practicability must be applied before any plan for reducing property taxes can be declared to be sound. I earnestly recommend that safe and effective methods be employed which will bring about a reduction in the amount of the general property tax.

In my opinion, it is impossible to lay too much stress upon the proper administration of the property tax law. The assessed valuation of each individual parcel of real estate or each building or each item of personal property is the foundation for the entire property tax structure, regardless of the use to which the revenue is put or of any fine spun theories about the imposition of the tax. If this foundation is faulty then the entire structure is weakened. The State Tax Commission is making determined efforts, with very limited resources at its disposal, to bring about equalization of individual assessments for tax purposes. This can not be accomplished suddenly; it requires a great deal of hard, patient work. It is highly desirable that the work of equalization, between classes of tangible property, and within classes, go forward to completion as promptly as possible.

Income Tax

One important step toward relief of property tax is to increase the income tax. Fortunately our Constitution requires that all revenue which is received from a tax based upon income shall be used for a reduction in the property tax.

The Investigating Committee and the State Tax Commission are agreed upon the following general recommendations as to the income tax system:

(1) That there should be an elimination of the property tax offset.

(2) That there should be an increase in the rates of the tax.

(3) That the exemptions should be reduced.

(4) That corporation franchise tax rates should be increased.

The only apparent difference in the recommendations of the two groups upon the subject of income taxation deals with the details of the law rather than with the principles involved.

The income tax problem should be worked out along the lines suggested, and I so recommend.

Tax on Mines

One of the most vexing features of our whole tax system is the taxation of mines and mining property. The experience which Utah has had in this field is not unusual, for I am advised that in each state where mines have an important place in the industry of the state, mine taxation is an ever recurring subject for discussion. Likewise, I am advised that no state has yet developed a system of taxing mines that is entirely satisfactory. Mine taxation is like some other human problems which have not yet been solved. We should face the situation with a determination to secure the most effective and most nearly fair method of taxing mines to which our judgment and information may lead us.

You will find ample material for discussion of this subject in the reports of both the State Tax Commission and the Investigating Committee. The fact that the Constitution permits at this time a change in the method of taxing mines gives this subject a particularly significant place in the present legislative program.

Mines should bear a fair proportion of the tax burden as compared with other classes of property. No more should be demanded; no less should be expected. To the task of accomplishing this end, I recommend that you devote your attention.

In case you should determine upon the retention of the net proceeds method of taxing mines, I propose that the law be amended to provide for a more uniform assessed valuation of mining property from year to year. This may be secured through the use of the average net proceeds over a period of years instead of using the net proceeds of one year only as a basis for the next year's tax. Such a change should be of decided benefit to the taxing units which depend largely upon mine taxation for their public revenue. I further suggest a tightening up of the law relative to the collection of the mine tax.

School Finances

One of the difficulties which school administrators have been compelled to face during the past few years is the failure of both local and state revenues to provide for the proper administration of the schools. Under the Constitution, the state should provide $25 per capita of school population to each school district and in addition thereto a sum from the State Equalization Fund as a further aid. While school administrators have expected to receive $25 per capita, this amount has not actually been provided by the state for several years. This is an unsatisfactory situation. It is the result of existing financial difficulties. I am hopeful that a way soon will be found to provide against further deficiency.

Tax Redemptions

I am of the opinion that tax redemption laws should be scrutinized with a view of liberalizing them in behalf of distressed property taxpayers. I hope that this can be effected in such a way that justice will be done to the state and to those property owners who have paid their taxes.

Filing Fee

I advise that Section 80-14-17, Revised Statutes of Utah, 1933, be amended so as to repeal the filing fee provision.

ELECTION LAWS

I direct attention to the desirability of removing the Judiciary and the State Department of Public Instruction from partisan politics.

It is possible also that other changes in the election laws of the state will be suggested. I bespeak your earnest study of such proposals.

STATE ROADS

Road building continues to be a large industry in Utah. During the eleven months ending November 30, 1934, the department carried on its pay rolls an average of 4,360 individuals per month and disbursed directly for labor $1,389,810.13. Contractors' pay rolls on Federal aid projects furnished an additional 1,635,000 man-hours of labor during the same period. In addition to the direct employment thus provided, many industries engaged in the preparation, manufacture and transportation of materials, equipment and supplies entering into the construction and maintenance of highways were greatly benefited, permitting them to carry larger pay rolls. Construction involving the expenditure of $2,400,000 of Federal money is now well advanced and will cover the fiscal year 1935.

The showing made by this state because of liberal provisions of highway laws has secured immediate approval by the Federal Government of construction programs. As a result, Utah was the first state in the Union to commence construction of a highway under the Public Works Administration's special $400,000,000 road building program, and was also the first state in the Union to draw a warrant from the Federal treasury in payment for that work.

Gasoline Tax Revenues

Utah Legislatures are to be commended for the wise policy adopted when the gasoline tax first came into existence, and maintained to the present time, which permitted no diversion of the gasoline tax to any other use than that of constructing and maintaining highways; and permitted no refunds or exemptions. There has also been a consistent policy from the first, that all revenues accruing to the State Highway Fund from gasoline taxes should be expended exclusively by the State Road Commission. These policies have resulted in making Utah one of the outstanding states of the Union in its ability to make prompt use of Federal highway funds and has kept the state from any difficulty in meeting the maintenance requirements on Federal aid roads. Some other states have been less fortunate.

The gasoline tax has been used consistently to relieve the property tax burden in the various counties. First, the cost of maintenance was lifted from the counties; next the counties were relieved of any portion of construction costs, and finally the cost of rights-of-way was assumed by the state, until now the counties are not required to participate at all in state road construction or maintenance.

The next logical step in this direction is to extend the use of these funds to street construction in cities. I recommend that this be accomplished by appropriating a limited percentage of these funds to be expended by the cities under the general supervision of the State Road Commission.

Gasoline Quality

In order to regulate and control the quality of gasoline being sold within this state, I advise the enactment of a law which will provide

specifications for minimum requirements of gasoline. In order to make such a law effective it will be necessary to provide for reliable testing and for the enforcement of the law. It is suggested that either the Agricultural Department or the State Road Commission be given authority for such administration.

Operator's Licenses

The charge for licensing motor vehicle operators and chauffeurs is not sufficient to pay the cost of administering the law. I suggest such adjustment of charges as will enable the Tax Commission to discharge its administrative duty in respect to this law without loss to the state.

Highway Safety

The toll of death, injury and property loss occasioned by accidents on the highway is a matter of serious concern. Amendments to our laws and the laws of other states have been recommended by the National Conference on Street and Highway Safety. I am advised that the Salt Lake Safety Council is preparing a bill which will embody the changes desirable in our traffic laws. I approve the passage of such a measure.

Roads to State Institutions

I recommend that as a measure of relief to the State General Fund, one road or street to each state institution now existent, or as acquired or constructed, and an additional road or street approaching the State Capitol grounds from a northerly direction, and main roads on the grounds of said state institutions, including all roadways and parking spaces on State Capitol grounds, be made a part of the state road system and be placed under the jurisdiction of the State Road Commission and by it constructed, maintained and operated, the selection of all such roads to be made by the State Road Commission, after consultation with the officials of cities in which such institutions are located and with the state official or officials who, under the law, are in charge of the Capitol grounds.

STATE CONSTABULARY

The outstanding success that has attended the activities of the State Highway Patrol has resulted in agitation somewhat widespread in favor of the organization of a State Constabulary, invested with authority to carry on the work now being performed by the State Highway Patrol and also to serve as peace officers anywhere in the state.

The State Highway Patrol was established in the year 1923 for the purpose of policing and patroling the highways, its duty being chiefly to enforce the laws of the state and the rules of the State Road Commission governing the use of state highways, and to perform such special duties as may be required by the State Road Commission. The jurisdiction of the Highway Patrol has been generally considered as being co-extensive with the State Highway System. Gradually the personnel has been increased by the careful selection of additional men until now it numbers twenty-nine. The patrols are equipped with motorcycles, and for winter use with automobiles, and at present the service is being operated at an annual expense of approximately $100,000, which is paid out of State Highway funds.

Obviously the creation of a State Constabulary with like membership would be a drain on the state General Fund resources of at least

the amount it costs under the direction and control of the State Road Commission.

My judgment is that the state should not at this time take on this burden.

I recommend that for the present, at least, and until the state funds are in a condition to warrant additional expenditures, the present laws be amended to provide an extension of police powers to the State Highway Patrol which will enable it to officiate in specified general police activities in lieu of a State Constabulary.

It may be possible to assign to the Highway Patrol certain of the duties and powers now recognized as functions of inspectors of several state departments and thus avoid duplications of personnel and travel expense. If this suggestion is followed it will be in line with efforts already being satisfactorily made by several departments to use the Highway Patrol so far as practicable for inspection work.

THE FEDERAL EMERGENCY RELIEF ADMINISTRATION PROGRAM

Unemployment and drouth have been, and still are, two of the major problems of the state. In March, 1933, there were 161,000 people in our state receiving all or part of their food, clothing, and shelter, and other care from relief funds. This was almost 32 per cent of our entire population.

Aside from the period during which the Civil Works Administration program was operating, the low point of the relief load was that of October, 1933, when 14 per cent, or 71,558, were on relief rolls. On November 1, 1934, the number had increased to approximately 110,000, or 22 per cent of our population. Besides this number there has been, and still is, a constant load of approximately 4,000 transients receiving help.

It is clear from these appalling figures that national aid has been necessary. Fortunately, our Federal leadership has given us wise and able direction and generous financial assistance.

Money Expended

For the period beginning in August, 1932, an ending November 30, 1934, the state spent $12,276,314.96 of Federal funds for work and direct relief. There was also a sum of $4,411,210.22 spent for a special employment program, known as the Civil Works Administration. In addition to these two sums, there was received $782,170.61 worth of surplus commodities for distribution to the needy. This makes a grand total of $17,469,695.79 of Federal funds received from the National Government for relief purposes in Utah.

In addition, the state and local political sub-divisions contributed $3,626,866.88, making a grand total of $21,176,562.67.

Organization for Distribution

Following democratic principles, there was appointed a state committee, known as the State Advisory Committee on Public Welfare and Emergency Relief, composed of able and representative citizens, for the purpose of advising those administering the expenditure of these funds. Similar committees were appointed in each county of the state.

Owing to the fact that the needs of people on relief have been as varied as society itself, it was necessary to obtain the services of experts

in many lines. Engineers, social workers, accountants, nutritionists, health experts, and others, supervised these activities. In general, the results have been gratifying.

How the Money Has Been Spent

Approximately 45 per cent of the funds received has been spent for direct relief. By this I mean those on relief have received cash or store orders for food, clothing, coal, and other necessities. The remaining 55 per cent has been spent to pay for work done, for materials on projects, and for supervision. Some idea of the high degree of efficiency of the administrative staff may be obtained from the cost of administration which as recently reported to me was approximately 6½ cents out of each dollar. Even some of this could be said to have gone to the needy, owing to the fact that many of those employed in administrative capacity would have been on relief rolls had they not been given employment.

Generosity of the Federal Government

Undoubtedly, the prompt and generous assistance of the National Government was in part the result of the readiness shown by the state to do its share. The use of sales tax money and the contributions by local units have shown a willingness on our part to do everything in our power to help ourselves and have helped make it possible for us to obtain the much needed generous Federal assistance.

The Work Relief Program

Practically all work projects originated with local units. Counties and cities studied their needs and the needs of those on relief and submitted their work plans to the State Emergency Relief officials with requests for funds. As a result, these local political divisions improved existing school buildings or erected new ones. They constructed new sewer systems and water systems, and improved many miles of roads and sidewalks. Bridges were built and repaired, parks and playgrounds were added, airports provided and maintained, municipal buildings of all sorts were improved. In fact, any adequate report on the permanent wealth added to the state by this program would require a voluminous account, far too long to present here. Needless to say, the results have raised the standard of social well-being of every community in our state and at the same time relieved distress and suffering resulting from the depression. These betterments will be a lasting monument to the industry and the desire to work shown by the citizens of the state unable to find employment in private activities.

UNEMPLOYMENT TAX OR SALES TAX

The so-called sales tax should be known as the unemployment tax, because of its use. The revenue it produces becomes an emergency relief fund. Expenditures from this fund are authorized by the State Advisory Board and by the State Advisory Committee on Public Welfare and Emergency Relief, both boards consisting of volunteer workers.

At the inception of the state building program, the State Advisory Board set aside 15 per cent of sales tax revenue to carry on public building projects and to pay interest and provide for redemption of state building notes. The 85 per cent of the total receipts from sales tax has provided a fund out of which monthly allotments of about $115,000. have been made for direct relief and work relief carried on in cooperation with the Federal Government by the State Advisory Committee on Public Welfare and Emergency Relief.

State Emergency Relief funds from sales tax were first used for relief purposes in September, 1933. They constituted more than 50 per cent of the total emergency relief expenditure at that time. During 1934, the state continued to contribute $115,000.00 per month to the emergency relief program, but its ratio to the total expenditure grew gradually less as Federal funds were increased to meet the costs of the emergency work program, drouth relief measures, and other special activities inaugurated by the Federal Emergency Relief Administration. The total sales tax receipts to December 31, 1934, were $2,890,208.07.

This tax has proved of incalculable value to the state. Without it, there could have been no public building program. Without it, Utah would not have been so generously treated in relief allotments from the Federal Government. As an emergency provision for relief of the needy the measure has been fully justified.

Now that we face a prospect that heavier relief burdens soon may be placed upon the state, it is possible the total revenue this tax produces may urgently be needed. When Washington has completed its plans for future relief, I shall be glad to acquaint you with the necessities of the case.

Because of the general interest in the purpose of this tax, and its use, I give below a complete statement of receipts and disbursements. There is included an item of $17,317.26 from beer production tax.

STATEMENT OF STATE SALES TAX—JUNE, 1933 TO DECEMBER, 1934, INCLUSIVE

SALES TAX, 85% PORTION, AND BEER TAX

RECEIPTS:

Sales Tax, June 1933, to December 31, 1934	$2,456,676.84	
Beer Production Tax to January, 1934	17,317.26	
		$2,473,994.10

EXPENDITURES:

Disbursed from September, 1933, to December 31, 1934, for general relief, distributed to all twenty-nine counties as follows:

Beaver	$ 35,111.44	Piute	$ 5,352.13
Box Elder	15,076.63	Rich	5,233.37
Cache	45,565.95	Salt Lake	915,559.97
Carbon	73,073.32	San Juan	5,431.42
Daggett	810.89	Sanpete	35,775.94
Davis	27,806.38	Sevier	23,227.09
Duchesne	31,697.58	Summit	39,819.15
Emery	23,690.67	Tooele	44,365.81
Garfield	19,214.65	Uintah	29,758.38
Grand	3,454.16	Utah	187,519.98
Iron	24,540.74	Wasatch	14,636.53
Juab	32,405.34	Washington	21,992.29
Kane	2,565.01	Wayne	2,441.62
Millard	30,223.87	Weber	181,701.58
Morgan	2,641.44		

Total	$1,880,693.33	
Less refunds	389.82	
	$1,880,303.51	
Administration (furniture and fixtures)	5,424.10	
Compensation Insurance (State projects)	25,551.53	
	$1,911,279.14	
Transferred to 15% portion during 1934	215,000.00	
		$2,126,279.14
Funds in Reserve, 85% portion, December 31, 1934		**$ 347,714.96**

SALES TAX, 15% PORTION

RECEIPTS:		
Sales Tax, June, 1933 to December 31, 1934	$ 433,531.23	
Transferred from 85% portion of Sales Tax	215,000.00	
		$ 648,531.23
EXPENDITURES:		
Public Works Administrative Expense	$ 1,518.14	
National Recovery Administration	18,070.85	
Interest on Public Building Notes	7,008.89	
Redemptions of Public Building Notes	65,000.00	
Repurchase of Public Building Notes	200,000.00	
Weber College Building Grant	18,022.03	
State Fair Building Grant	15,000.00	
University of Utah Grant (Student Aid)	1,320.40	
Utah State Agricultural College Grant (Student Aid)	1,387.15	
State Engineer for Stream Measurement	5,000.00	
Advanced to State Building Commission (to be reimbursed by P. W. A.)	215,000.00	547,327.46
Funds in Reserve, 15% portion, December 31, 1934		$ 101,203.77

STATE BUILDING PROGRAM

Under authority of Chapter 23, Laws of Utah, Second Special Session, 1933, I appointed a committee to prepare a comprehensive program of public works to be undertaken as a means of reducing relief and unemployment. This committee reported a building program to cost a total of $1,512,500. Among the projects recommended were a library building and remodeling of the Park Memorial Building at the University of Utah; home economics building and installation of a new water system at the Utah Agricultural College at Logan; extensive alterations at the State Hospital at Provo; new structures at the State Training School at American Fork; educational and trades building at the State Industrial School at Ogden; dormitory for boys at the School for the Deaf and Blind at Ogden; alterations at the Weber College at Ogden, Snow College at Ephraim, and at the Branch Agricultural College at Cedar City, and construction of a wild life sanctuary at Locomotive Springs.

Application was made to the Federal Public Works Administration for a loan and grant covering this total proposed expenditure. This application was approved and contracts were let by the State Building Commission and work commenced in November, 1933. Excellent progress has been made toward the completion of all projects. The purposes for which the construction program was undertaken have been accomplished: needed construction and improvements have been provided and employment has been given to a large number of people. I have not permitted total contracts for all projects to exceed the amount originally recommended by the committee, which was $1,512,500.

BANKING

When the Twentieth Legislature closed its regular session in 1933, the banks of the state were emerging from most serious condition. All of them had been closed for a brief time two weeks earlier. Several banks that closed their doors under the general order, have not been permitted to resume business. Another group of banks had earlier been forced into liquidation, and, of course, these also remained closed. All were in charge of the State Banking Department. The situation presented a gloomy financial picture.

However, good progress is reported in the orderly liquidation of distressed banks and other financial institutions.

A great majority of the banks of our state have survived the unprecedented difficulties of the past few years and now are in a condition of unquestioned strength and capacity for service.

With the passing of the Federal Banking Act of 1933 there came into existence the Federal Deposit Insurance Corporation. I am pleased to report that on January 1, 1934, every bank in the state had qualified for Deposit Insurance, under that Act.

Generally, our banking laws appear to be adequate and no drastic changes will be requested. However, certain new laws and amendments are necessary in order to be in accord with the Federal program. I recommend that the necessary laws, and amendments to existing law, be favorably considered.

An attempt was made by the Second Special Session of the last Legislature to make the Banking Department self-sustaining. Since the act was passed several banks have become branches, and other banks and building and loan companies have failed, leaving the revenue, at present, inadequate.

A suggested amendment to the law governing the fees of banks and institutions under the supervision of the State Banking Department will be submitted. I advise favorable action.

Building and Loan

There is invested in the building and loan associations organized under the state law in Utah some $31,500,000. This represents for the most part the savings of small investors.

Having in mind the protection of savings of this character, the last session of Congress amended the Federal Home Loan Bank Act to include insurance of saving and loan accounts. In order to qualify for this insurance some of the building and loan associations must go through a process of reorganization to comply with the Federal requirements. I shall recommend to you the enactment of such necessary legislation with relation to building and loan associations as shall fully protect depositors and investors in these institutions and insure their equal participation in the asset of the companies.

FISH AND GAME

The Fish and Game Department continues to be self-supporting. I am advised that the only legislation likely to be requested by the department will be in the nature of small amendments to present law. About 50,000 licenses were sold for hunting and fishing during the past year. Our streams and lakes are stocked with fish up to the water capacity. There is also an ample big game population in most parts of the state. Sportsmen in general express satisfaction with the manner in which the department is being conducted.

METROPOLITAN WATER DISTRICT

Conditions have arisen with reference to water ownership and use by municipalities that render it necessary that a metropolitan water district law be enacted. This legislation will be of immediate value in

the completion of plans for the construction of the Deer Creek-Utah Lake Reclamation project and may serve a good purpose in other parts of the state. A great deal of study has been given to the question by competent attorneys and public officials, and all agree that it will be of benefit to the state. A carefully drawn bill will be presented to you and I recommend its prompt approval.

STATE PLANNING BOARD

A bill will be presented to you providing for a State Planning Board and defining its powers and duties. This activity is an outgrowth of a State Planning Committee appointed by me last year at the request of Washington officials to cooperate with the National Resources Board, which had been set up in Washington, D. C. This Planning Committee has been doing excellent work since its organization, collecting data and doing research work along numerous lines.

While I have frequently said that no unnecessary board, bureau or commission should be established until financial skies clear for the state, I am nevertheless inclined to approve the proposition to give legal standing to the proposed Planning Board, as one of the organizations designed to cooperate with the Federal Government.

Such a board should act in advisory rather than administrative capacity. Its expenditures should be held rigidly within bounds set by the Legislature. It is believed that the services of capable and efficient men can be secured to serve on the board without compensation and this should be done if possible.

With these restrictions I am pleased to give the proposal my approval and to recommend the creation of the agency.

PUBLIC HEALTH

During the year 1934, an unusual health problem was presented by the extreme drouth conditions resulting in widespread contamination of the public water supplies. In combating the danger to the public health from this and other insanitary conditions, the Board carried on extensive field activities throughout the state. To provide for this service, additional laboratory and sanitary engineering personnel was secured through the Federal Emergency Relief Administration. A state wide typhoid inoculation campaign was inaugurated. The laboratory of the Board made and distributed, free of cost, over 200,000 doses of typhoid vaccine. The public health nurses employed in the Emergency Relief Administration state nursing program under the general supervision of the State Board of Health, actively cooperated in the administration of the vaccine. More than 100,000 persons were inoculated, which largely contributed to the fact that, notwithstanding the unfavorable conditions due to the drouth, the typhoid rate for 1934, continued to be extremely low. Final compilations for the year have not been completed.

In 1933, there were only three deaths from typhoid in the state. In the same year, there were but two deaths of diphtheria. With the exception of measles which prevailed extensively in 1934, and a mild type of scarlet fever during the past few months, the disease rate generally has been very low.

BIENNIAL REPORTS

The several departments of the state government, as required by law, have field reports for the biennium, and these will be available to members of the legislature for the purpose of getting accurate and concise information. It is believed the reports will be found sufficiently comprehensive for all purposes, but if additional information is required invitation is extended to members of the legislature to request any additional facts desired either through the Governor's office or directly from the various departments.

PRODUCE DEALERS' LICENSE LAW

I am advised that the law passed by the Twentieth Legislature, licensing produce dealers, has been found unworkable, and that it has failed of its purpose.

I therefore recommend that Title 3 of Chapter 9, Revised Statutes of Utah, 1933, as amended by Chapter 3, Laws of Utah, 1933, be repealed. A bill to preserve the essential features of the unsatisfactory law, and particularly to protect farmers from unscrupulous buyers, will be presented. I recommend approval of a suitable measure to secure the desired result.

CHILD LABOR AMENDMENT

During this session there will be introduced a resolution ratifying the proposed amendment to the Constitution of the United States seeking to abolish child labor. I hope this measure will be given your prompt consideration.

CONCLUSION

I must not close this message without giving assurance of personal optimism with respect to this state and its future.

Utah has a small population, but it is a matter of pride to know the population has about doubled since statehood. The arable lands of the state are not extensive, but they are fertile and productive. Mountains cover a large area, but they are filled with precious ores. These mountains are valuable for their forests, their pasturage, their scenery.

But best of all, we have here a sterling manhood and womanhood. In their veins is the blood of patriots and pioneers. Drouths may come and cause devastation; pests may curtail production; but our people, sustained by noble traditions, may be depended upon to build this state and make her future glorious.

The Joint Committee then escorted the Governor to his office.

The President declared the Joint Convention dissolved.

The Senate adjourned.

THIRD DAY

January 16, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 15, 1935.

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,

IRA A. HUGGINS,
W. H. GRIFFIN, JR.

Report adopted and filed.

January 16, 1935.

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,

IRA A. HUGGINS,
W. H. GRIFFIN, JR.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 15, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House desires to meet with the Senate in the House Chamber, Friday, January 18th, at 4 P. M. to hear the subject of the Federal Housing Act discussed.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

January 15th, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day appointed Mr. Doty, Mr. Pectol and Mr. Marthakis to meet with a like committee from the Senate, to prepare a resolution fixing the compensation of legislative employees.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

January 15, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House this day has passed under suspension of the rules, House Bill No. 1 by Mr. Maw, "AN ACT APPROPRIATING $50,000.00 OR SO MUCH THEREOF AS MAY BE NECESSARY TO DEFRAY THE REGULAR AND CONTINGENT EXPENSES OF THE TWENTY-FIRST SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is herewith transmitted for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

Senator Musser moved to amend the bill by substituting $40,000.00 in place of $50,000.00.

Senator Fowles moved to amend the motion by substituting $45,000.00 in place of $40,000.00.

Motion as amended carried.

On motion of Senator Fowles the bill was amended as follows: Substitute $45,000.00 in place of $50,000.00.

H. B. No. 1 then passed on the following roll call: Yeas, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

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

REPORT OF SPECIAL COMMITTEE

January 16, 1935.

Mr. President:

Your committee on Senate Rules begs leave to supplement our report of January 14th.

We recommend that Senate Rule No. 84 shall read as follows:

"Nine typewritten copies of every bill, resolution, or memorial shall be furnished the secretary by the senator introducing the same before the bill shall be accepted by the secretary for introduction."

We recommend that Rule 75 be amended as follows: That Committee No. 9 "Revenue and Taxation" have twelve members. This recommendation is made at the suggestion of Mr. President because of the large number applying for membership on said committee and because of the desire for representation on this important committee from all sections of the state.

We further recommend the creation of a committee to be known as "Committee on Social Relations and Relief," consisting of seven members.

We recommend the division of Committee No. 8, "Public Institutions, Health and Labor" into two committees, one to be known as "Public Institutions" and the other as "Health and Labor,; the committee on "Public Institutions" to have seven members, the committee on "Health and Labor," five members. We propose these two new committees be-

cause of the emphasis that the Governor in his message placed upon matters that could be very properly handled by these new committees.

We further recommend that the newly created committee "Trade Regulations" shall be composed of eleven members.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report adopted and filed.

INTRODUCTION OF RESOLUTION

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

A RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA, GIVING THE CONGRESS OF THE UNITED STATES THE POWER TO LIMIT, REGULATE AND PROHIBIT THE LABOR OF PERSONS UNDER EIGHTEEN YEARS OF AGE, was read the first time and referred to the Committee on Revision and Enrolling.

The President announced that Mrs. Byrl B. Meyers has been employed to assist in the drafting of bills and the Revision and Enrolling Committee.

The President appointed Senators Miller, Huggins and Parratt as members of the Revision and Enrolling Committee.

Senator Wallace extended an invitation to the Senate members to be the guests of the Rotary Club at its regular luncheon Tuesday, January 22, 1935 at 12:15 P. M.

On motion of Senator Neslen the Senate accepted the invitation.

REPORT OF SPECIAL COMMITTEE

January 16, 1935.

To the Senate and House of Representatives:

Your Joint Committee on Joint Rules of the Senate and House of Representatives report as follows:

We recommend that the 21st Session of the Legislature of the State of Utah, adopt the Joint Rules of the Senate and House of Representatives of the 20th Session with the following amendments and additions.

That the next to the last paragraph of Rule 20 be amended to read as follows:

"In the preparation of a bill amending an existing law, and in the printing thereof, all omissions must be shown by the insertion of heavy parenthesis, without including the omitted matter, and all additions must be shown by underlining the new matter; except in new laws and where new sections are added to existing laws."

That a new rule be adopted preceding former Rule 22 to read as follows:

"When a bill has been printed in one house, an identical bill shall

not be printed in full in the other house, but shall be printed by designation and title only and with a reference to the subject matter of the corresponding bill of the other house, except upon specific vote of the majority of such house.

Neither house, except upon vote of a majority of such house, shall give consideration to a bill unless such bill shall have been referred to the appropriate committee of the house in which it was introduced, examined by such committee, revised if necessary and reported back."

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman of Senate Committee.

SAM F. KIEFER,
Chairman of House Committee.

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 1 By Mr. Holbrook

AN ACT TO INCREASE THE RATE OF TAXATION FOR THE PRIVILEGE OF DOING BUSINESS AS A CORPORATION WITHIN THE STATE OF UTAH, TO INCREASE THE RATE OF TAXATION UPON NATIONAL BANKS AND NATIONAL BANKING ASSOCIATIONS, TO REPEAL THE OFFSET PROVISION OF THE CORPORATION FRANCHISE TAX ACT, AMENDING SECTIONS 80-13-2, 80-13-3, 80-13-20 AND 80-13-60 AND REPEALING SECTION 80-13-4, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 2 By Mr. Holbrook

AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES, TO ELIMINATE THE PERSONAL EXEMPTIONS AND EXEMPTIONS FOR DEPENDENTS, TO PROVIDE FOR CREDITS, TO REPEAL THE FILING FEE AND AMEND SECTIONS 80-14-2, 80-14-7, 80-14-16, 80-14-17, 80-14-50, 80-14-52 AND 80-14-63, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3 By Mr. Miller

AN ACT CANCELLING ALL PENALTIES AND INTEREST ON DELINQUENT TAXES LEVIED DURING THE YEARS 1928 TO 1934, BOTH YEARS INCLUSIVE, IN EXCESS OF THE TWO PER CENT PENALTY ADDED AT THE TIME OF DELINQUENCY; DEFINING THE TERM "DELINQUENT TAXES;" PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH DELINQUENT TAXES; PROVIDING FOR THE REDEMPTION OF PROPERTY FROM DELINQUENT TAXES; MAKING INAPPLICABLE TO SUCH DELINQUENT TAXES ALL GENERAL LAWS OF THE STATE IN CONFLICT WITH THIS ACT PERTAINING TO THE COLLECTION AND REDEMPTION OF SUCH TAXES; PROVIDING FOR THE ISSUANCE OF TAX DEEDS TO PROPERTY IF SUCH DELINQUENT TAXES ARE NOT PAID; AND DECLARING AN EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Griffin the Senate adjourned.

FOURTH DAY

January 17, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 17, 1935.

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,

IRA A. HUGGINS,
W. H. GRIFFIN, JR.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 16, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the report of Joint Committee on Joint Rules.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The Secretary read a communication from the University of Utah inviting the Senators to attend the basketball games, also a communication from the Chamber of Commerce extending to the Senators the use of committee rooms.

Senator Bamberger moved that we request the House to meet in Joint Convention at 3:45 P. M. to hear a discussion on safety by a representative of the Salt Lake Safety Council.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 4 By Mr. Holmgren

AN ACT TO AMEND SECTION 80-10-69, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISTRIBUTION OF TAXES COLLECTED BY THE COUNTY TREASURER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5 By Mr. Holbrook

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, SPECIFYING HOW A CONVENTION SHALL BE CALLED AND HOW NOMINATIONS SHALL BE MADE THEREIN, REPEALING CHAPTER 19 LAWS OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS 25-4-1 AND 25-4-1X, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6 By Mr. Holbrook

AN ACT AMENDING SECTION 25-13-36, OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO PUBLIC OFFICES, PUBLIC APPOINTEES OR EMPLOYEES QUALIFYING IN ELECTIVE PUBLIC OFFICES OR SERVING AS DELEGATES AT POLITICAL CONVENTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7 By Mr. Holbrook

AN ACT RELATING TO POLITICAL PARTIES, SPECIFYING HOW PRIMARY ELECTIONS SHALL BE CONDUCTED AND HOW A PERSON SHALL QUALIFY TO VOTE THEREAT, PROVIDING THE FORM OF BALLOT TO BE USED AT SUCH ELECTIONS, PROVIDING FOR THE ELECTION OF VOTING DISTRICT COMMITTEEMEN AND FOR THE ORGANIZATION OF POLITICAL PARTIES AND AMENDING SECTIONS 25-3-1 AND 25-3-2 AND ENACTING NEW SECTIONS 25-3-6, 25-3-7 AND 25-3-8, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8 By Mr. Huggins

AN ACT TO AMEND SECTION 104-2-23 REVISED STATUTES OF UTAH, 1933, RELATING TO THE PERIOD OF LIMITATION PRESCRIBED FOR THE COMMENCEMENT OF ACTIONS UPON OBLIGATIONS NOT FOUNDED UPON AN INSTRUMENT IN WRITING, AND UPON OPEN ACCOUNTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Mr. Neslen by Request

AN ACT AMENDING CHAPTER 6 OF TITLE 79 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF DENTISTRY; SETTING FORTH THE QUALIFICATIONS NECESSARY FOR THE PRACTICE OF DENTISTRY, REQUIREMENT FOR OBTAINING A LICENSE, RIGHTS AND PRIVILEGES OF LICENSED PRACTITIONERS, DEFINING PRACTICING DENTISTRY, DEFINING UNPROFESSIONAL CONDUCT, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 10 By Mr. Bamberger by Request

AN ACT CREATING A STATE PLANNING BOARD; PROVIDING FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF SAID BOARD; DELEGATING TO SUCH BOARD THE DUTY OF PREPARING STATE PLANS FOR THE MATERIAL, SOCIAL, AND ECONOMIC DEVELOPMENT OF THE STATE; DEFINING THE PURPOSES OF SUCH PLANS; AND PROVIDING FOR THE EXECUTION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11 By Mr. Neslen

AN ACT AMENDING SECTION 43-7-13 REVISED STATUTES OF THE STATE OF UTAH, 1933, RELATING TO TAXATION AND FEES OF RECIPROCAL INSURANCE EXCHANGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12 By Mr. Neslen

AN ACT AMENDING SECTION 43-9-73 REVISED STATUTES OF THE STATE OF UTAH, 1933, RELATING TO FRATERNAL INSURANCE SOCIETIES AND EXEMPTIONS FROM TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Miller asked that all bills presented in the Senate be double spaced.

Senator Holbrook moved that temporarily where seven copies of bills were prepared prior to amending of the rules that the supplying of two extra typewritten copies of the title and heading of the bill be deemed to comply with the present rules of the Senate.

Motion carried.

REPORT OF SPECIAL COMMITTEE

January 17, 1935.

Mr. President:

We, your joint committee on the fixing of employee's compensation of the employees of the 21st Legislature of the State of Utah, beg leave to report as follows:

That your committee has drawn a proposed joint resolution fixing the compensation of the employees, a copy of which is hereto attached and made a part of this report.

That in the event of the adoption of this committee report said resolution will be properly introduced.

Respectfully submitted,

J. FRANCIS FOWLES,
Chairman of Senate Committee.

CHARLES B. DOTY,
Chairman of House Committee.

Report filed.

INTRODUCTION OF BILL

S. B. No. 13 By Mr. Neslen

AN ACT AMENDING SECTION 43-3-7 REVISED STATUTES OF THE STATE OF UTAH, 1933, RELATING TO TAXATION OF INSURANCE COMPANIES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

January 17, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 1*, by Mr. Maw, and asks the Senate to recede.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Fowles the Senate receded from its position.

H. B. No. 1 was then placed on the Third Reading Calendar.

On motion of Senator Wallace the Senate adjourned.

FIFTH DAY

January 18, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 18, 1935

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,

IRA A. HUGGINS,
W. H. GRIFFIN, JR.

Report adopted and filed.

REPORTS OF STANDING COMMITTEE

January 17, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 1,* by Mrs. Musser, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 1 was ordered printed and referred to the Committee on Health and Labor.

January 17, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 1,* by Mr. Holbrook, "AN ACT TO INCREASE THE RATE OF TAXATION FOR THE PRIVILEGE OF DOING BUSINESS AS A CORPORATION WITHIN THE STATE OF UTAH, TO INCREASE THE RATE OF TAXATION UPON NATIONAL BANKS AND NATIONAL BANKING ASSOCIATIONS, TO REPEAL THE OFFSET PROVISION OF THE CORPORATION FRANCHISE TAX ACT, AMENDING SECTIONS 80-13-2, 80-13-3, 80-13-20 AND 80-13-60 AND REPEALING SECTION 80-13-4, REVISED STATUTES OF UTAH, 1933" with a few minor changes consented to by the author being "AN ACT TO INCREASE THE RATE OF TAXATION FOR THE PRIVILEGE OF DOING BUSINESS AS A CORPORATION WITHIN THE STATE OF UTAH, TO INCREASE THE RATE OF TAXATION UPON NATIONAL BANKS AND NATIONAL BANKING ASSOCIATIONS TO REPEAL THE OFFSET PROVISION OF THE CORPORATION FRANCHISE TAX ACT, AMENDING SECTIONS 80-13-2, 80-13-3, 80-13-20 AND 80-13-60 AND REPEALING SECTION 80-13-4, REVISED STATUTES OF UTAH, 1933, AND FIXING THE DATE OF APPLICATION" and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

January 17, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 2,* by Mr. Holbrook, "AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES, TO ELIMINATE THE PERSONAL EXEMPTIONS AND EXEMPTIONS FOR DEPENDENTS, TO PROVIDE FOR CREDITS, TO REPEAL THE FILING FEE AND AMEND SECTIONS 80-14-2, 80-14-7, 80-14-16, 80-14-17, 80-14-50, 80-14-52 AND 80-14-63, REVISED STATUTES OF UTAH, 1933" with a few minor changes consented to by the author being "AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES, TO ELIMINATE THE PERSONAL EXEMPTIONS AND EXEMPTIONS FOR DEPEND-

ENTS, TO PROVIDE FOR CREDITS, FILING RETURNS AND DISPOSITION OF REVENUE AND TO REPEAL THE FILING FEE AND AMEND SECTIONS 80-14-2, 80-14-7, 80-14-16, 80-14-17, 80-14-50, 80-14-52 AND 80-14-63, REVISED STATUTES OF UTAH, 1933, AND FIXING DATE OF APPLICATION" and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 2 was ordered printed and referred to the Committee on Revenue and Taxation.

January 17, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 3*, by Mr. Miller, "AN ACT CANCELLING ALL PENALTIES AND INTEREST ON DELINQUENT TAXES LEVIED DURING THE YEARS 1928 TO 1934, BOTH YEARS INCLUSIVE, IN EXCESS OF THE TWO PER CENT PENALTY ADDED AT THE TIME OF DELINQUENCY; DEFINING THE TERM "DELINQUENT TAXES;" PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH DELINQUENT TAXES; PROVIDING FOR THE REDEMPTION OF PROPERTY FROM DELINQUENT TAXES; MAKING INAPPLICABLE TO SUCH DELINQUENT TAXES ALL GENERAL LAWS OF THE STATE IN CONFLICT WITH THIS ACT PERTAINING TO THE COLLECTION AND REDEMPTION OF SUCH TAXES; PROVIDING FOR THE ISSUANCE OF TAX DEEDS TO PROPERTY IF SUCH DELINQUENT TAXES ARE NOT PAID, AND DECLARING AN EMERGENCY" with a few minor changes consented to by the author being "AN ACT CANCELLING ALL PENALTIES AND INTEREST ON DELINQUENT TAXES LEVIED DURING THE YEARS 1928 TO 1934, BOTH YEARS INCLUSIVE, IN EXCESS OF THE TWO PER CENT PENALTY ADDED AT THE TIME OF DELINQUENCY; DEFINING THE TERM "DELINQUENT TAXES"; PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH DELINQUENT TAXES; PROVIDING FOR THE REDEMPTION OF PROPERTY FROM SUCH DELINQUENT TAXES; MAKING INAPPLICABLE TO SUCH DELINQUENT TAXES ALL GENERAL LAWS OF THE STATE IN CONFLICT WITH THIS ACT PERTAINING TO THE COLLECTION AND REDEMPTION OF SUCH TAXES; PROVIDING FOR THE ISSUANCE OF TAX DEEDS TO PROPERTY IF SUCH DELINQUENT TAXES ARE NOT PAID" and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

Senator Parratt moved that when we do adjourn it be until 2:00 P. M. Monday, January 21, 1935.

Motion carried.

INTRODUCTION OF BILL

S. J. R. No. 2 By Mr. Huggins and Mr. Fowles

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE THIRTEEN OF THE CONSTITUTION OF THE STATE OF UTAH BY AMENDING SECTION TWO THEREOF RELATING TO TANGIBLE PROPERTY, HOW TO BE TAXED, VALUE ASCERTAINED, PROPERTIES EXEMPT, LEGISLATURE TO PROVIDE ANNUAL TAX FOR STATE, was read the first time and referred to the Committee on Revision and Enrolling.

STANDING COMMITTEES OF THE SENATE

The following Standing Committees were appointed by President Maw:

AGRICULTURE AND IRRIGATION

Hopkin, Calder, Frischknecht, Holbrook, Stevens, Day, Griffin.

APPROPRIATIONS AND CLAIMS

Holbrook, Frischknecht, Calder, Fowles, Musser, Parratt, Neslen, Miller, Woodward, Bowman, Griffin.

BANKING AND COMMERCE

Wallace, Royle, Fowles, Hammond, Neslen, Musser, Griffin.

EDUCATION

Parratt, Woodward, Calder, Stewart, Hammond, Day, Bowman

FISH AND GAME

Stevens, Hopkin, Fowles, Huggins, Calder, Fennell, Bowman.

HIGHWAYS

Calder, Stevens, Fennell, Bamberger, Hammond, Bowman, Holmgren.

JUDICIARY

Huggins, Miller, Bamberger, Stewart, Royle, Holbrook, Bowman.

MINES AND SMELTERS

Royle, Hopkin, Wallace, Fennell, Hammond, Stewart, Day.

PUBLIC INSTITUTIONS

Musser, Parratt, Neslen, Frischknecht, Fowles, Day, Holmgren.

REVENUE AND TAXATION

Woodward, Frischknecht, Parratt, Hopkin, Neslen, Holbrook, Wallace, Stevens, Huggins, Royle, Miller, Holmgren.

REVISION AND ENROLLING

Miller, Huggins, Parratt.

RULES AND CONTINGENT EXPENSES

Bamberger, Musser, Griffin.

STATE AND MUNICIPAL AFFAIRS

Neslen, Stewart, Frischknecht, Woodward, Huggins, Bamberger, Holmgren.

TRADE REGULATIONS

Fowles, Miller, Calder, Royle, Musser, Hammond, Woodward, Wallace, Hopkin, Griffin, Holmgren.

SOCIAL RELATIONS AND RELIEF

Frischknecht, Parratt, Stewart, Fowles, Fennell, Wallace, Day.

HEALTH AND LABOR

Fennell, Miller, Bamberger, Royle, Stevens.

The President introduced Mr. Ray Dillman, former President of the Utah State Senate.

INTRODUCTION OF BILLS

S. B. No. 14 By Mr. Holbrook

AN ACT PROVIDING FOR THE TAXATION OF THE SALE OF TOBACCO AND TOBACCO PRODUCTS, MAKING AN APPROPRIATION FOR THE ADMINISTRATION OF THE LAW AND AMENDING SECTIONS 93-1-1, 93-1-4 AND 93-1-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 15 By Mr. Bamberger

AN ACT RELATING TO THE PROTECTION OF HIGHWAYS AND REGULATING THE TRAFFIC THEREON; AND PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND THE DISPOSITION OF FINES AND FORFEITURES COLLECTED HEREUNDER; PROVIDING PENALTIES FOR THE VIOLATIONS OF THIS ACT; AND ADDING NEW SECTIONS TO THE REVISED STATUTES OF UTAH, 1933, TO BE NUMBERED 36-1-20X, 36-1-21X, 57-7-10X, 57-7-23X, 57-7-50X, 57-7-64X, 57-7-64X-1, 57-7-64X-2, 57-7-64X-3, 57-7-64X-4, AND 57-7-64X-5; AMENDING SECTIONS 36-1-21, 36-1-26, 36-1-32, 36-1-33, 36-1-37, 57-7-6, 57-7-10, 57-7-11, 57-7-12, 57-7-16, 57-7-21, 57-7-23, 57-7-24, 57-7-25, 57-7-29, 57-7-36, 57-7-42, 57-7-44, 57-7-47, 57-7-48, 57-7-56, 57-7-60, 57-7-66, 57-7-74, 57-7-75, AND 57-7-76 OF THE REVISED STATUTES OF UTAH, 1933; AMENDING SECTION 57-7-55, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933; AND AMENDING SECTION 36-1-29 OF THE REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 8, SECOND SPECIAL SESSION LAWS OF UTAH, 1933; AND REPEALING SECTION 6 OF CHAPTER 43, LAWS OF UTAH, 1933, AND SECTION 57-7-18, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16 By Mr. Huggins

AN ACT AMENDING SECTION 43-3-2 REVISED STATUTES OF UTAH 1933, RELATING TO BOTH DOMESTIC AND FOREIGN

COMPANIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Mr. Royle

AN ACT AMENDING SECTION 44-0-1 AND SECTION 44-0-2 OF REVISED STATUTES OF UTAH 1933, RELATING TO THE LEGAL AND MAXIMUM RATES ALLOWED TO BE CHARGED FOR A LOAN OR FORBEARANCE FOR ANY MONEY, OR ON A CONTRACT FOR THE PURCHASE OF ANY GOODS, WARES, OF 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 8 PER CENT PER ANNUM OF THE PURCHASE PRICE OF SAID GOODS, WARES OR MERCHANDISE, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 1 was read the third time and placed on its final passage.

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

Yeas, 23; nays, 0; absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

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

Senator Neslen moved that we adjourn at the conclusion of the Joint Convention.

Motion carried.

COMMUNICATION FROM THE HOUSE

January 18, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House desires to meet in joint convention with the Senate at 3:45 P. M., Friday, January 18th, in the House Chamber, for the purpose of hearing a Representative of the Salt Lake Safety Council discuss traffic safety, for a period of fifteen minutes.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President declared the Senate in recess until 3:40 P. M.

The Senate reconvened at 3:40 P. M. and proceeded to the House to meet in Joint Convention.

JOINT CONVENTION

President Maw presiding.

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

Prayer by the Chaplain of the Senate.

President Maw introduced Mr. Preston Peterson of the Utah State Road Commission who then introduced Dr. Adam S. Bennion of Salt Lake City. Dr. Bennion addressed the Joint Convention outlining the great tragedy of death in America caused by reckless and drunken driving, and proposed affirmative legislation to correct the condition.

President Maw introduced former Governor A. O. Eberhardt of Minnesota, a special representative of the Federal Housing Commission, who discussed the Federal Housing Act.

President Maw declared the Joint Convention dissolved.

The Senate adjourned.

EIGHTH DAY

January 21, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 21, 1935.

Mr. President:

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

Respectfully,

IRA A. HUGGINS,
W.H. GRIFFIN, JR.

Report adopted and filed.

COMUNICATION FROM THE HOUSE

January 21, 1935.

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. J. R. No. 1,* by Joint Committee on Employee's Compensation, "A RESOLUTION FIXING THE COMPENSATION OF EMPLOYEES OF THE TWENTY-FIRST SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is herewith transmitted for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

ASSIGNMENT OF EMPLOYEES

1. Mrs. E. R. Laraway—Engrossing Clerk
   Committee: Revision and Enrolling
   Lunch Hour: 12:30-1:00

2. Echo Denning—Clerk to the President and Secretary
   Committees: Rules and Contingent Expenses
   Trade Regulations
   Lunch Hour: 12:00-12:30

3. Mabel Speckart—Committee Clerk
   Committees: Highways
   Public Institutions
   Revenue and Taxation
   State and Municipal Affairs (with Miss Powelson)
   Lunch Hour: 12:30-1:00

4. Lucille Powelson—Committee Clerk
   Committees: Agriculture and Irrigation
   Appropriations and Claims
   Mines and Smelters
   State and Municipal Affairs (with Mrs. Speckart)
   Lunch Hour: 12:00-12:30.

5. Marjorie Anderson—Committee Clerk
   Committees: Banking and Commerce
   Judiciary
   Social Relations and Relief
   Lunch Hour: 12:30-1:00

6. Katherine Eastman—Committee Clerk
   Committees: Education
   Fish and Game
   Health and Labor
   Lunch Hour: 12:00-12:30

7. George Rowley—Doorkeeper of West Door of Senate Chamber
8. Robert W. Dennison—Doorkeeper of East Door of Senate Chamber
9. John E. Thurgood—Doorkeeper of Gallery
10. Frank Goodrich—Messenger for the Senate
11. Joseph H. Francis—Messenger for President and Secretary

OTHER EMPLOYEES

1. Lynn S. Richards—Secretary
2. Spencer W. Madsen—Sergeant-at-Arms
3. Fred T. Odell—Docket Clerk
4. E. C. Dayton—Chaplain

5. LeRoy Drushall—Minute Clerk

6. Mabel S. Moore—Mailing Clerk

7. Ralph Crowton—Janitor

It is suggested that the Senators use the Committee Clerks assigned to the committees of which they are chairman as much as possible, thus distributing the work. Those not assigned will find Committee Clerks in the Committee Room.

HERBERT B. MAW,
President.

Filed.

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

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

Yeas, 18; nays, 4; absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Hammond, Holbrook, Hopkin, Huggins, Miller, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Day, Frischknecht, Griffin, Holmgren.

Absent and not voting: Senator Musser.

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

The President appointed Senators Stewart and Day to revise the Journal for the week ending January 26, 1935.

Senator Huggins moved that only selected committees visit the various institutions of the State.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 18 By Mr. Holbrook

AN ACT TO ENABLE THE UNITED STATES TO ACQUIRE BY PURCHASE LAND NEEDED FOR STREAM FLOW PROTECTION, PROTECTION OF TIMBER, EROSION CONTROL, AND/OR OTHER PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 19 By Mr. Holbrook

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 AND AMENDING SECTION 80-10-25 OF THE REVISED

STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 61 OF THE LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20 By Mr. Calder

AN ACT APPROPRIATING FROM THE GENERAL FUNDS OF THE STATE OF UTAH, $1,000.00 TO THE CONDUCTING OF THE UINTAH BASIN INDUSTRIAL CONVENTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21 By Mr. Calder

AN ACT PRESCRIBING SPECIFICATIONS FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THIS STATE; PROVIDING FOR THE INSPECTION THEREOF; PROVIDING FOR PAYING EXPENSE OF ADMINISTRATION OF THIS ACT FROM THE EXCISE TAX ON MOTOR FUELS; AND PROVIDING PENALTIES FOR VIOLATING THE PROVISIONS HEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22 By Mr. Calder

AN ACT TO AMEND SECTION 57-12-9, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 42, LAWS OF UTAH, 1933, RELATING TO EXCISE TAX ON MOTOR FUELS AND DISTRIBUTION OF RECEIPTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Mr. Calder

AN ACT AMENDING SECTION 36-2-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 28 OF THE LAWS OF UTAH, 1933, RELATING TO POWERS AND DUTIES OF THE STATE ROAD COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 24 By Mr. Miller

AN ACT TO PROVIDE A SYSTEM OF STATE CONTROL OF THE MANUFACTURE, PURCHASE, SALE, IMPORTATION, EXPORTATION, TRANSPORTATION, DISTRIBUTION, AND USE OF ALCOHOL AND ALCOHOLIC BEVERAGES; TO CREATE A UTAH LIQUOR CONTROL COMMISSION, AND TO PROVIDE FOR ITS OPERATION; TO PROVIDE FOR THE ISSUANCE OF STATE AND LOCAL LICENSES; TO PROVIDE FOR THE LEVY AND ISSUANCE OF STATE STAMP TAXES; TO MAKE AN APPROPRIATION THEREFOR; TO PROVIDE PENALTIES AND THE METHODS OF PROCEDURE FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT; AND TO PROVIDE FOR LOCAL OPTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25 By Mrs. Musser, by request

AN ACT AMENDING SECTION 103-25-7, REVISED STATUTES OF UTAH, 1933, RELATING TO SLOT MACHINES, DECLARING THEIR USE UNLAWFUL AND PROVIDING FOR THEIR DESTRUCTION AND THE DISPOSITION OF MONEY THEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26 By Mr. Holbrook

AN ACT TO EXTEND THE PERIOD OF REDEMPTION FROM TAX SALES FOR TAXES OF THE YEARS 1928, 1929 AND 1930 AND TO REDUCE THE AMOUNT REQUIRED FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES FOR SAID YEARS AND THE YEARS 1931 AND 1932.

On motion of Senator Holbrook *S. B. No. 26* was substituted for *S. B. No. 19.*

COMMUNICATION FROM THE GOVERNOR

January 21, 1935.

To the Senate:

A measure will be presented to you today to provide an extension of the date of redemption of property sold for taxes during the years 1928, 1929, 1930, and 1931, from January 1, 1935, to April 1, 1935, and to provide for the reduction of certain penalties and interest rates to be charged.

Under the present statutes the right of redemption expires today, January 21, 1935. This bill has been proposed in order to avoid the action by county officials preliminary to the taking over of the property involved. The extension of time provided in the bill will give the Legislature opportunity to give full consideration to action it may wish to take amendatory of present statutes.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

On motion of Senator Holbrook the rules were suspended and *S. B. No. 26* was read the second and third times and placed on its final passage.

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

Line 11 of Section 2, strike the letter "3" and insert in lieu thereof the letter "2."

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

Line 6 of Section 2, after "1931" insert "1932" and after the word "and" change "1932" to read "1933."

On motion of Senator Huggins *S. B. No. 26* was made a special order of business for this afternoon at 4:30 P. M.

The President introduced Mr. Abel John Evans, a former President of the Utah State Senate.

REPORTS OF STANDING COMMITTEE

January 21, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8,*

by Mr. Huggins, 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. 8 was ordered printed and referred to the Committee on Judiciary.

January 21, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 10*, by Mr. Bamberger, 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. 10 was ordered printed and referred to the Committee on Social Relations and Relief.

January 21, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 11*, by Mr. Neslen, 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. 11 was ordered printed and referred to the Committee on Revenue and Taxation.

COMMUNICATIONS FROM THE HOUSE

January 21, 1935.

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, and the same is transmitted for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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.

January 21, 1935.

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. 14, by J. W. Jensen, "AN ACT TO EXTEND THE PERIOD OF REDEMPTION FROM TAX SALES FOR TAXES OF THE YEARS 1928, 1929 AND 1930, AND TO REDUCE THE AMOUNT REQUIRED FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES FOR SAID YEARS AND THE YEARS 1931 AND 1932," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 14 was read the first time.

On motion of Senator Holbrook the rules were suspended and *H. B. No. 14* was read the second and third times and placed on its final passage.

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

Paragraph 2, line 3, insert the word "held" in place of the word "sold."

H. B. No. 14 then passed on the following roll call:

Yeas, 22; nays, 0; absent, 1.

Those voting in the affirmative were: Senators Bamberger (exp. vote), Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt (exp. vote), Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Neslen.

COMMUNICATION FROM THE HOUSE

January 21, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, House Concurrent Resolution No. 1, by Mrs. Gibson, Mr. Gammeter and Mr. Lamoreaux, A CONCURRENT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE GEORGE A. SLAUGH UPON THE UNTIMELY DEATH OF HIS DAUGHTER, and same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. R. No. 1 was read the first time.

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

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

Yeas, 20; nays, 0; absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Holbrook, Neslen.

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

Senator Huggins moved to suspend the rules and to reconsider *H. B. No. 14*.

Motion carried.

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

Line 2 of the title before the numerals "1928" insert the word "years."

Line 3 of the title, strike the word "and" and insert the word "for" in lieu thereof.

Strike the words "House Bill" and insert "H. B."

On motion of Senator Huggins the rules were suspended and *H. B. No. 14* was passed on the following roll call:

Yeas, 18; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Day, Fowles, Holbrook, Neslen.

H. B. No. 14 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

January 21, 1935.

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. 14*, by J. W. Jensen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

January 21, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session *H. B. No. 14*, by J. W. Jensen, AN ACT TO EXTEND THE PERIOD OF REDEMPTION FROM TAX SALES FOR TAXES OF THE YEARS 1928, 1929 AND 1930, AND TO REDUCE THE AMOUNT REQUIRED FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES FOR SAID YEARS AND THE YEARS 1931 AND 1932, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 14 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 Miller the Senate adjourned.

NINTH DAY

January 22, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

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

Prayer by the Chaplain.

The President introduced the Honorable W. D. Candland, a former member of the Utah State Senate who addressed the Senate.

January 22, 1935.

Mr. President:

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

Respectfully,

MRS. FRANK PAGE STEWART,
WILFORD DAY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEE

January 18, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 5*

by Mr. Holbrook, 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. 5 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 6* by Mr. Holbrook, 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. 6 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 7* by Mr. Holbrook, 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. 7 was ordered printed and referred to the Committee on State and Municipal Affairs.

Senator Frischknecht moved that the Committee on Social Relations and Relief be increased by two members, making a total committee of nine instead of seven.

Motion carried.

INTRODUCTION OF BILLS

S. J. R. No. 3 By Mr. Parratt

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, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 4 By Mr. Parratt

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, OF ARTICLE X, OF THE CONSTITUTION RELATING TO THE STATE BOARD OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 5 By Mr. Parratt

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 1, OF ARTICLE VII, OF THE CONSTITUTION RELATING TO THE STATE EXECUTIVE DEPARTMENT, THE TERMS, RESIDENCE AND DUTIES OF OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Mr. Frischknecht

AN ACT TO AMEND SECTION 80-10-28, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR PUBLICATION OF DELINQUENT TAX LIST; THE DATE OF PUBLICATION; PROPERTY TO BE INCLUDED; NATURE OF DESCRIPTION, AND NOTICE OF SALE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28 By Mr. Stevens

AN ACT EMPOWERING THE STATE FISH AND GAME COMMISSIONER TO BORROW MONEY FROM THE STATE LAND BOARD AND FROM THE STATE INDUSTRIAL COMMISSION, AND AUTHORIZING EACH OF THE LATTER TO LOAN, FROM FUNDS IN THEIR CUSTODY AVAILABLE FOR INVESTMENT, MONEY FOR USE IN CONNECTION WITH PUBLIC WORKS PROJECTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29 By Mr. Miller

AN ACT TO PROVIDE FOR THE COLLECTION OF PROPERTY TAXES IN THE CASES OF WASTE OR DEPLETION AND TO ENACT A NEW SECTION OF THE REVISED STATUTES OF UTAH, 1933, TO BE KNOWN AS SECTION 80-5-65, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30 By Mrs. Musser by Request

REGISTRATION OF BEAUTY CULTURISTS AND ELECTROLOGISTS. AN ACT PROVIDING FOR THE RENEWAL OF LICENSES OF HAIRDRESSERS AND COSMETICIANS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31 By Mr. Holbrook by Request of President Maw

AN ACT TO AMEND SECTION 80-5-56. REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSMENT OF MINES: CHANGING THE BASIS OF ASSESSMENT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Parratt the Senate adjourned.

TENTH DAY

January 23, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present except Senators Bamberger and Holmgren, excused.

Prayer by the Chaplain.

January 23, 1935.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 9th day and found it correct with minor amendments noted on the final copy.

Respectfully,

MRS. FRANK P. STEWART,
WILFORD DAY.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 23, 1935.

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. 1*, by the Joint Committee on Employee's Compensation, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. 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.

REPORTS OF STANDING COMMITTEES

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Mr. Holmgren, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 4 was ordered printed and referred to the Committee on Revenue and Taxation.

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Mr. Neslen, by request, entitled: "AN ACT AMENDING CHAPTER 6 OF TITLE 79 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF DENTISTRY; SETTING FORTH THE QUALIFICATIONS NECESSARY FOR THE PRACTICE OF DENTISTRY, REQUIREMENT FOR OBTAINING A LICENSE, RIGHTS AND PRIVILEGES OF LICENSED PRACTITIONERS, DEFINING PRACTICING DENTISTRY, DEFINING UNPROFESSIONAL CONDUCT, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ACT," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING CHAPTER 6 OF TITLE 79 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF DENTISTRY; SETTING FORTH THE QUALIFICATIONS NECESSARY FOR THE PRACTICE OF DENTISTRY, REQUIREMENTS FOR OBTAINING A LICENSE, RIGHTS, DUTIES AND PRIVILEGES OF LICENSED PRACTITIONERS, DEFINING PRACTICING DENTISTRY, DEFINING UNPROFESSIONAL CONDUCT, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ACT AND REPEALING SECTION 79-6-3 OF THE REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12*, by Mr. Neslen, entitled: "AN ACT AMENDING SECTION 43-9-73, REVISED STATUTES OF THE STATE OF UTAH, 1933, RELATING TO FRATERNAL INSURANCE SOCIETIES AND EXEMPTIONS FROM TAXATION," with a few minor changes consented to by the author, being, "AN ACT AMENDING SECTION 43-9-73, REVISED STATUTES OF THE STATE OF UTAH, 1933, RELATING TO TAXAION, EXEMPTIONS THEREFROM AND FEES OF FRATERNAL INSURANCE SOCIETIES AND PROVIDING FOR THE DISPOSITION OF TAX," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 12 was ordered printed and referred to the Committee on Banking and Commerce.

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 14*

by Mr. Holbrook, 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. 14 was ordered printed and referred to the Committee on Revenue and Taxation.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S .B. No. 15,* by Mr. Bamberger, entitled, "AN ACT RELATING TO THE PROTECTION OF HIGHWAYS AND REGULATING THE TRAFFIC THEREON; AND PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND THE DISPOSITION OF FINES AND FORFEITURES COLLECTED HEREUNDER; PROVIDING PENALTIES FOR THE VIOLATIONS OF THIS ACT; AND ADDING NEW SECTIONS TO THE REVISED STATUTES OF UTAH, 1933, TO BE NUMBERED 36-1-20X, 36-1-21X, 57-7-10X, 57-7-23X, 57-7-50X, 57-7-64X, 57-7-64X-1, 57-7-64X-2, 57-7-64X-3, 57-7-64X-4, AND 57-7-64X-5; AMENDING SECTIONS 36-1-21, 36-1-26, 36-1-32, 36-1-33, 36-1-37, 57-7-6, 57-7-10, 57-7-11, 57-7-12, 57-7-16, 57-7-21, 57-7-23, 57-7-24, 57-7-25, 57-7-29, 57-7-36, 57-7-42, 57-7-44, 57-7-45, 57-7-47, 57-7-48, 57-7-56, 57-7-60, 57-7-66, 57-7-74, 57-7-75, AND 57-7-76 OF THE REVISED STATUTES OF UTAH, 1933; AMENDING SECTION 57-7-55, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933; AND AMENDING SECTION 36-1-29 OF THE REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 8, SECOND SPECIAL SESSION LAWS OF UTAH, 1933; AND REPEALING SECTION 6 OF CHAPTER 43, LAWS OF UTAH, 1933, AND SECTION 57-7-18, REVISED STATUTES OF UTAH, 1933," with a few minor changes consented to by the author being: "AN ACT RELATING TO THE PROTECTION OF HIGHWAYS AND REGULATING THE TRAFFIC THEREON; AND PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND THE DISPOSITION OF FINES AND FORFEITURES COLLECTED HEREUNDER; PROVIDING PENALTIES FOR THE VIOLATIONS OF THIS ACT; AND ADDING NEW SECTIONS TO REVISED STATUTES OF UTAH, 1933, TO BE KNOWN AS 36-1-20X, 36-1-21X, 57-7-10X, 57-7-23X, 57-7-50X, 57-7-64X, 57-7-64X1, 57-7-64X2, 57-7-64X3, AND 57-7-64X4, AND 57-7-64X5; AMENDING SECTIONS 36-1-21, 36-1-26, 36-1-32, 36-1-33, 36-1-37, 57-7-6, 57-7-10, 57-7-11, 57-7-12, 57-7-16, 57-7-21, 57-7-23, 57-7-24, 57-7-25, 57-7-29, 57-7-36, 57-7-42, 57-7-44, 57-7-47, 57-7-48, 57-7-56, 57-7-60, 57-7-66, 57-7-74, 57-7-75, AND 57-7-76 OF THE REVISED STATUTES OF UTAH, 1933; AMENDING SECTION 57-7-55, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933; AND AMENDING SECTION 36-1-29 OF THE REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 8, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND REPEALING SECTION 6 OF CHAPTER 43, LAWS OF UTAH,

1933, AND SECTION 57-7-18, REVISED STATUTES OF UTAH, 1933, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 15 was ordered printed and referred to the Committee on Highways.

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Mr. Huggins, entitled "AN ACT AMENDING SECTION 43-3-2, REVISED STATUTES OF UTAH, 1933, RELATING TO BOTH DOMESTIC AND FOREIGN COMPANIES," with a few minor changes consented to by the author being, "AN ACT AMENDING SECTION 43-3-2, REVISED STATUTES OF UTAH, 1933, RELATING TO BOTH DOMESTIC AND FOREIGN INSURANCE COMPANIES," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 16 was ordered printed and referred to the Committee on Judiciary.

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 17*, by Mr. Royle, 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. 17 was ordered printed and referred to the Committee on Judiciary.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 18*, by Mr. Holbrook, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 18 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 23, 1935

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 20* by Mr. Calder, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman

Report filed.

S. B. No. 20 was ordered printed and referred to the Committee on Appropriations and Claims.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 21*, by Mr. Calder, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 21 was ordered printed and referred to the Committee on Highways.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 22*, by Mr. Calder, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 22 was ordered printed and referred to the Committee on Highways.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S .B. No. 23*, by Mr. Calder, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 23 was ordered printed and referred to the Committee on Highways.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by Mrs. Musser, by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 25 was ordered printed and referred to the Committee on Judiciary.

January 23, 1935.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. J. R. No. 1*, by Mrs. Musser, beg leave to report the same out favorably.

Respectfully submitted,

PATRICK J. FENNELL,
Chairman.

Report filed.

S. J. R. No. 1 was placed on the Second Reading Calendar.

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 2*, by Mr. Huggins and Mr. Fowles, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMET TO ARTICLE THIRTEEN OF THE CONSTITUTION OF THE STATE OF UTAH BY AMENDING SECTION TWO THEREOF RELATING TO TANGIBLE PROPERTY, HOW TO BE TAXED, VALUE ASCERTAINED, PROPERTIES EXEMPT, LEGISLATURE TO PROVIDE ANNUAL TAX FOR STATE," with a few minor changes consented to by the author being, "A RESOLUTION PROPOSING TO AMEND ARTICLE 13, SECTION 2 OF THE CONSTITUTION OF THE STATE OF UTAH, AS AMENDED AT THE GENERAL ELECTION IN 1930 RELATING TO TAXATION OF TANGIBLE PROPERTY, ASCERTAINMENT OF VALUE, EXEMPTIONS, AND THE ANNUAL TAX FOR THE STATE," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,

Report filed. Chairman.

S. J. R. No. 2 was ordered printed and referred to the Committee on Judiciary.

January 22, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 3*, by Mr. Parratt, with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,

Report filed. Chairman.

S. J. R. No. 3 was ordered printed and referred to the Committee on Judiciary.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 4*, by Mr. Parratt, with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,

Report filed. Chairman

S. J. R. No. 4 was ordered printed and referred to the Committee on Judiciary.

January 23, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R No. 5*, by Mr. Parratt, with a few minor changes consented to by the author and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,

Report filed. Chairman.

S. J. R. No. 5 was ordered printed and referred to the Committee on Judiciary.

January 23, 1935.

Mr. President:

Your Committee on Judiciary to which was referred *S. B. No. 8*, by Mr. Huggins, beg leave to report the same back favorably with the following amendments:

That the word "Senator" on the top line be deleted, and the word "Mr." inserted in lieu thereof.

That the first word in Section 1, and the two words immediately following 104-2-23 in line 1 of Section 1 be deleted.

That on line 3, immediately after the figures 104-2-23 a period be inserted, and recommend that the same be passed.

Respectfully submitted,

IRA H. HUGGINS,
Chairman.

Report filed.

S. B. No. 8 was placed on the Second Reading Calendar.

At the request of Senator Holbrook *S. B. No. 26* was withdrawn.

The President appointed Senators Musser and Bowman as additional members of the Committee on Social Relations.

INTRODUCTION OF BILLS

S. J. R. No. 6 By Mr. Hammond

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE 13, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

January 21, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session *H. C. R. No. 1*, by Mrs. Gibson, Mr. Gammeter and Mr. Lamoreaux, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

INTRODUCTION OF BILLS

S. B. No. 32 By Mr. Hammond

AN ACT AMENDING SECTION 75-11-12 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO ENUMERATORS OF SCHOOL POPULATION AND THEIR DUTIES, AND DEFINING RESIDENCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 33 By Judiciary Committee, by Request

AN ACT RELATING TO THE DEFENDANT'S MAKING AT THE PRELIMINARY HEARING A STATEMENT NOT UNDER OATH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 34 By Judiciary Committee, by Request

AN ACT RELATING TO WAIVER OF ANY DEFECT OR IRREGULARITY IN OR WANT OR ABSENCE OF ANY PROCEEDING OR STATUTORY REQUIREMENT PRIOR TO THE FILING OF ANY INFORMATION OR INDICTMENT, INCLUDING THE PRELIMINARY HEARING, UNLESS OBJECTION THERETO IS MADE BEFORE PLEA, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35 By Judiciary Committee, by Request

AN ACT PROVIDING FOR WAIVER OF IRREGULARITY IN ARRAIGNMENT OR FAILURE TO ARRAIGN UNLESS OBJECTION IS MADE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 36 By Judiciary Committee, by Request

AN ACT TO AMEND SECTION 105-44-13 AND REPEALING SECTION 105-44-26 AND SUBSTITUTING THREE SECTIONS IN LIEU THEREOF, ALL RELATING TO BAIL BONDS IN CRIMINAL CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37 By Judiciary Committee, by Request

AN ACT AMENDING SECTIONS 105-31-2, 105-31-13 AND 105-31-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CHALLENGING OF JURORS AND THE JURY IN CRIMINAL CASES AND REPEALING SECTION 105-31-29, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 38 By Judiciary Committee, by Request

AN ACT AMENDING CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO PLEAS IN CRIMINAL CASES AND THE PROCEDURE IN REGARD TO SUCH PLEAS, INCLUDING THE PROCEDURE TO BE HAD UPON A PLEA OF NOT GUILTY BY REASON OF INSANITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39 By Judiciary Committee by Request

AN ACT AMENDING SECTIONS 2, 3, 4, 5 AND 6, CHAPTER 49, TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INQUIRY INTO THE NOW SANITY OF A DEFENDANT, NOT AS A DEFENSE TO A CRIMINAL ACCUSATION, BEFORE, DURING OR AFTER TRIAL, OR AFTER THE PASSING OF SENTENCE, OR WHILE CONFINED AS A CONVICT, OR ON PAROLE AND RELATING TO HIS DISPOSITION AFTER SUCH HEARING, AND REPEALING SECTION 105-49-8, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-36-10, REVISED STATUTES OF UTAH, 1933, RELATING TO CAUSES THAT MAY BE SHOWN AGAINST THE JUDGMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41 By Judiciary Committee, by Request

AN ACT REQUIRING DEFENDANTS IN CRIMINAL CASES TO GIVE NOTICE OF A PROPOSED DEFENSE OF ALIBI, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-32-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE TRIAL OF DEFENDANTS JOINTLY CHARGED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43 By Judiciary Committee, by Request

AN ACT AMENDING CHAPTER 27 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, BY ADDING A NEW SECTION THERETO RELATING TO THE REMOVAL OF A CRIMINAL ACTION BY ONE OR MORE BUT NOT ALL THE DEFENDANTS IN A CRIMINAL CASE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 44 By Judiciary Committee, by Request

AN ACT AUTHORIZING A SUMMONS INSTEAD OF A WARRANT OF ARREST IN CASE OF MISDEMEANORS NOT AMOUNTING TO INDICTABLE MISDEMEANORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-28-2, REVISED STATUTES OF UTAH, 1933, RELATING TO TRIAL BY JURY AND WAIVER OF JURY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46 By Judiciary Committee, by Request

AN ACT RELATING TO CHANGE OF JUDGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 47 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-40-4, REVISED STATUTES OF UTAH, 1933, RELATING TO APPEAL BY THE STATE IN CRIMINAL CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 48 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-36-22, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ENTRY OF THE JUDGMENT AND THE JUDGMENT ROLL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-27-3, REVISED STATUTES OF UTAH, 1933, RELATING TO ABSENCE OF DEFENDANT UPON HEARING OF APPLICATION FOR REMOVAL OF ACTION BEFORE TRIAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 105-22-15, REVISED STATUTES OF UTAH, 1933, RELATING TO TIME ALLOWED THE DEFENDANT TO ANSWER OR OTHERWISE PLEAD IN A CRIMINAL CASE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51 By Judiciary Committee, by Request

AN ACT RELATING TO THE RULES OF PLEADING IN CRIMINAL CASES AND THE FORMS OF INFORMATIONS AND INDICTMENTS; ALSO PROVIDING FOR A MOTION TO QUASH INFORMATIONS AND INDICTMENTS AND ABOLISHING DEMURRERS TO INFORMATIONS AND INDICTMENTS, AND REPEALING CHAPTER 24, TITLE 105, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52 By Judiciary Committee, by Request

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10, OF ARTICLE 1, OF THE CONSTITUTION RELATING TO TRIAL BY JURY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53 By Judiciary Committee, by Request

AN ACT AMENDING SECTION 57-7-11, REVISED STATUTES OF UTAH, 1933, RELATING TO DUTY OF DRIVERS OF MOTOR VEHICLES IN CASE OF ACCIDENT AND PROVIDING A PENALTY FOR VIOLATION OF SAID SECTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 54 By Mrs. Musser, by Request

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 EDUCA-

TION, AND PRESCRIBING THEIR TERMS OF OFFICE AND THE POWERS AND DUTIES OF THE BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55 By Mr. Hammond

AN ACT AMENDING SECTION 75-9-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE FREE EDUCATION OF CHILDREN, was read the first time and referred to the Committee of Revision and Enrolling.

S. B. No. 56 By Committee on Revenue and Taxation, by Request

AN ACT TO AMEND SECTION 80-10-69, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISTRIBUTION OF TAXES COLLECTED BY THE COUNTY TREASURER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57 By Committee on Revenue and Taxation, by Request

AN ACT TO REDUCE THE ANNUAL LICENSE FEES FOR THE SALE OF CIGARETTES, CIGARETTE PAPERS AND OLEOMARGARINE AND TO AMEND SECTION 93-1-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58 By Committee on Revenue and Taxation, by Request

AN ACT TO FACILITATE THE COLLECTION OF TAXES AND TO PREVENT THE LOSS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59 By Committee on Revenue and Taxation, by Request

AN ACT TO AMEND SECTION 28-2-5, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF THE COUNTY TREASURER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60 By Mr. Neslen

AN ACT TO AMEND SECTION 7-1-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS OF THE BANK COMMISSIONER TO ADOPT AND PROMULGATE RULES AND REGULATIONS GOVERNING THE CONDUCT, OPERATION AND MANAGEMENT OF INSTITUTIONS SUBJECT TO THE SUPERVISION OF THE BANKING DEPARTMENT, AND TO RESTRICT VOTING BY PROXY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61 By Mr. Royle, by Request

AN ACT TO AMEND CHAPTER 16, LAWS OF UTAH, 1933, TO PROVIDE FOR GARNISHMENT AND ATTACHMENT TO BE ISSUED BY SMALL CLAIMS COURTS, AND CLARIFYING PROVISION FOR ORDERS MADE UPON JUDGMENT THEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 62 By Committee on Revenue and Taxation, by Request

AN ACT TO DEFINE THE NET ANNUAL PROCEEDS OF METALLIFEROUS MINES AND MINING CLAIMS AND TO AMEND SECTIONS 80-5-57 AND 80-5-58, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63 By Committee on Revenue and Taxation, by Request

AN ACT TO PROVIDE THE BASIS AND METHOD FOR ASSESSING FOR TAXATION METALLIFEROUS MINES, MINING CLAIMS AND PROPERTY, AND AMENDING SECTION 80-5-56, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 64 By Committee on Revenue and Taxation, by Request

AN ACT TO INCREASE THE ESTATE TAX RATES IN CERTAIN CASES, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Huggins moved that the rules be suspended and that the Senate do now consider *S. B. No. 8.*

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 8 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 8* was read the third time and placed on its final passage.

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

Line 7, after the word "in" insert "( )".

S. B. No. 8 then passed on the following roll call:

Yeas, 18; nays, 0; absent, 5.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Hopkin, Huggins, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Holbrook, Holmgren, Neslen, Royle.

S. B. No. 8 was transmitted to the House.

On motion of Senator Griffin the Senate adjourned.

ELEVENTH DAY

January 24, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

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

Prayer by the Chaplain.

January 24, 1935.

Mr. President:

We, 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,

MRS. FRANK P. STEWART.

Report adopted and filed.

REPORT OF STANDING COMMITTEE

January 24, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 27*, by Mr. Frischknecht, 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. 27 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 24, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 28*, by Mr. Stevens, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 28 was ordered printed and referred to the Committee on Fish and Game.

January 24, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 29*, by Mr. Miller, entitled "AN ACT TO PROVIDE FOR THE COLLECTION OF PROPERTY TAXES IN THE CASES OF WASTE OR DE-

PLETION AND TO ENACT A NEW SECTION OF THE REVISED STATUTES OF UTAH, 1933, TO BE KNOWN AS SECTION 80-5-65." with a few minor changes consented to by the author and changes in the title as follows: "AN ACT TO PROVIDE FOR THE COLLECTION OF PROPERTY TAXES ON MINES IN CASES OF WASTE OR DEPLETION AND TO AMEND CHAPTER 5, TITLE 80 OF THE REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 80-5-65," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 29 was ordered printed and referred to the Committee on Mining and Smelting.

January 24, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 31*, by Mr. Holbrook, 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. 31 was ordered printed and referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILLS

S. J. R. No. 7 By Senate Judiciary Commiteee, by Request

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTIONS 2 AND 5 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO THE JUDICIAL DEPARTMENT; JURISDICTION THEREOF, NOMINATION AND APPOINTMENT OF JUDGES, NUMBER AND TENURE OF OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65 By Committee on Revenue and Taxation, by Request

AN ACT TO FIX THE SITUS FOR TAXATION OF TANGIBLE PROPERTY AND TO AMEND SECTION 80-4-1, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 66 By Committee on Revenue and Taxation, by Request

AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES ASSESSED AGAINST METALLIFEROUS MINES AND MINING CLAIMS AND TO ENACT A NEW SECTION OF THE REVISED STATUTES OF UTAH, 1933, TO BE KNOWN AS SECTION 80-5-65, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67 By Committee on Revenue and Taxation, by Request

AN ACT TO PROVIDE FOR THE METHOD OF APPRAISEMENT OF PROPERTY OF ESTATES FOR ESTATE TAX PURPOSES, TO AMEND SECTIONS 80-12-17, 80-12-18, 80-12-19 AND 80-12-20 AND TO REPEAL SECTIONS 80-12-15 AND 80-12-16, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 68 By Mr. Holbrook

AN ACT PROVIDING FOR THE CREATION OF A LEGISLATIVE REFERENCE BUREAU, PROVIDING FOR THE APPOINTMENT OF A DIRECTOR OF THE BUREAU, FIXING HIS SALARY AND TERM OF OFFICE, PROVIDING FOR THE BUREAU'S OPERATION, FUNCTION, AND MAINTENANCE, PERMITTING THE APPOINTMENT OF THE DIRECTOR OF THE BUREAU BY THE SUPREME COURT AS THE REPORTER OF ITS DECISIONS, FIXING THE SALARY OF THE REPORTER AND AMENDING SECTIONS 20-2-14 AND 87-1-2, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 69 By Hr. Hammond

AN ACT AMENDING SECTIONS 75-7-1 AND 75-7-2, REVISED STATUTES OF UTAH, 1933, RELATING TO APPOINTMENT OF MEMBERS OF THE STATE BOARD OF EDUCATION, AND PRESCRIBING THEIR TERMS OF OFFICE AND POWERS AND DUTIES OF THE BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 70 By Mr. Holbrook

AN ACT DECLARING CERTAIN PUBLIC OFFICES NON-POLITICAL, PROVIDING FOR THE ELECTION OF CANDIDATES TO SUCH OFFICES AT THE GENERAL ELECTION UPON A NON-POLITICAL BALLOT, PROVIDING FOR THE NOMINATION OF SUCH CANDIDATES, PROVIDING FOR SCHOOL BOARDS CONSISTING OF FIVE MEMBERS, FIXING THE TERM OF OFFICE OF SCHOOL BOARD MEMBERS, TERMINATING THE OFFICE OF CERTAIN SCHOOL BOARD MEMBERS ON FIXED DATES, PROVIDING FOR THE ORGANIZATION OF SCHOOL BOARDS, AND REPEALING SECTIONS 75-9-3, 75-9-6, 75-10-1, 75-10-2, 75-10-3, 75-10-4, 75-10-5, 75-10-6, AND 75-11-3, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 71 By Mr. Hammond

AN ACT PROVIDING FOR THE REPEAL OF SECTIONS 80-9-3, REVISED STATUTES OF UTAH, 1933, RELATIVE TO THE LEVY OF TWO-TENTHS OF ONE MILL ON EACH DOLLAR OF VALUATION FOR HIGH SCHOOL PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 72 By Mr. Holmgren

AN ACT TO REDUCE THE DISCOUNT UPON TAXES PAID IN ADVANCE OF DELINQUENCY AND AMENDING SECTION 80-10-25,

REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 61, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73 By Mr. Bamberger

AN ACT REPEALING SECTION 22, CHAPTER 45, LAWS OF UTAH, 1933, AND SECTIONS 57-4-1 AND 57-4-2, REVISED STATUTES OF UTAH, 1933; AMENDING SECTIONS 1, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18 AND 21, CHAPTER 45, LAWS OF UTAH, 1933, 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 PERTAINING THERETO; AND ADDING A NEW SECTION TO CHAPTER 45, LAWS OF UTAH, 1933, TO BE KNOWN AS SECTION 8X, RELATING TO THE ISSUANCE OF SPECIAL RESTRICTED OPERATOR'S LICENSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 74 By Mr. Bamberger

AN ACT RELATING TO MOTOR VEHICLES, TRAILERS, AND SEMI-TRAILERS, THE OWNERSHIP THEREOF AND OTHER INTERESTS THEREIN, AND TO PROVIDE FOR THE REGISTRATION THEREOF AND THE ISSUANCE OF CERTIFICATES OF TITLE THEREFOR UPON PAYMENT OF CERTAIN FEES AND TO LICENSE PERSONS IN THE BUSINESS OF WRECKING SUCH VEHICLES OR DEALING IN SUCH VEHICLES OR PARTS THEREOF AND TO PROTECT OWNERS OF SUCH VEHICLES AGAINST THEFT, EMBEZZLEMENT, OR OTHER LOSS THEREOF AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF MOTOR VEHICLE LAWS BY A DEPARTMENT OF MOTOR VEHICLES AND IMPOSING PENALTIES FOR VIOLATIONS OF THIS ACT AND TO MAKE UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT, AND REPEALING CHAPTERS 1, 2, 3, 4, 5, 6, 9, AND 11. OF TITLE 57, REVISED STATUTES OF UTAH, 1933, AND CHAPTERS 43 AND 44, LAWS OF UTAH, 1933, AND ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THE PROVISIONS OF THIS ACT, 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.

S. J. R. No. 1 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, Calder, Fennell, Fowles, Frischknecht, Holbrook, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman, Griffin, Hammond, Holmgren.

Absent and not voting: Senator Day.

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.

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

Yeas, 18; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, (exp. vote), Calder, Fennell, Fowles, Frischknecht, Holbrook, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman, Griffin, Hammond, Holmgren.

Absent and not voting: Senator Day.

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

INTRODUCTION OF BILL

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

MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES BY EXPRESSING APPRECIATION FOR ACCOMPLISHMENTS IN RELIEVING DISTRESS DURING THE PRESENT EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

The President appointed Senator Bamberger to replace Senator Neslen as Chairman of the Committee on State and Municipal Affairs.

Senator Parratt moved that when the Senate adjourns Friday that it be until Monday, January 28, 1935.

Motion carried.

Senator Holbrook moved that the Committees on Public Institutions, Education and Appropriations and Claims each select one member to make the Junket trip to Utah County.

Senator Woodward moved to amend the motion to read "that each Senator desiring to make the trip report to Senator Holbrook."

Motion as amended carried.

INTRODUCTION OF BILL

S. B. No. 75 By Mr. Bamberger

AN ACT AMENDING SECTION 67-0-1, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE PERSONNEL OF THE BOARD OF PARDONS, AND PRESCRIBING ITS POWERS, PROCEEDINGS AND DECISIONS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Holmgren the Senate adjourned.

TWELFTH DAY

January 25, 1935

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present except Senators Day and Musser, excused.

Prayer by the Chaplain.

January 25, 1935

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,

MRS. FRANK P. STEWART.

Report adopted and filed.

REPORT OF STANDING COMMITTEE

January 25, 1935

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 28*, by Mr. Stevens, reports the same back favorably.

Respectfully submitted.

DANIEL STEVENS,
Chairman.

Report filed.

S. B. No. 28 was placed on the Second Reading Calendar

REPORT OF SPECIAL COMMITTEE

January 25, 1935.

Mr. President:

Your Committee on Senate Rules begs leave to recommend:

(1) That the following amendments be made to Senate Rule No. 71:

"71. Daily Order of Business. Item No. 7 shall be amended to read "7. Presentations of Resolutions, Memorials, Motions and Notices."

Item No. 10 shall be amended to read as follows: "10. Consideration of Resolutions and Memorials."

(2) That the Senate Rules as now amended be printed in the Senate Journal.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report adopted and filed.

INTRODUCTION OF BILLS

S. J. R. No. 8 By Mrs. Stewart

A RESOLUTION PROPOSING TO AMEND ARTICLE 10, SECTION 6, OF THE CONSTITUTION OF THE STATE OF UTAH, AS AMENDED AT THE GENERAL ELECTION IN 1900, RELATING TO THE ORGANIZATION OF SCHOOL DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Holbrook the following schedule of assigned time for committee meetings was adopted.

Appropriations and Claims, 10:00-11:00 A. M. daily, except Saturday and Sunday, Room 200.

Revenue and Taxation, 11:00-12:00 A. M. daily, Senate Lounge.

Judiciary, after session daily. Senate Lounge.

Education, after session, by call. Room 329.

State and Municipal Affairs, 12:30-1:30 Monday, Wednesday, and Friday, Room 329.

Social Relations and Relief, 12:30-1:30 Tuesday and Thursday, Room 329.

Highway, 11:00-12:00 A. M., by call. Room 329.

All other committee meetings to be held on call between 9:00 and 10:00 A. M., whenever possible, and in a room to be designated at the time of call.

The President appointed Senators Frischknecht and Bowman to revise the Journal for the week ending February 1, 1935.

INTRODUCTION OF BILLS

S. B. No. 76 By Mr. Hammond

AN ACT AMENDING SECTION 75-7-27, REVISED STATUTES OF UTAH, 1933, RELATIVE TO THE DISTRIBUTION OF THE STATE DISTRICT SCHOOL FUND TO THE SCHOOL DISTRICTS OF THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 77 By Mr. Miller

AN ACT IMPOSING AN EXCISE TAX UPON ALL NATURAL GAS SOLD AND/OR USED WITHIN THE STATE OF UTAH AND THE MANNER OF COLLECTION THEREOF, AND IMPOSING PENALTIES FOR FAILURE TO MAKE RETURN, AND FAILURE TO PAY THE TAX AS PROVIDED HEREIN, AND GIVING THE STATE TAX COMMISSION ADMINISTRATIVE POWER WITH RESPECT THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 78 By Mr. Calder, by Request

AN ACT TO AMEND SECTIONS 75-7-26 AND 80-9-2 REVISED STATUTES OF UTAH, 1933, RELATING TO TAX FOR SCHOOL EQUALIZATION PURPOSES AND LEVIES FOR DISTRICT SCHOOL AND EQUALIZATION PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 79 By Mr. Hammond

AN ACT PROVIDING FOR THE LEVY OF TAXES FOR STATE DISTRICT SCHOOL PURPOSES AND AMENDING SECTION 80-9-2 OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80 By Mrs. Stewart

AN ACT AMENDING SECTION 75-9-1 REVISED STATUTES OF UTAH, 1933, RELATING TO COUNTY DISTRICTS, CONSOLIDATION, ELECTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81 By Mr. Hammond

AN ACT PROVIDING FOR THE INCREASE IN THE TAX ENACTED UNDER THE EMERGENCY REVENUE ACT OF 1933, PROVIDING FOR THE DISTRIBUTION OF THE REVENUE OF SUCH TAX AND AMENDING SECTIONS 4, 5 AND 21 OF CHAPTER 20, OF THE LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, was read the first time and referred to the Committee on Revision and Enrolling.

REPORT OF SPECIAL COMMITTEE

January 25, 1935

To the Senate and House of Representatives:

Your Joint Committee on Joint Rules of the Senate and House of Representatives recommend the following amendments to Joint Rules 13 and 14.

"13. Joint Resolutions and Memorials are those relating to matters to be treated by both Houses of the Legislature. Concurrent Resolutions and Memorials are similar resolutions and memorials requiring the concurrence of the Governor

14. Joint Resolutions and Memorials, Concurrent Resolutions and Memorials, and Constitutional Amendments shall be treated in all respects as bills.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman of Senate Committee.

GRANT MACFARLANE,
Acting Chairman of House Committee.

Report adopted and filed.

On motion of Senator Stevens the Senate adjourned.

FIFTEENTH DAY

January 28, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 28, 1935.

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,

MRS. FRANK P. STEWART,
WILFORD DAY.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 25, 1935.

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 Mrs. Gibson, Mr. Gammeter and Mr. Lamoreaux entitled "A CONCURRENT RESOLUTION CONGRATULATING THE PRESIDENT OF THE UNITED STATES, FRANKLIN D. ROOSEVELT, UPON HIS BIRTHDAY," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. R. No. 2 was read the first time.

On motion of Senator Day the rules were suspended and *H. C. R. No. 2* was read the second and third times and placed on its final passage.

H. C. R. No. 2 then passed on the following roll call: Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Woodward and Mr. President.

Absent and not voting: Senator Wallace.

H. C. R. No. 2 was transmitted to the House.

January 25, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 5,* by Mr. Paul M. Peterson, entitled, "AN

ACT AMENDING SECTION 49-3-2, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE PERIOD OF EMPLOYMENT IN ALL UNDER-GROUND MINES OR WORKINGS AND IN SMELTERS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 5 was read the first time and referred to Committee on Mining and Smelting.

REPORTS OF STANDING COMMITTEES

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13*, by Mr. Neslen, entitled "AN ACT AMENDING SECTION 43-3-7 REVISED STATUTES OF THE STATE OF UTAH, 1933, RELATING TO TAXATION OF INSURANCE COMPANIES," with a few minor changes consented to by the author, including correction of the title: "AN ACT AMENDING SECTION 43-3-7 REVISED STATUTES OF UTAH, 1933, RELATING TO TAXATION OF INSURANCE COMPANIES," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 13 was ordered printed and referred to the Committee on Revenue and Taxation.

January 25, 1935.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 18*, by Mr. Holbrook, beg leave to report the same back favorably with the following amendments:

That the title be amended to read as follows:

After the word "land" in the second line of the title, strike the balance of the title and insert in lieu thereof the following:

"IN THE STATE OF UTAH FOR CONSTRUCTION, EXTENSION OR ESTABLISHMENT OF NATIONAL FORESTS, RESERVING TO THE STATE THE RIGHT TO SERVE PROCESS AND PUNISH OFFENSES COMMITTED THEREON."

That on line 3 of the Bill, after the word "agriculture," insert the words "of the United States."

Respectfully submitted,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 18 was placed on the Second Reading Calendar.

January 25, 1935.

Mr. President:

We, your Committee on Highways, to which was referred *S. B. No. 21*, by Mr. Calder, beg leave to report the same favorably.

Respectfully submitted,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 21 was placed on the Second Reading Calendar.

January 28, 1935.

Mr. President:

We, your Committee on Highways, to which was referred *S. B. No. 22*, by Mr. Calder, beg leave to report the same unfavorably.

Respectfully submitted,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 22 was placed on the Second Reading Calendar.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 32*, by Mr. Hammond 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. 32 was ordered printed and referred to the Committee on Education.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 33*, by Judiciary Committee by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 33 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 34*, by Judiciary Committee by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 34 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35*, by Judiciary Committee by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 35 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 37*, by Judiciary Committee, by request, 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. 37 was ordered printed and referred to the Committee on Judiciary.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 38*, by Judiciary Committee, by request, entitled "AN ACT AMENDING CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO PLEAS IN CRIMINAL CASES AND THE PROCEDURE IN REGARD TO SUCH PLEAS, INCLUDING THE PROCEDURE TO BE HAD UPON A PLEA OF NOT GUILTY BY REASON OF INSANITY," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT REPEALING CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO PLEAS IN CRIMINAL CASES AND THE PROCEDURE IN REGARD TO SUCH PLEAS, INCLUDING THE PROCEDURE TO BE HAD UPON A PLEA OF NOT GUILTY BY REASON OF INSANITY," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 38 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 39*, by Judiciary Committee, by request, 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. 39 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 40*, by Judiciary Committee, by request, 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. 40 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 41*, by Judiciary Committee, by request, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 41 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 42*, by Judiciary Committee, by request, 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. 42 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 43*, by Judiciary Committee, by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 43 was ordered printed and referred to the Committee on Judiciary.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 44*, by Judiciary Committee, by request, 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 Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 45*, by Judiciary Committee, by request, 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. 45 was ordered printed and referred to the Committee on Judiciary.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 46*, by Judiciary Committee, by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 46 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 47*, by Judiciary Committee, by request, 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. 47 was ordered printed and referred to the Committee on Judiciary.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 48*, by Judiciary Committee, by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 48 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 49*, by Judiciary Committee, by request, 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. 49 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 50*, by Judiciary Committee, by request, 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. 50 was ordered printed and referred to the Committee on Judiciary

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 53*, by Judiciary Committee, by request, 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. 53 was ordered printed and referred to the Committee on Judiciary.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 54*,

by Mrs. Musser, by request, 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. 54 was ordered printed and referred to the Committee on Education.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 55*, by Mr. Hammond, 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. 55 was ordered printed and referred to the Committee on Education.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 57*, by Committee on Revenue and Taxation, by request, 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. 57 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 58*, by Committee on Revenue and Taxation, by request, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 58 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 59*, by Committee on Revenue and Taxation, by request, 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. 59 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 60*, by Mr. Neslen, 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 Banking.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 62*, by Committee on Revenue and Taxation, by request, 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 Revenue and Taxation.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 63*, by Committee on Revenue and Taxation, by request, 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 Revenue and Taxation.

January 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 64*, by Committee on Revenue and Taxation, by request, 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 Revenue and Taxation.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 65*,

by Committee on Revenue and Taxation, by request, and recommends that 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.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 66*, by Committee on Revenue and Taxation, by request, 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.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 67*, by Committee on Revenue and Taxation, by request, 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. 67 was ordered printed and referred to the Committee on Revenue and Taxation.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 69*, by Mr. Hammond, 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. 69 was ordered printed and referred to the Committee on Education.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 71*, by Mr. Hammond, and recommends the same be printed.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 71 was ordered printed and referred to the Committee on Education.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 72*, by Mr. Holmgren, 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 Revenue and Taxation.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 75*, by Mr. Bamberger, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 75 was ordered printed and referred to the Committee on Public Institutions.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 76*, by Mr. Hammond, 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. 76 was ordered printed and referred to the Committee on Education.

January 28, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 2*, by Mr. Huggins and Mr. Fowles, beg leave to report it out favorably with the following amendments:

On page 2, line 9, "$2,000" should be underlined.

On page 2, line 10, "one hundred" be stricken, and the words "three hundred" inserted in lieu thereof, and recommend the same be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 2 was placed on the Second Reading Calendar.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 8,* by Mrs. Stewart, and recommends the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 8 was ordered printed and referred to the Committee on Education.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. M. No. 1,* by Mr. Neslen, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. C. M. No. 1 was ordered printed and referred to the Committee on Social Relations.

INTRODUCTION OF BILLS

S. B. No. 82 By Mr. Fowles

AN ACT AMENDING SECTION 46-0-51 OF CHAPTER 10 OF THE LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, REFERRING TO THE MANUFACTURE, STORING AND EXPORTING OF BEER AND THE ALCOHOLIC CONTENT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83 By Mr. Hammond

AN ACT PROVIDING FOR THE LEVY OF TAXES IN SCHOOL DISTRICTS; AMENDING SECTION 75-12-11, AND REPEALING 75-12-13 OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 84 By Mr. Fowles

AN ACT RELATING TO ABSTRACTERS AND TO THE BUSINESS OF ABSTRACTING, CREATING A BOARD OF ABSTRACT COMMISSIONERS, PROVIDING ABSTRACTERS REGISTRATION CERTIFICATES AND FOR THE CANCELLATION OF THE SAME AFTER HEARING, PROVIDING A FEE FOR ISSUANCE OF SAID CERTIFICATES, THE FILING OF A BOND OR BONDS, USE OF A SEAL, AND PROVIDING PENALTY FOR VIOLATION THEREOF; AND REPEALING TITLE 1, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85 By Mr. Fowles

AN ACT TO AMEND SECTION 1, CHAPTER 3, TITLE 51 OF THE REVISED STATUTES OF UTAH, 1933, BY AUTHORIZING COUNTY COMMISSIONERS TO MAKE CONTRACTS WITH CITY LI-

BRARIES FOR THE EXTENSION OF LIBRARY SERVICE TO THE COUNTY OR TO AN ADJOINING COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Mr. Fowles

AN ACT AMENDING TITLE 42, CHAPTER 4, SECTION 2, REVISED STATUTES OF UTAH, 1933, RELATING TO FIREMEN'S PENSION FUND; PROVIDING FOR ADDITIONAL REVENUE TO SAID FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 87 By Mr. Fowles

AN ACT AMENDING SECTION 80-10-2, TITLE 80, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIEN OF TAXES UPON PERSONAL PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88 By Committee on Revenue and Taxation, by Request

AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES, TO REDUCE THE PERSONAL EXEMPTIONS AND EXEMPTIONS FOR DEPENDENTS, TO REPEAL THE FILING FEE AND AMENDING SECTIONS 80-14-2, 80-14-7, 80-14-16, 80-14-17, 80-14-52 AND 80-14-63, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 28 was read the second time.

Committee report read and adopted.

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

Page 1, line 6,, strike the words "federal emergency relief."

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

Page 1, line 9, strike the words "each of the latter is" and insert in lieu thereof the following: "the State Land Board and the State Industrial Commission are".

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

Page 1, line 15, after the semicolon insert the following: "provided that out of the regular income of the Fish and Game Department each year it shall set up a sinking fund to meet the amortized payments as they shall become due and,".

S. B. No. 28 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Neslen, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Miller.

Absent and not voting: Senator Royle.

On motion of Senator Holbrook the rules were suspended and *S. B. No. 88* was recalled from the Committee on Revision and Enrolling, ordered printed and referred to the Committee on Revenue and Taxation.

On motion of Senator Huggins the rules were suspended and *S. B. No. 28* was read the third time and placed on its final passage.

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

In the title after the word "Projects" strike the period and insert "and providing for the repayment thereof".

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

Page 1, line 6, insert the words "federal emergency relief."

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

Page 1, line 15, after the word "provided" insert the word "further,".

S. B. No. 28 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

S. B. No. 28 was transmitted to the House.

On motion of Senator Huggins the Senate adjourned.

SIXTEENTH DAY

January 29, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 29, 1935.

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,

CONRAD FRISCHKNECHT,
O. C. BOWMAN.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 6*, by Mr. Hammond, entitled "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE 13, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO TAXATION," with a few minor corrections consented to by the author, including correction of the title: "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE 13, OF THE CONSTITUTION OF THE STATE OF UTAH AS AMENDED BY THE VOTE OF THE ELECTORS AT THE GENERAL ELECTION OF 1930 RELATING TO TAXATION," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 6 was ordered printed and referred to the Committee on Judiciary.

January 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 61*, by Mr. Royle, by request, entitled "AN ACT TO AMEND CHAPTER 16, LAWS OF UTAH, 1933, TO PROVIDE FOR GARNISHMENT AND ATTACHMENT TO BE ISSUED BY SMALL CLAIMS COURTS, AND CLARIFYING PROVISION FOR ORDERS MADE UPON JUDGMENT THEREIN," with a few minor corrections consented to by the author, including correction of the title: "AN ACT TO AMEND SECTIONS 7, 8 AND 13 OF CHAPTER 16, LAWS OF UTAH, 1933, TO PROVIDE FOR GARNISHMENT AND ATTACHMENT TO BE ISSUED BY SMALL CLAIMS COURTS, AND CLARIFYING PROVISION FOR ORDERS MADE UPON JUDGMENT THEREIN," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 61 was ordered printed and referred to the Committee on Judiciary.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 73*, by Mr. Bamberger, 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 State and Municipal Affairs.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 74*, by Mr. Bamberger, 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. 74 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 77*, by Mr. Miller, 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. 77 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 78*, by Mr. Calder, by request, 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. 78 was ordered printed and referred to the Committee on Education.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 79*, by Mr. Hammond, and recommends that the same be printed.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 79 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 81*, by Mr. Hammond, 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. 81 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1935.

Mr. President:

We, your Committee on Highways, to which was referred *S. B. No. 15*, by Mr. Bamberger, beg leave to report the same favorably with the following amendments:

Page 2, line 30, after the word "building" insert the words ", provided, that the foregoing provision shall not apply to range stock drifting into any such highway in going to or returning from their accustomed ranges."

Page 3, line 5, strike out the second parenthesis, and underline all of lines 5 and 6, and the first 2 words of line 7; and that all of lines 8, 9, 10, and 11 to and including the word "vehicle" be underscored.

Page 3, line 24, the parenthesis be stricken.

Page 6, line 19, strike out the comma after the word "provided".

Page 7, line 7, the word "any" should be inserted for the word "and".

Page 8, line 5, the word "interval" should be changed to "intervals".

Page 9, line 16, strike lines 16, 17, and 18, and insert the following: "(2) ( ) *Where no special hazard exists the following speeds shall be lawful but any speed in excess of that indicated below for the particular district, location or condition shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful*:"

Page 9, line 19, change "Ten" to "Twenty".

Page 9, line 22, insert a comma before the word "provided"; and after the word "bears" insert the words "upon the front and rear thereof".

Page 9, line 25, strike the line.

Page 10, line 2, strike "Twenty miles per hour".

Page 11, line 1, the word "driver" is misspelled.

Page 13, line 1, the state road commission should be written without capital letters.

Page 16, line 8, the state road commission should be written without capital letters.

Page 16, line 8, after the word "commission", insert the words "by and with the advise of the state board of education".

Page 16, line 9, after the word "design", insert ", construction, inspection".

Page 19, line 5, the word "period" is misspelled.

Page 19, line 9, the word "reflector" should be underlined and a parenthesis inserted immediately preceding the word.

Respectfully submitted,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 15 was placed on the Second Reading Calendar.

January 29, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 88*, by Committee on Revenue and Taxation, by request, beg leave to report the same favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 88 was placed on the Second Reading Calendar.

January 25, 1935.

Mr. President:

Your Committee on Revenue and Taxation, to whom was referred *S. B. No. 1*, by Mr. Holbrook, beg to report the same out favorably with the following amendment:

That the word "four" in the sixteenth line of the second page be underscored.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 1 was placed on the Second Reading Calendar.

January 29, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 16*, by Mr. Huggins, beg leave to report the same back favorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 16 was placed on the Second Reading Calendar.

January 29, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 25*, by Mrs. Musser, beg leave to report the same back favorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 25 was placed on the Second Reading Calendar.

Senator Huggins moved that when the Senate adjourns on Thursday, January 31st, it be until Friday morning, February 1st, at 10:00 A. M., and when the Senate adjourns Friday, February 1st, it be until Monday, February 4, 1935, at 2:00 P. M.

Motion carried.

Senator Huggins advised the Senate that S. B. No. 33 had been printed as S. B. No. 77, but that the same was a mistake in printing and will hereafter be known as S. B. No. 33.

The President read a communication from the Utah Association of Churches informing the Legislature they would, upon invitation, furnish a speaker to address the Legislature in Joint Convention in celebration of George Washington's Birthday.

Senator Neslen moved that a committee of three be appointed to confer with the House and invite them to join with the Senate in Joint Convention on February 22, 1935, in celebration of George Washington's Birthday.

Motion carried.

The President appointed a committee consisting of Senators Bamberger, Neslen and Musser to confer with the House and invite them to join with the Senate in Joint Convention on February 22, 1935, in celebration of George Washington's Birthday.

REPORTS OF STANDING COMMITTEE

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 52*, by Judiciary Committee, by request, and requests that the same be withdrawn as a senate bill and reentered as a Senate Joint Resolution.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

Upon unanimous consent of the Senate *S. B. No. 52* was withdrawn.

January 29, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 56*,

by Committee on Revenue and Taxation, by request, and recommends that the same be withdrawn as it is the same bill as *S. B. No. 4.*

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

Upon unanimous consent of the Senate *S. B. No. 56* was withdrawn.

INTRODUCTION OF BILLS

S. B. No. 89 By Mr. Neslen

AN ACT AMENDING SECTION 54-1-21 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE MILITIA; SALARY AND BOND OF THE ADJUTANT GENERAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 90 (Substitute for S. B. No. 24) By Mr. Miller

AN ACT TO PROVIDE A SYSTEM OF STATE CONTROL OF THE MANUFACTURE, PURCHASE, SALE, IMPORTATION, EXPORTATION, TRANSPORTATION AND USE OF ALCOHOLIC BEVERAGES: TO CREATE A LIQUOR CONTROL COMMISSION AND DEFINE ITS DUTIES; TO DEFINE THE POWERS OF CITIES, TOWNS AND COUNTIES WITH RESPECT TO THE LIQUOR TRAFFIC AND TO PROVIDE FOR THE SALE OF ALCOHOLIC BEVERAGES AND THE ISSUE OF LICENSES THEREUNTO; TO PROVIDE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT AND OF REGULATIONS OF THE LIQUOR CONTROL COMMISSION; TO PROVIDE FOR LOCAL OPTION; TO MAKE AN APPROPRIATION FOR THE ADMINISTRATION OF THE ACT; AND TO REPEAL TITLE 46 OF THE REVISED STATUTES OF UTAH, 1933, AND CHAPTER 10 OF THE LAWS OF UTAH, 1933, SECOND SPECIAL SESSION AND ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 24* was withdrawn.

S. B. No. 91 By Mr. Bowman

AN ACT TO AMEND SECTION 30-0-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE GENERAL POWERS AND DUTIES OF FISH AND GAME COMMISSIONER, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 2 was read the second time.

Committee report read and adopted.

S. J. R. No. 2 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 Bowman, Day, Fen-

nell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Neslen, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Bamberger (explained vote).

Absent and not voting: Senator Calder.

COMMUNICATIONS FROM THE HOUSE

January 28, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 11,* by Mr. Macfarlane, entitled, AN ACT TO AMEND SECTION 15-8-87, REVISED STATUTES OF UTAH, 1933, RELATING TO ANNUAL TAX LEVIES IN CITIES, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 11 was read the first time and referred to Committee on Revenue and Taxation.

January 28, 1935.

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. 8,* by Mr. Huggins, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 8 was referred to the Committee on Revision and Enrolling to be engrossed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 18 was read the second time.

Committee report read and adopted.

S. B. No. 18 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, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Calder, Neslen.

On motion of Senator Parratt the Senate adjourned.

SEVENTEENTH DAY

January 30, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present except Senators Griffin and Neslen, excused.

Prayer by the Chaplain.

January 30, 1935.

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,

CONRAD FRISCHKNECHT,
O. C. BOWMAN.

Report adopted and filed.

REPORTS OF STANDING COMMITTEE

January 30, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 82*, by Mr. Fowles, 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. 82 was ordered printed and referred to the Committee on Trade Regulations.

January 30, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 83*, by Mr. Hammond, entitled "AN ACT PROVIDING FOR THE LEVY OF TAXES IN SCHOOL DISTRICTS; AMENDING SECTION 75-12-11, AND REPEALING 75-12-13 OF THE REVISED STATUTES OF UTAH, 1933," with a few minor changes consented to by the author including correction of the title: "AN ACT PROVIDING FOR THE LEVY OF TAXES IN SCHOOL DISTRICTS; AMENDING SECTION 75-12-11 AND REPEALING SECTION 75-12-13 OF THE REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 83 was ordered printed and referred to the Committee on Revenue and Taxation.

January 30, 1935.

Mr. President:

Your Committeé on Revision and Enrolling reports back *S. B. No. 89,* by Mr. Neslen, 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. 89 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 30, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 14,* by Mr. Holbrook, beg leave to report the same favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 14 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 92 By Mr. Woodward

AN ACT REVISING PARAGRAPH 21, SECTION 1, CHAPTER 20, LAWS OF UTAH, 1933, RELATING TO THE DISPOSITION OF REVENUE DERIVED FROM TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93 By Mr. Hammond

AN ACT AMENDING SECTION 80-10-61 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO REDEMPTION OF PROPERTY SOLD TO THE COUNTY, AND PROVIDING THAT COUNTY COMMISSIONERS MAY, IN CERTAIN CASES, ACCEPT A LESS SUM THAN THE AMOUNT DUE FOR TAXES, INTEREST, PENALTIES AND COSTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94 By Mr. Huggins

AN ACT TO ENCOURAGE AND AID STATE INDUSTRIAL RECOVERY IN CONJUNCTION WITH NATIONAL INDUSTRIAL RECOVERY AND TO AID IN THE ESTABLISHMENT OF INDUSTRY IN THE STATE OF UTAH AND TO EFFECTUATE ITS CONTROL BY LICENSE AND OTHERWISE; DECLARING UNFAIR METHODS OF COMPETITION TO BE UNLAWFUL; TO FOSTER FAIR COMPETITION TO THE END THAT FAIR WAGES WILL BE PAID TO WORKERS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT AND TO GIVE TO THE GOVERNOR THE NECESSSARY AUTHORITY FULLY TO COOPERATE WITH THE PRESIDENT OF THE UNITED STATES AND AGEN-

CIES SET UP BY HIM UNDER THE PROVISIONS OF THE ACT KNOWN AS THE NATIONAL INDUSTRIAL RECOVERY ACT, OR ANY AMENDATORY OR SUPPLEMENTARY ACT THERETO, INCLUDING AUTHORITY TO APPOINT A BOARD TO CARRY OUT THE PROVISIONS OF THIS ACT; PROVIDING FOR THE CONTINUATION OF THE PURPOSES OF CHAPTER 21, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, TOGETHER WITH CODES OF FAIR COMPETITION ADOPTED THEREUNDER; CONTAINING PROVISIONS RELATING TO THE LETTING OF PUBLIC CONTRACTS AND PROVIDING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE ADMINISTRATION OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 2 was read the third time and placed on its final passage.

S. J. R. No. 2 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Fennell, Fowles, Frischknecht, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Griffin, Hammond, Neslen.

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

REPORT OF STANDING COMMITTEE

January 30, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to which has been referred *S. B. No. 8*, by Mr. Huggins, to be engrossed, has been examined by this committee and a like committee from the House who have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same 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.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 18 was read the third time and placed on its final passage.

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

Line 2, strike the comma after the words "purchase" and "Utah".

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

Line 8, insert a comma before and after the word "therefor".

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

Line 8, strike the comma before the word "therefor".

S. B. No. 18 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Hammond, Holbrook, Holmgren, Huggins, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Griffin, Hopkin, Miller, Neslen.

S. B. No. 18 was transmitted to the House.

INTRODUCTION OF BILL

S. B. No. 95 By Mr. Bowman

AN ACT AMENDING SECTION 75-11-3, REVISED STATUTES OF UTAH, RELATING TO THE PRESIDENT, VICE PRESIDENT, CLERK, TREASURER—TERM, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

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 2, line 11, strike the numeral "5".

Line 13, after the numeral "30" insert "-32".

Line 23, after the word "fuel" insert the words "to be".

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

Page 2, line 23, strike the words "to be" and after the word "delivered" strike the period and insert the following: ", or for sale or delivery.".

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

Page 2, line 24, after "Section 3." insert the following: "The state road commission shall establish not to exceed four standard grades of gasoline based upon ratings herein contained and shall require each dispensing pump or other dispensing device used in the retailing of gasoline to have attached thereto a statement that the gas contained therein is of Utah grade number ...., and" and change the capital "T" to a small "t" in the word "The".

Page 2, line 22, after the word "rating" insert the following: "and the grade number".

In the title after the word "FUELS" insert "PROVIDING FOR THE ESTABLISHING OF GRADES".

S. B. No. 21 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, Fennell, Fowles, Frischknecht, Hammond, Holmgren, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Day, Griffin, Holbrook, Hopkin, Huggins, Neslen, Woodward.

S. B. No. 22 was read the second time.

Committee report read and adopted.

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

Page 1, line 11, after the word "streets" insert the following: ", other than designated state highways".

S. B. No. 22 failed to pass on the following roll call:

Yeas, 7; Nays, 8; Absent, 8.

Those voting in the affirmative were: Senators Calder, Fowles, Miller, Musser, Stewart, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Fennell, Hammond, Holmgren, Huggins, Stevens, Wallace.

Absent and not voting: Senators Day, Frischknecht, Griffin, Holbrook, Hopkin, Neslen, Parratt, Royle.

Senator Huggins gave notice that on the next legislative day he would move to reconsider the vote by which *S. B. No. 22* failed to pass.

On motion of Senator Wallace the Senate adjourned.

EIGHTEENTH DAY

January, 31, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 31, 1935.

Mr. President:

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

Respectfully,
CONRAD FRISCHKNECHT,
O. C. BOWMAN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 30, 1935.

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. 8*, by Mr. Huggins, and the same is returned herewith for transmission to the Governor.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk

Communication filed.

S. B. No. 8 was transmitted to the Governor.

January 30, 1935.

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 Mrs. Gibson, Mr. Gammeter and Mr. Lamoreaux, and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
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.

REPORTS OF STANDING COMMITTEES

January 30, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 5*, by Mr. Parratt, begs leave to report the same back favorably with the following amendment:

In Section 3, delete the comma after "January" and delete "1941" in the last line, and insert the following: "next succeeding a determination by the Board of State canvassers of the result of the election designated in Section 2 hereof," and recommend that it be passed.

Respectfully submitted,
IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 5 was placed on the Second Reading Calendar.

January 30, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R.*

No. 3, by Mr. Parratt, begs leave to report the same back favorably with the following amendment:

In Section 3, delete the comma after "January" and delete "1941" in the last line, and insert the following: "next succeeding a determination by the Board of State canvassers of the result of the election designated in Section 2 hereof," and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 3 was placed on the Second Reading Calendar.

January 30, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 4*, by Mr. Parratt, beg leave to report the same back favorably with the following amendment:

In Section 3, delete the comma after "January" and delete "1941" in the last line, and insert the following: "next succeeding a determination by the Board of State canvassers of the result of the election designated in Section 2 hereof," and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 4 was placed on the Second Reading Calendar.

January 31, 1935.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *H. B. No. 5*, beg leave to report the same out without recommendation.

Respectfully,

E. M. ROYLE,
Chairman.

Report filed.

H. B. No. 5 was placed on the Second Reading Calendar.

January 31, 1935.

Mr. President:

We, your Committee on Highways, to which was referred *S. B. No. 23*, by Mr. Calder, beg leave to report the same favorably with the following amendments:

In the title, line 2, the words "of the" be stricken, and a comma inserted.

Page 1, line 2, the words "of the" be stricken, and a comma inserted.

Page 1, line 2, the word "chapter" should be written in lower case.

Page 2, line 1, after the word "town," strike the semi-colon; and strike all the under-lined matter in lines 1 and 2.

Page 3, line 23, the word "commission" should be written in lower case.

Page 3, line 19, change "violaters" to violators.

Page 4, line 22, the word "act" should be written in lower case.

Respectfully submitted,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 23 was placed on the Second Reading Calendar.

January 31, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 9*, by Mr. Neslen, beg leave to report the same back favorably with the following amendments:

On line 1 of the title, strike "OF THE" and insert a comma in lieu thereof.

On line 9 of the title, strike "OF THE" and insert a comma in lieu thereof.

On line 1 of the bill, strike "79-6-3".

On line 2, insert "and" after "79-6-8", insert a comma after "79-6-9", strike "of the", and after "1933" insert a comma.

Page 1, between the lines 3 and 4, insert the numerals "79-6-2".

Page 1, line 15, strike the underlining.

Page 2, line 6, strike the underlining.

Page 2, line 13, strike the underlining.

Page 2, line 17, strike the underlining.

Page 3, line 18, strike the underlining.

Page 4, line 6, strike the misspelled word, "intermittnet" and insert in lieu thereof "intermittent".

Page 4, line 10, change the word "PROVIDED" to lower case, except the first letter thereof.

On page 5, underline the numerals in lines 6, 8, 9, 11, 13, 15, 17, and 21.

On page 5, line 23, strike the underlining.

On page 6, line 21, strike the words "of the" and insert a comma after "1933". and recommend that the same be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 9 was placed on the Second Reading Calendar.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 7*, by Senate Judiciary Committee, by request, 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. J. R. No. 7 was ordered printed and referred to the Committee on Judiciary.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 68*, by Mr. Holbrook, 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. 68 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 70*, by Mr. Holbrook, 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. 70 was ordered printed and referred to the Committee on Education.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 84*, by Mr. Fowles, 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. 84 was ordered printed and referred to the Committee on Judiciary.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 85*, by Mr. Fowles, entitled "AN ACT TO AMEND SECTION 1, CHAPTER

3, TITLE 51 OF THE REVISED STATUTES OF UTAH, 1933, BY AUTHORIZING COUNTY COMMISSIONERS TO MAKE CONTRACTS WITH CITY LIBRARIES FOR THE EXTENSION OF LIBRARY SERVICE TO THE COUNTY OR TO AN ADJOINING COUNTY," with a few minor changes consented to by the author, including changes in the title: "AN ACT TO AMEND SECTION 51-3-1, REVISED STATUTES OF UTAH, 1933, RELATING TO TAX FOR COUNTY PUBLIC LIBRARIES AND AUTHORIZING COUNTY COMMISSIONERS TO MAKE CONTRACTS WITH CITY OR ADJOINING COUNTY LIBRARIES FOR THE EXTENSION OF LIBRARY SERVICE TO THE COUNTY," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 85 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86*, by Mr. Fowles, entitled "AN ACT AMENDING TITLE 42, CHAPTER 4, SECTION 2, REVISED STATUTES OF UTAH, 1933, RELATING TO FIREMEN'S PENSION FUND; PROVIDING FOR ADDITIONAL REVENUE TO SAID FUND," with a few minor changes consented to by the author including change in the title: "AN ACT AMENDING SECTION 42-4-2, REVISED STATUTES OF UTAH, 1933, RELATING TO FIREMEN'S PENSION FUND; PROVIDING FOR ADDITIONAL REVENUE TO SAID FUND," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 86 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 87*, by Mr. Fowles, entitled "AN ACT AMENDING SECTION 80-10-2, TITLE 80, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIEN OF TAXES UPON PERSONAL PROPERTY," with a few minor changes consented to by the author including change in the title: "AN ACT AMENDING SECTION 80-10-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIEN OF TAXES UPON PERSONAL PROPERTY," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 87 was ordered printed and referred to the Committee on Judiciary.

January 30, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 91*, by Mr. Bowman, 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. 91 was ordered printed and referred to the Committee on Fish and Game.

REPORT OF SPECIAL COMMITTEE

January 31, 1935.

Mr. President:

Your committee which was appointed to discuss with the House of Representatives the advisability of joint sessions for February 12 and 22, begs leave to report as follows:

The House of Representatives will not be in session on February 22, but both Houses will undoubtedly be in session on February 12.

It is the recommendation of the committee that the Senate ask the House of Representatives to arrange for a joint session at 2:30 p. m. on February 12, in celebration of Abraham Lincoln's birthday, and that we jointly accept the offer of the Salt Lake Conference of Religious Groups to send a speaker to address the joint session as part of the celebration.

Respectfully,

JULIAN M. BAMGERGER,
Chairman.

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 96 By Mr. Huggins

AN ACT TO PROVIDE FOR UNEQUAL ASSESSMENTS AGAINST SHARES OF STOCK OR IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, RESERVOIR COMPANIES AND WATER USERS' ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 97 (Substitute for S. B. No. 12) By Mr. Neslen

AN ACT RELATING TO AGENTS, SOLICITORS AND REPRESENTATIVES OF FRATERNAL SOCIETIES OR ASSOCIATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 12* was withdrawn.

S. B. No. 98 By Mr. Huggins

AN ACT AMENDING TITLE 79, CHAPTER 4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 54, LAWS OF UTAH, 1933, RELATING TO BARBERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99 By Mr. Fowles

AN ACT RELATING TO THE SALE AND LEASE OF FARM LANDS ACQUIRED BY THE STATE OF UTAH BY VIRTUE OF MORTGAGE FORECLOSURES OR OTHERWISE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100 By Committee on Trade Regulations

AN ACT TO PROVIDE A SYSTEM OF STATE CONTROL OF THE MANUFACTURE, PURCHASE, SALE, IMPORTATION, EXPORTATION, TRANSPORTATION, AND USE OF ALCOHOL AND ALCOHOLIC BEVERAGES; TO CREATE A LIQUOR CONTROL COMMISSION, AND TO PROVIDE FOR THE SALE OF ALCOHOL AND ALCOHOLIC BEVERAGES BY SUCH COMMISSION, TO MAKE AN APPROPRIATION THEREFOR; TO PROVIDE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT; AND TO PROVIDE FOR LOCAL OPTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 101 By Mr. Hammond

AN ACT TO AMEND SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A PROVISION REQUIRING THE BOARDS OR OFFICERS OF THE SEVERAL TAXING DISTRICTS OF THE STATE, IN THE ISSUANCE AND SALE OF THE BONDS OF THEIR RESPECTIVE DISTRICTS, TO OFFER THE SAME TO THE STATE LAND BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102 (Subsitute for S. B. No. 30) By Mrs. Musser, by Request

AN ACT AMENDING TITLE 79, CHAPTER 8 OF THE REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 79-8-18 RELATING TO HAIRDRESSERS AND COSMETICIANS; CONTINUING LICENSES ISSUED PRIOR TO JUNE 26, 1933, AND PROVIDING FOR RENEWALS AND REVOCATIONS was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate S. B. No. 30 was withdrawn.

S. B. No. 103 By Mr. Hammond

AN ACT TO AMEND SECTION 53-2-1, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A PROVISION REQUIRING THE BOARDS OR OFFICERS OF THE SEVERAL TAXING DISTRICTS OF THE STATE, IN THE ISSUANCE AND SALE OF THE BONDS OF THEIR RESPECTIVE DISTRICTS, TO OFFER THE SAME TO THE BOARD OF LOAN COMMISSIONERS was read the first time and referred to the Committee on Revision and Enrolling.

Senator Huggins moved to reconsider *S. B. No. 22* on second reading.

Motion carried.

S. B. No. 22 was placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 21 was read the third time and placed on its final passage.

Senator Wallace moved that *S. B. No. 21* be made a special order of business for tomorrow, February 1st, at 10:20 A. M., and that a committee be appointed to provide for grades and grading of gasoline in the bill.

Motion carried.

The President appointed a committee consisting of Senators Wallace, Holbrook and Stewart to which *S. B. No. 21* was referred.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 22 on second reading.

S. B. No. 22 failed to pass on the following roll call:

Yeas, 6; Nays, 15; Absent, 2.

Those voting in the affirmative were: Senators Calder, Huggins, Miller, Parratt, Stewart, Woodward.

Those voting in the negative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Musser, Royle, Stevens, Wallace.

Absent and not voting: Senator Neslen and President Maw.

S. B. No. 15 was read the second time.

Committee report read and adopted.

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

Lines 6 and 7 of the title, strike the following: "To The Revised Statutes of Utah, 1933,".

Page 14, line 1, after the word "stop" strike the word "and" and insert "such vehicle and the same shall" also strike the last word "standing" and insert the word "stopped."

S. B. No. 15 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, Day, Fennell, Fowles, Frischknecht, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Calder, Griffin, Hopkin, Neslen, Royle.

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. **Adjournment. 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 preare 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, ETC.

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 and Memorials.** Joint resolutions and memorials are those relating to matters to be treated by both houses of the legislature. Concurrent resolutions and memorials are similar resolutions and memorials requiring concurrance of the governor.

14. **Procedure on Joint and Concurrent Resolutions and Constitutional Amendments.** Joint resolutions and memorials concurrent resolutions and memorials 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 repealing 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 reenacted 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 the preparation of a bill amending an existing law, and in the printing thereof, all omissions must be shown by the insertion of heavy parenthesis, without including the omitted matter, and all additions must be shown by underlining the new matter; except in new laws and where new sections are added to existing laws.

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 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. **Printing of Identical Bills.** When a bill has been printed in one house, an identical bill shall not be printed in full in the other house, but shall be printed by designation and title only and with a reference to the subject matter of the corresponding bill of the other house, except upon specific vote of the majority of such house.

Neither house, except upon vote of a majority of such house, shall give consideration to a bill unless such bill shall have been referred to the appropriate committee of the house in which it was introduced, examined by such committee, revised if necessary and reported back.

23. **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.

24. **Endorsement 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

25. **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.

26. **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.

27. **By Whom Sent.** Messages shall be sent to the other house by an officer or employee to be designated by the secretary of the senate, if it be a senate message, or by the chief clerk, if it be a house message, and all such messages shall be in writing, signed by the secretary of the senate or clerk of the house respectively.

CONFERENCE COMMITTEES

28. **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.

29. **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 di-

rect 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.

30. **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.

31. **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

32. **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.

33. **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.

34. **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.

35. **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.

36. **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

37. **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.

38. **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

39. **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.

40. 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.

41. 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 substitution shall not extend beyond an adjournment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) To have supervision over all 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 may, during its session, punish by imprisonment any person not a member, who shall be guilty of disrespect to the senate, by any disorderly or contemptuous behavior in its presence but such imprisonment shall not at any time exceed twenty-four hours, unless the person shall persist in such disorderly or contemptuous behavior.

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

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

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

52. **Committee Amendments, How Reported; Speaking on Amendments.** Amendments reported by a committee shall refer to the printed bill and shall not be inserted in the original bill until after such amendments shall have been adopted by the senate, when they shall be properly inserted by the secretary. A copy of the printed bill with all proposed amendments entered thereon shall accompany the committee's report. Such committee amendments shall be inserted in the 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 percuniary 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 nay." 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 con-

sidered 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, memorials, motions and notices.
8. Introduction of bills.
9. Unfinished business.
10. Consideration of resolutions and memorials.
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 revision 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.

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, eleven members.
3. Banking and Commerce, seven members.
4. Education, seven members.
5. Fish and Game, seven members.
6. Health and Labor, five members.
7. Highways, seven members.
8. Judiciary, seven members.
9. Mining and Smelting, five members.
10. Public Institutions, seven members.
11. Revenue and Taxation, twelve members.
12. Revision and Enrolling, three members.
13. Rules and Contingent Expenses, three members.
14. Social Relations and Relief, nine members.
15. State and Municipal Affairs, seven members.
16. Trade Regulations, eleven 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; Sub - committees.** A majority of any committee shall constitute a quorum for the transaction of business. Sub-committees, who shall re-

port 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. **Nine Copies of Bills Required.** Nine typewritten copies of every bill, resolution, or memorial shall be furnished the secretary by the senator introducing the same before the bill shall be accepted by the secretary for introduction.

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

88. **Report of Committee on Revision and Enrolling.** The committee on revision and enrolling shall report back all bills in the order which they were sent to it. The committee report shall give a brief statement of the findings of the committee concerning any point or matter which in the opinion of the committee should be called to the attention of the author or the senate. The committee 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 revision and enrolling and carefully examined as provided by Joint Rule No. 33. 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 revision 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. 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.

COMMITTTES 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, amended, 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 or 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. It shall be the duty of the sergeant-at-arms to admit no one except upon the invitation of the 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.

On motion of Senator Huggins the Senate adjourned.

NINTEENTH DAY

February 1, 1935.

The Senate was called to order at 10:00 A. M. President Maw in the chair.

Roll Call—All Senators present except Senator Neslen.

Prayer by the Chaplain.

February 1, 1935.

Mr. President:

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

Respectfully,

CONRAD FRISCHKNECHT,
O. C. BOWMAN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 31, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 23*, by Mr. Murdoch, entitled, "AN ACT TO REQUIRE A LICENSE FOR THE FURNISHING OR SELLING OR USING OF STAMPS, COUPONS, TICKETS, CERTIFICATES, CARDS, OR OTHER SIMILAR DEVICES WHICH SHALL ENTITLE THE PURCHASER RECEIVING THE SAME ON A SALE OF MERCHANDISE, TO OTHER MERCHANDISE FREE OF CHARGE OR AT LESS THAN THE RETAIL MARKET PRICE THEREOF; TO REQUIRE A LICENSE FEE THEREFOR AND PROVIDING A PENALTY," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 23 was read the first time and referred to Committee on Trade Regulations.

January 31, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 22*, by Mr. Murdoch, entitled "AN ACT TO REQUIRE THE REDEEMABLE CASH VALUE OF A TRADING STAMP, CASH DISCOUNT STAMP, CHECK, TICKET, COUPON, OR OTHER SIMILAR DEVICE TO BE LEGIBLY PRINTED OR WRITTEN UPON THE FACE THEREOF IN CENTS; TO REQUIRE THE REDEMPTION OF SUCH DEVICES EITHER IN MERCHANDISE OR IN CASH AT THE OPTION OF THE HOLDER; TO REQUIRE THAT ANY NUMBER OF THEM SHALL BE REDEEMED

WHEN PRESENTED; TO REQUIRE THE DISTRIBUTOR TO THUS REDEEM THEM IF THE ISSUER DOES NOT; AND PROVIDING A PENALTY," and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 22 was read the first time and referred to Committee on Trade Regulations.

January 31, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. C. M. No. 2,* by Mr. Pectol, entitled "A MEMORIAL TO CONGRESS OF THE UNITED STATES AGAIN REQUESTING THE CREATION OF A NATIONAL PARK IN WAYNE COUNTY, UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. M. No. 2 was read the first time and referred to Committee on State and Municipal Affairs.

INTRODUCTION OF BILLS

S. B. No. 104 By Mr. Woodward

AN ACT RELATING TO THE MAKING OF RETURNS OF SALES AND AMENDING SECTION 5 OF THE EMERGENCY REVENUE ACT OF 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105 By Mr. Huggins

AN ACT TO CREATE A STATE BOARD OF SHORTHAND REPORTERS AND 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. 106 By Mr. Miller and Mr. Holbrook

AN ACT RELATING TO THE REDEMPTION OF REAL ESTATE SOLD FOR DELINQUENT TAXES FOR THE YEARS 1928 TO 1934, BOTH INCLUSIVE, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 21 on final passage.

REPORT OF SPECIAL COMMITTEE

February 1, 1935.

Mr. President:

Your special committee begs leave to recommend that *S. B. No. 21* be amended as follows:

Page 1, line 4, strike "following", and after "specifications" strike the colon and add "and grades to be fixed by the state road commission under authority of this act".

Page 1, strike lines 5 to 18 inclusive.

Page 2, strike lines 1 to 18 inclusive. Page 2, line 22, strike the senate amendment. On this same page and line strike "octane rating" and insert "grade number."

Strike senate amendment line 24 and insert "The state road commission shall establish not to exceed four standard grades of gasoline based upon scientific tests and ratings, and shall require each dispensing pump or other dispensing device used in the retailing of gasoline to have attached thereto a statement that the gas contained therein is of Utah grade number ....., and".

Respectfully,

JOHN M. WALLACE,
Chairman.

Report adopted and filed.

On motion of Senator Bamberger the bill was amended as follows: Line 1 of the title after the word "Prescribing" insert "For Establishment of", and after the word "Specifications" insert "and Grades". Strike the senate amendment after the word "Fuels" in line 5.

On motion of Senator Calder *S. B. No. 21* was made a special order of business for Monday, February 4, at 2:30 P. M.

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 Bamberger the bill was amended as follows: Page 4, line 15 after the word "and" insert "the vehicle shall".

Page 19, line 27 stike all material after the second parenthesis and on line 28 strike the words "used" and "that", and insert on line 27 in lieu of the stricken material the following: "which shall be affixed to such vehicle in such a manner that". Line 31 after the word "vehicle" strike the period and insert ", provided that this shall not apply to authorized emergency vehicles.".

On motion of Senator Holbrook the bill was amended as follows: Strike the whole of line 14 on page 10 and after the word "chapter" on line 16 insert the following: "speeds at all times shall be reasonable

and safe under the general conditions prevailing upon the highway, provided such speed shall not exceed fifty miles per hour.".

On motion of Senator Hammond the bill was amended as follows: Page 3 at the beginning of line 20 insert "on and after July 1, 1936" and place the word "No" in lower case.

On motion of Senator Bamberger the bill was amended as follows: Page 25, line 11 strike the second word "in" and insert the word "to" in lieu thereof.

S. B. No. 15 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Holbrook and Neslen.

S. B. No. 15 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 107 By Mrs. Musser, by request

AN ACT AMENDING SECTION 79-1-5 REVISED STATUTES OF UTAH, 1933, RELATING TO COMMITTEES UNDER THE DEPARTMENT OF REGISTRATION, BY ADDING THERETO SUBSECTION (17) AND AMENDING TITLE 79 REVISED STATUTES OF UTAH, 1933, RELATING TO THE DEPARTMENT OF REGISTRATION BY ADDING A NEW CHAPTER THERETO TO BE KNOWN AS CHAPTER 14 OF TITLE 79, RELATING TO THE PROFESSION OF MUSIC, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108 By Mr. Royle

AN ACT TO AMEND SECTION 80-5-64, REVISED STATUTES OF UTAH, 1933, RELATING TO THE COLLECTION OF TAXES ON MINES AND MINING CLAIMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109 By Mr. Royle

AN ACT TO AMEND SECTIONS 80-5-56 AND 80-5-57, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ASSESSMENT OF MINES AND MINING CLAIMS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Parratt the Senate adjourned.

TWENTY-SECOND DAY

February 4, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 4, 1935.

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,

CONRAD FRISCHKNECHT,
O. C. BOWMAN.

Report adopted and filed.

The President appointed Senators Calder and Holmgren to revise the Journal for the week ending February 9, 1935.

COMMUNICATIONS FROM THE HOUSE

February 2, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House desires to meet with the Senate in joint convention at 2:30 p. m., February 12th, in the House Chamber, in celebration of Abraham Lincoln's birthday, and to jointly accept the offer of the Salt Lake Conference of Religious Groups to send a speaker to address the joint convention as part of the celebration.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the above invitation was accepted.

February 1, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. M. No. 1*, by Mr. Gammeter, entitled, "A MEMORIAL TO THE CONGRESS OF THE UNITED STATES REQUESTING THE CREATION OF NAVAJO NATIONAL PARK IN SAN JUAN COUNTY," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

January 31, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 3*, by Mr. Twitchell, entitled, "AN ACT AMENDING SECTION 80-10-68, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 62, LAWS OF UTAH, 1933, RELATING TO THE SALE, LEASING AND TAXING OF LANDS PROCURED BY COUNTIES THROUGH AUDITORS TAX DEED," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 3 was read the first time and referred to Committee on State and Municipal Affairs.

February 1, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. R. No. 1*, by Mrs. Musser, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

COMMUNICATION FROM THE GOVERNOR

February 1, 1935.

To the Legislature:

Pursuant to the provisions of Section 87-2-7, Revised Statutes of Utah, 1933, I am pleased to place before you my budget for the biennium commencing July 1, 1935, and ending June 30, 1937. This budget and accompanying tabulated data will provide you with information concerning the financial affairs of the state.

The estimated revenues for the ensuing biennium have been brought up to date by the Budget Division of the Department of Supplies and Purchase. The total available to meet all demands on the State General Fund for the period is shown to be $4,927,487.50.

I direct your attention to pages 85-88 of the general budget. You will find there in vertical columns:

(1) Appropriations 1929-1931.

(2) Appropriations 1931-1933.

(3) Appropriations 1933-1935.

(4) Department requests.

(5) Governor's budget 1935-1937.

(6) Suggested budget contingent on legislative approval.

Proposed appropriations, not from General Fund revenues, will be found on page 89.

Under the law, the Governor is limited in his powers and may not budget in excess of his estimate of total revenues for the biennium, which estimate must be based on laws as they exist. The budget herewith presented to you in column 5, pages 85-88, reflects the apportionment believed just to the several participants in the estimated avialable total of General Fund revenues found on page 84. The total of budgeted items is $4,916,603.87 or $10,883.63 less than the estimated revenue.

While this budget is necessary to carry out the intent of the governing statute, the amounts possible to be allotted to various departments, boards, commissions, institutions and organizations are too low to be satisfactory to me, and I am sure would be a serious handicap to the proper administration of the laws of the state, and therefore detrimental to the interests of the people.

DEPARTMENTAL NEEDS

Two years of experience in attempting to operate state government on drastically reduced legislative appropriations have served to prove that there is a point in expenditures below which it is not economical to go. That point was reached and passed during the present biennium.

Time after time department heads have come to me during the period and frankly said it was impossible to function according to law without additional funds. I have felt completely sympathetic, and have so stated. However, we had accepted a mandate to reach the end of the biennium, if possible, with a balanced budget. It was, therefore, necessary to decline to allow deficits. To the credit of those in charge of important state departments it can be said they accepted the situation without serious complaint and used appropriated funds to the greatest advantage. Many departments, however, have been compelled to discontinue important inspection work and field supervision of activities coming within the scope of their prescribed duties. For instance, the Tax Commission reports large amounts of past due taxes, which could be collected at reasonable cost if additional field auditors were employed; the Board of Agriculture has been compelled to drop vital phases of its work, valuable to agriculturists; the Industrial Commission has been unable to carry on proper inspection essential to the protection of miners and other workers; the Public Utilities Commission likewise has been unable to discharge in full its duties. Other departments also have been hampered, but detailed enumeration is unnecessary here.

Educational institutions supported by the General Fund have suffered acutely under reduced appropriations. With increasing enrollment and higher operating expenses, it is obviously necessary that more adequate appropriations be provided if Utah's high rating in education is to be maintained.

The public now expects and demands more of the State government than ever before, in spite of the people's own pleas for economy. Regardless of, if not because of, the present economic depression, State departments are constantly met with requests for assistance and services never before required.

There should be no relaxation in the policy of rigid control of expenditures, but I cannot close my eyes to the necessity of some increase of appropriations to meet the present demonstrated needs. When I delivered my message to the regular session of the Twentieth Legislature,

I stressed the necessity for economy in every branch of government, but I said:

"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."

With the thought in mind of attempting to provide more adequately for the needs of all institutions and departments of the state government, I have prepared in addition to the official budget found on pages 85-88, a suggested or contingent allotment of funds which seems more nearly to cover imperative requirements. In the budget tabulations, this suggested allotment parallels the official figures. It will be seen that this column carries a total of $5,298,836.87. This total uses the proposed expenditures for debt service for the biennium of $863,344.32. Use of this figure is contingent upon the acceptance of a plan which I shall later herein propose, the effect of which will be to reduce bond redemption requirements for the coming biennium by $500,000, from $1,363,344.32 to $863,344.32. This set-up is designed to assist the Legislature and its appropriation committees in the discharge of their important duties. It is recognized, of course, that the Governor's budget is intended to be helpful, but not controlling. That being true of this budget, it follows that it is even more so of the contingent apportionment of funds.

FINANCIAL PLAN

Assuming that it will be your wish to give consideration to this suggested increase of appropriations, the problem next to be met is how to provide finances to cover the additional proposed expenditures.

The most obvious method is to look to the field of taxation for increased revenues. I am against increased taxation if it can possibly be avoided. I believe in the present instance it can be made unnecessary.

What I have in mind leads to a consideration of the bond issue authorized by the Twentieth Legislature. It will be recalled that in order to fund and refund an indebtedness approximating $2,000,000 that had accrued prior to the present biennium, the Legislature, at the regular session in 1933, authorized a bond issue in the amount of $2,000,000. In taking the steps necessary to provide for the issuance of these bonds, $1,000,000 of which were to be issued to refund short term notes, and $1,000,000 for the purpose of paying deficits theretofore incurred by the State due to a shrinkage in revenues, it was found that only $1,945,000 of the bonds could be issued. This was due to the fact that as of the date the law authorizing the bonds became effective, which was February 7, 1933, the actual deficit was only $945,000 in addition to the $1,000,000 short term notes. Therefore, only $1,945,000 of the bonds were issued and all of these were sold to the redemption funds of the State, none having been disposed of in the market. The bonds bear interest at the rate of 4 per cent and mature serially $250,000 on April 1st in each of the years 1935 to 1941, with a final installment of $195,000 on April 1, 1942.

I propose that you authorize the refunding of this bond issue so that the term of the bonds can be lengthened and the first date of maturity

deferred several years. This will release the sum of $250,000 from the amount appropriated in 1933 to meet the payment due in 1935, and this unexpended amount will, therefore, remain in the General Fund at the end of this biennium to assist in covering the appropriations made at this session. Likewise the $250,000 due April 1, 1936, and the $250,000 due April 1, 1937, will not be required and the debt service for the coming biennium will be reduced by $500,000. Since prevailing interest rates for bonds such as the obligations of the State of Utah are extremely low at this time, refunding bonds can if desired be issued at a lower rate of interest than the 4 per cent which the bonds now carry. While it would seem to me at the present time that the first installment of the refunding bonds should mature in 1940, I believe that the State Board of Loan Commissioners should be permitted some latitude so that, after a careful study, bonds may be issued to mature at such times as the Board feels will best serve the purposes of the State. I have consulted bond authorities and the Attorney General's Department and am assured that there are no legal difficulties involved beyond the necessity that this Legislature provide by law for the refunding operation. An appropriate bill is being prepared to effectuate this plan, and I shall be pleased to present it to you in due time. I recommend its approval.

If you concur in this recommendation, the estimated revenue for the ensuing biennium will be increased from $4,927,487.50 by the addition of $250,000 saved to the General Fund by reason of that amount being not required for bond redemption April 1, 1935, bringing the total of estimated revenue to $5,177,487.50. At the same time the requirement for redemption funds during the biennium 1935-1937 now fixed at $1,363,-344.32 will be reduced by $500,000 to a balance of $863,344.32, which agrees with the debt service total set up in column 6, page 85, of the biennial budget.

There is reason to defer payment at least until 1940 because that year and thereafter will find the state bonded indebtedness, if there are no new bond issues, in such a favorable position that it will be easier to carry the load. It is obvious that in times like these the State will do remarkably well if it operates within current revenue with a balanced budget. It should not be expected to carry too heavy a burden for payment of debts accumulated in the past.

The effect of this proposed refunding plan, if adopted, will be to release $750,000 of General Fund revenues, now obligated for state bond redemption, and to add that amount to the total available for appropriation to state departments and institutions.

There will be required from other revenue sources $121,349.37, if this Legislature decides to appropriate the full amount shown in the suggested allotment column. This excess includes $50,000 provided for the expenses of the Twenty-second Legislature, which amount has never heretofore been set up as an anticipated expense. It is believed the relatively small sum of $121,349.37 will accrue to the General Fund from additional fees, etc., provided in various measures now before the Legislature or to be submitted for your action. It is my thought that before you finally pass the appropriation bill it will be possible to determine whether this amount has been safely covered, and if not, the suggested appropriations may be reduced to a point that the total will not exceed the estimated revenue of $5,177,487.50.

BUDGET CONTROL

A word should be said in behalf of the executive type of budget which is now functioning under the provisions of Chapter 78, Laws of

Utah, 1933. This act provides for a controlled budget, under which expenditures are constantly checked against appropriations. The system makes it possible and desirable that lump sum appropriations be made as was done by the Twentieth Legislature. This permits adjustments back and forth between items of departmental appropriations, which tends to promote economy. I recommend that this plan be followed the coming biennium.

By reason of a wise provision of law enacted by the Twentieth Legislature, the Governor is able to make transfers from one appropriated fund to another. This law served a good purpose and should be continued in effect with reference to appropriations made at this session. It makes for efficiency in budget control.

The budgetary system now employed in this state is a modern plan of controlling expenditures. Without it there would have been greater difficulty in handling the serious problems of the present biennium.

The Budget Division calls my attention to the fact that the accounting system now employed in its offices makes unnecessary the holding of appropriation accounts open until September 30, following the end of each biennium. Under the efficient control system final and complete reports can be furnished a few days after June 30, showing the incumbrances against appropriations. These obligations can all be paid and the accounts closed by July 31.

BONDED INDEBTEDNESS

On page 93 will be found a table showing the state's bonded debt. The constitutional debt limit of the state, based upon $515,000,000 of assessed valuation, is $7,725,000. The net indebtedness on June 30, 1934, was $6,672,500, or $1,052,500 below the debt limit.

APPROPRIATION BILLS

As required by law, I am presenting to you an appropriation bill containing the proposed appropriations of the budget. This is based on my estimate of available revenue.

In addition thereto, a bill has been prepared showing the suggested increased allotments that may be budgeted in the event you concur in recommendations as to the refunding of bonds, and if the additional sum can be added from new sources of revenue as hereinbefore discussed.

CONCLUSION

It is believed that the figures compiled in tabular form and presented to you herewith need no detailed explanation, and I shall therefore refrain from further comment.

I shall be pleased to cooperate with you and your committees during consideration of appropriation and budgetary matters.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

Proposed appropriation bill referred to the Committee on Appropriations and Claims.

The President introduced Mayor Louis Marcus, Mayor of Salt Lake City.

COMMUNICATIONS FROM THE HOUSE

February 1, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 17*, by Mr. Holbrook, entitled "AN ACT TO AMEND SECTION 3-13-23, REVISED STATUTES OF UTAH, 1933, RELATING TO WEIGHTS AND MEASURES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 17 was read the first time and referred to Committee on State and Municipal Affairs.

February 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 26*, by Mr. Holbrook, entitled, "AN ACT TO AMEND SECTION 3-8-2 AND 3-8-10, REVISED STATUTES OF UTAH, 1933, RELATING TO COMMERCIAL FEEDING STUFFS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH.
Chief Clerk.

Communication filed.

H. B. No. 26 was read the first time and referred to Committee on Agriculture.

February 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House desires to meet with the Senate in joint committee February 6 at 10 a. m. at the House Chamber for the purpose of hearing proponents of the state store plan and license plan, for the control of liquor. Each side to be allowed not more than one hour.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Fowles the invitation was accepted.

REPORTS OF STANDING COMMITTEES

February 1, 1935.

Mr. President:

Your Committee on State and Municipal Affairs begs leave to report *H. C. M. No. 2*, by Mr. Pectol, out favorably with the following amendments:

In line 3, the numerals 1932-1933 be stricken, and the words "twentieth session of the" be inserted, and that after the word "legislature" the words "of the state" be inserted.

In line 15, after the word "legislature", the words "of the state of Utah" be inserted.

In line 21, after the word "to", insert "the president of the United States,". Before the word "senate" insert the words "United States". Before the word "house", insert the words "United States".

Respectfully submitted,

JULIAN M. BAMGERGER,
Chairman

Report filed.

H. C. M. No. 2 was placed on the Second Reading Calendar.

February 4, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 57*, by the Committee on Revenue and Taxation, by request, beg leave to report the same out favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

February 1, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 36*, by Judiciary Committee, by request, entitled, "AN ACT TO AMEND SECTION 105-44-13 AND REPEALING SECTION 105-44-26 AND SUBSTITUTING THREE SECTIONS IN LIEU THEREOF, ALL RELATING TO BAIL BONDS IN CRIMINAL CASES," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT TO AMEND SECTION 105-44-13 AND REPEALING SECTION 105-44-26 AND SUBSTITUTING THREE SECTIONS IN LIEU THEREOF TO BE KNOWN AS 105-44-26, 105-44-26X AND 105-44-26X1, REVISED STATUTES OF UTAH, 1933, ALL RELATING TO BAIL BONDS IN CRIMINAL CASES," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 36 was ordered printed and referred to the Committee on Judiciary.

February 1, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 51*, by Judiciary Committee, by request, entitled: "AN ACT RELATING TO THE RULES OF PLEADING IN CRIMINAL CASES AND THE FORMS OF INFORMATIONS AND INDICTMENTS; ALSO PROVIDING FOR A MOTION TO QUASH INFORMATIONS AND INDICTMENTS AND ABOLISHING DEMURRERS TO INFORMATIONS AND INDICTMENTS, AND REPEALING CHAPTER 24, TITLE 105, REVISED STATUTES OF UTAH, 1933, with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT RELATING TO THE RULES OF PLEADING IN CRIMINAL CASES AND THE FORMS OF INFORMATIONS AND INDICTMENTS; ALSO PROVIDING FOR A MOTION TO QUASH INFORMATIONS AND INDICTMENTS AND ABOLISHING DEMURRERS TO INFORMATIONS AND INDICTMENTS, AND REPEALING CHAPTERS 21, 23 AND 24, TITLE 105, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW CHAPTERS 21 AND 23 OF TITLE 105, REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 51 was ordered printed and referred to the Committee on Judiciary.

February 4, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, by Mr. Hammond, entitled "AN ACT AMENDING SECTION 80-10-61 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO REDEMPTION OF PROPERTY SOLD TO THE COUNTY, AND PROVIDING THAT COUNTY COMMISSIONERS MAY, IN CERTAIN CASES, ACCEPT A LESS SUM THAN THE AMOUNT DUE FOR TAXES, INTEREST, PENALTIES AND COSTS," with a few minor changes consented to by the author including change in the title as follows: "AN ACT AMENDING SECTION 80-10-61, REVISED STATUTES OF UTAH, 1933, RELATING TO REDEMPTION OF PROPERTY SOLD TO THE COUNTY, AND PROVIDING THAT COUNTY COMMISSIONERS MAY, IN CERTAIN CASES, ACCEPT A LESS SUM THAN THE AMOUNT DUE FOR TAXES, INTEREST, PENALTIES AND COSTS," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 93 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, (Substitute for S. B. No. 12), by Mr. Neslen, 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. 97 was ordered printed and referred to the Committee on Banking and Commerce.

February 4, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 104*, by Mr. Woodward, entitled "AN ACT RELATING TO THE MAKING OF RETURNS OF SALES AND AMENDING SECTION 5 OF THE EMERGENCY REVENUE ACT OF 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT RELATING TO THE EMERGENCY REVENUE ACT OF 1933; THE MAKING OF RETURNS OF SALES AND AMENDING SECTION 5, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 104 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 106*, by Mr. Miller and Mr. Holbrook, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 106 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 105*, by Mr. Huggins, 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. 105 was ordered printed and referred to the Committee on Judiciary.

SPECIAL ORDER

S. B. No. 21 on final passage.

S. B. No. 21 passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Neslen, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fowles, Hopkin, Royle.

S. B. No. 21 was transmitted to the House.

Senator Bamberger moved that when the Senate adjourns Wednesday, February 6th, it be until Friday, February 8th, at 2:00 P. M.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 110 By Mr. Neslen

AN ACT REPEALING SECTIONS 79-12-4 AND 79-12-5, REVISED STATUTES OF UTAH, 1933, AND AMENDING SECTION 79-12-7, REVISED STATUTES OF UTAH, 1933, PERTAINING TO AND ABOLISHING THE RECOGNITION OF ASSISTANT PHARMACISTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 111 By Mr. Huggins

AN ACT TO REGULATE THE PRACTICES OF PROFESSIONAL ENGINEERING AND LAND SURVEYING; PROVIDING FOR THE ADMINISTRATION OF THIS ACT THROUGH THE DEPARTMENT OF REGISTRATION; CREATING A COMMITTEE OF ENGINEERING EXAMINERS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND DEFINING ITS POWERS AND DUTIES; ALSO IMPOSING CERTAIN DUTIES UPON THE STATE AND POLITICAL SUBDIVISIONS THEREOF IN CONNECTION WITH PUBLIC WORK; AND PROVIDING PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112 By Mr. Fennell

AN ACT TO PURCHASE OR BUILD A HOME FOR THE GOVERNOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 113 By Mr. Fowles

AN ACT TO APPROPRIATE $600 ANNUALLY UNTIL 1942, OR SO MUCH THEREOF AS MAY BE NECESSARY FOR THE BEN-

EFIT OF CHILDREN ATTENDING OR WHO MAY HEREAFTER ATTEND EDUCATIONAL INSTITUTIONS WHO ARE CHILDREN OF THOSE KILLED IN ACTION OR WHO DIED FROM OTHER CAUSE WHILE SERVING IN THE ARMY, NAVY, OR MARINE CORPS, OF THE UNITED STATES, DURING THE WORLD WAR; FOR THE PURPOSE OF PAYING EXPENSES OF SUCH EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 114 By Mr. Fowles

AN ACT AMENDING SECTION 86-1-13, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1933, RELATING TO THE PAYMENT OF THE EXPENSES OF THE STATE LAND OFFICE, AND PROVIDING A FUND OUT OF WHICH SAID EXPENSES SHALL BE PAID, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Holbrook consideration of *S. B. Nos. 1* and *88* on the Second Reading Calendar was deferred until tomorrow, February 5th.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 16 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles *S. B. No. 16* was made a special order of business for Friday, February 8th, at 2:30 P. M.

S. B. No. 25 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles *S. B. No. 25* was recommitted to the Judiciary Committee.

S. B. No. 14 was read the second time.

Committee report read and adopted.

S. B. No. 14 failed to pass on the following roll call:

Yeas, 6; Nays, 15; Absent, 2.

Those voting in the affirmative were: Senators Calder, Frischknecht, Holbrook, Hopkin, Musser, Parratt.

Those voting in the negative were: Senators Bamberger (explained vote), Bowman, Day, Fennell, Fowles, Griffin (explained vote), Hammond, Holmgren, Huggins, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Miller, Neslen.

S. J. R. No. 5 was read the second time.

Committee report read and adopted.

S. J. R. No. 5 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, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond (explained vote), Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Hopkin and Neslen.

S. J. R. No. 3 was read the second time.

Committee report read and adopted.

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

Page 1, line 11, underscore the word "or".

S. J. R. No. 3 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, Bowman, Calder, Fennell, Fowles, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Griffin, Neslen, Royle.

S. J. R. No. 4 was read the second time.

Committee report read and adopted.

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

Captalize the first letters in the following: Line 2, "constitution, state", line 3, "public, school"; line 4, "state board of education" and line 5, "legislature".

S. J. R. No. 4 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, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senator Neslen.

H. B. No. 5 was read the second time.

Committee report read and adopted.

H. B. No. 5 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 (explained vote), Bowman, Calder, Day (explained vote), Fennell, Fowles, Frischknecht (explained vote), Griffin, Hammond (explained vote), Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Neslen.

S. B. No. 68, by Mr Holbrook, was returned from the Committee on State and Municipal Affairs and reassigned to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS

S. B. No. 115 By Mr. Stevens

AN ACT TO AMEND SECTION 93-1-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO CIGARETTES AND OLEOMARGARINE; AND THE GIVING OF BONDS AS A CONDITION PRECEDENT TO OBTAINING A LICENSE, was read the first time and referred to the Commitee on Revision and Enrolling.

S. B. No. 116 (Substitute for S. B. No. 80) By Mrs. Stewart

AN ACT RELATING TO THE GROUPING AND CONSOLIDATING OF SCHOOL DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 80* was withdrawn.

REPORT OF STANDING COMMITTEE

February 4, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 1,* by Mrs. Musser, to be engrossed, has been examined by this committee and a like committee from the House who have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same 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.

On motion of Senator Bowman the Senate adjourned.

TWENTY-THIRD DAY

February 5, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll call—All Senators present.

Prayer by the Chaplain.

February 5, 1935.

Mr. President:

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

Respectfully,

HYRUM B. CALDER,
ALBERT E. HOLMGREN.

Report adopted and filed.

COMMUNICATION FROM THE SECRETARY OF STATE

February 5, 1935.

President H. B. Maw,
Utah State Senate,
Building.

My Dear Mr. President:

I have the honor to transmit to you herewith Certificate of Appointment by His Excellency Governor Henry H. Blood, of Hon. Paul H. Ray, a senator from the 6th Senatorial District of the State of Utah, to fill the unexpired term of Hon. C. Clarence Neslen, resigned, as appears of record in my office.

Very respectfully,

M. H. WELLING,
Secretary of State.

Communication filed.

Certificate of appointment of Hon. Paul H. Ray attached.

Senator Miller moved that a committee of three be appointed by the President to investigate the business connections of the appointee and to report the same to the Senate and that the same be printed in the Journal.

Senator Fowles with the aid of four Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 8; Nays, 15; Absent, 0.

Those voting in the affirmative were: Senators Bowman (explained vote), Calder, Frischknecht, Griffin (explained vote), Miller, Royle (explained vote), Stevens, Woodward.

Those voting in the negative were: Senators Bamberger, Day (explained vote), Fennell, Fowles, Hammond (explained vote), Holbrook (explained vote), Holmgren (explained vote), Hopkin, Huggins (explained vote), Musser, Neslen, Parratt, Stewart, Wallace, Mr. President.

The President directed the Secretary to read the certificate of appointment of Hon. Paul H. Ray. The certificate was read and ordered filed with the Secretary of State.

The oath of office was administered to Senator Ray by President Maw.

The President introduced the Honorable C. Clarence Neslen who expressed his appreciation for his association in the Senate.

Senator Bamberger on behalf of the Senate commended highly the excellent contribution of Senator Neslen to the Committee of Nine.

Senator Miller moved that the Senate unanimously welcome Senator Ray as a member of the Senate.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

February 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 19,* by Mr. Holbrook, entitled, "AN ACT TO AMEND SECTIONS 3-7-3 AND 3-7-4, REVISED STATUTES OF UTAH, 1933, RELATING TO THE SALE OF EGGS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 19 was read the first time and referred to Committee on Agriculture and Irrigation.

February 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 21,* by Mr. Holdaway, entitled, "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 herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 21 was read the first time and referred to Committee on Agriculture and Irrigation.

February 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 27*, by Mr. Edman, entitled, "AN ACT CREATING A PENSION FOR EMPLOYEES OF THE UTAH STATE HOSPITAL WHO HAVE RENDERED CERTAIN CONTINUOUS EMPLOYMENT AND HAVE REACHED CERTAIN AGES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 27 was read the first time and referred to Committee on Appropriations and Claims.

February 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 28*, by Mr. Stevens, and the same is transmitted herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Stevens the Senate concurred in the House amendments.

S. B. No. 28 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Musser.

S. B. No. 28 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

February 4, 1935.

Mr. President:

Your Committee on Education begs leave to report *S. B. No. 55*, by Mr. Hammond, out favorably with the following minor changes consented to by the author:

In the second line of the title insert a comma after the word "Utah".

In line 1, insert commas before and after "1933".

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 55 was placed on the Second Reading Calendar.

February 5, 1935.

Mr. President:

Your Committee on Education begs leave to report out favorably *S. B. No. 71,* by Mr. Hammond.

Respectfully,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

February 5, 1935.

Mr. President:

Your Committee on Education begs leave to report *S. B. No. 76,* by Mr. Hammond, out favorably with the following minor amendments:

On line 3, after the word "a", insert "total local".

At the end of line 14, add "and such allowances for unusual costs as may be determined by the state board of education."

At the end of line 16, strike "be" and insert "become part of the per capita distribution fund, which shall be".

Respectfully,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

February 5, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 92,* by Mr. Woodward, entitled "AN ACT REVISING PARAGRAPH 21, SECTION 1, CHAPTER 20, LAWS OF UTAH, 1933, RELATING TO THE DISPOSITION OF REVENUE DERIVED FROM TAXATION," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT AMENDING SECTION 21, CHAPTER 62, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 21, LAWS OF UTAH, 1933, RELATING TO THE DISPOSITION OF REVENUE DERIVED FROM THE TAX IMPOSED UPON CERTAIN SALES," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 92 was ordered printed and referred to the Committee on Revenue and Taxation.

February 5, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 95,* by Mr. Bowman, entitled "AN ACT AMENDING SECTION 57-11-3, REVISED STATUTES OF UTAH RELATING TO THE PRESIDENT, VICE PRESIDENT, CLERK, TREASURER—TERM," with a few minor changes consented to by the author including changes in the title as

follows: "AN ACT AMENDING SECTION 75-11-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ORGANIZATION OF BOARDS OF EDUCATION IN PUBLIC SCHOOLS; PROVIDING FOR A PRESIDENT, VICE-PRESIDENT, CLERK AND TREASURER," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 95 was ordered printed and referred to the Commiteee on Education.

February 5, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 96*, by Mr. Huggins, entitled "AN ACT TO PROVIDE FOR UNEQUAL ASSESSMENTS AGAINST SHARES OF STOCK OF IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, RESERVOIR COMPANIES AND WATER USERS' ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT TO PROVIDE FOR UNEQUAL ASSESSMENTS AGAINST SHARES OF STOCK OF IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, RESERVOIR COMPANIES AND WATER USERS' ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE; AND AMENDING CHAPTER 4, TITLE 18, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 18-4-24, REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on Agriculture and Irrigation.

INTRODUCTION OF BILLS

S. B. No. 117 By Mr. Hopkin

AN ACT TO PROVIDE FOR AN ANNUAL TAX UPON ALL UNMARRIED MEN, OVER THE AGE OF TWENTY-ONE YEARS, AND UNDER THE AGE OF FIFTY YEARS, BOTH AGES INCLUSIVE; AND EXCEPTING THEREFROM WIDOWERS, BUT INCLUDING ALL BACHELORS; AND PROVIDING FOR A RETURN TO BE MADE BY SAID PERSONS; AND PROVIDING A PENALTY FOR FAILURE TO MAKE SAID RETURN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 118 By Mr. Royle, by Request

AN ACT TO AMEND SECTION 85-9-8 OF THE REVISED STATUTES OF UTAH, 1933, BY PROVIDING FOR APPOINTMENT BY THE BOARD OF CORRECTIONS OF THE STATE PRISON OF A

PAROLE AND PROBATION OFFICER AND ASSISTANT PAROLE AND PROBATION OFFICERS AND CASE AND SOCIAL WORKERS AND PROVIDING FOR THEIR DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 119 By Mr. Royle, by Request

AN ACT AMENDING SECTIONS 1 AND 3 OF CHAPTER 1, TITLE 86, REVISED STATUTES OF UTAH, 1933, RELATING TO THE NUMBER, TERMS OF OFFICE, QUALIFICATIONS, COMPENSATION AND DUTIES OF THE STATE LAND BOARD OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 120 By Mr. Hopkin

AN ACT CREATING A COORDINATING BOARD OF THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURE COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 121 By Mr. Hammond

AN ACT AMENDING SECTIONS 3-4-1, 3-4-2, 3-4-3, 3-4-6, 3-4-9 AND 3-4-10; OF THE REVISED STATUTES OF UTAH, 1933, AND FURTHER AMENDING CHAPTER 4, TITLE 3, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 3-4-13, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR DISTRIBUTION OF THE STATE BOUNTY FUND AND FOR PAYMENT OF BOUNTIES ON PREDATORY ANIMALS AND REPEALING SECTION 3-4-7, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 122 By Messrs. Woodward, Holbrook, Huggins

AN ACT PROVIDING FOR THE IMPOSITION OF A TAX UPON PERSONS, CO-PARTNERSHIPS, COMPANIES, JOINT STOCK COMPANIES, CORPORATIONS, AND ASSOCIATIONS HOWEVER ORGANIZED ENGAGED IN THE OCCUPATION OF MINING OR PRODUCING METALLIFEROUS ORES, FOR ENFORCING AND COLLECTING THE SAME AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 123 By Messrs. Woodward, Holbrook and Huggins

AN ACT TO AMEND SECTION 80-5-56, REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSMENT OF MINES: CHANGING THE BASIS OF ASSESSMENT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 124 By Mr. Maw

AN ACT AMENDING SECTION 76-4-23, REVISED STATUTES OF UTAH, 1933, RELATING TO FUNDS AND RESERVES FOR ACCRUED DEPRECIATION, AND THEIR USE FOR RATE PURPOSES, TO FUND FOR EMPLOYEE'S BENEFITS, AND DEFINING CERTAIN DUTIES OF THE PUBLIC UTILITIES COMMISSION IN RESPECT THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 125 By Mr. Maw

AN ACT AMENDING SECTION 80-5-54 REVISED STATUTES OF UTAH, 1933, AND CREATING A NEW SECTION TO BE KNOWN AS 80-5-54X DEFINING THE DUTIES OF THE STATE TAX COMMISSION AND PROVIDING FOR THE ASSESSMENT OF THE TANGIBLE PROPERTIES OF CERTAIN TYPES OF PUBLIC UTILITIES NAMED THEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 9 By Judiciary Committee, by Request

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10, OF ARTICLE 1, OF THE CONSTITUTION RELATING TO TRIAL BY JURY, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 5 was read the third time and placed on its final passage.

S. J. R. No. 5 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond (explained vote), Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

S. J. R. No. 5 was transmitted to the House.

S. J. R. No. 3 was read the third time and placed on its final passage.

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

Page 1, lines 4 and 7, capitalize the first letter in the word "state".

S. J. R. No. 3 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

S. J. R. No. 3 was transmitted to the House.

S. J. R. No. 4 was read the third time and placed on its final passage.

S. J. R. No. 4 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senator Huggins.

S. J. R. No. 4 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 126 By Mr. Holbrook

AN ACT AMENDING SECTION 57-12-5 OF THE REVISED STATUTES OF UTAH, 1933, PERTAINING TO THE TAX ON MOTOR FUELS AND PROVIDING FOR AN EXEMPTION," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 127 By Mr. Holbrook

AN ACT TO AMEND SECTION 80-12-2, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR AN INCREASE OF THE TAX UPON ESTATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 128 By Mr. Stevens

AN ACT APPROPRIATING $8,500 FOR THE PURCHASE, REPAIR AND IMPROVEMENT OF COVE FORT IN MILLARD COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 5 was read the third time and placed on its final passage.

Senator Bamberger moved that on line 9, after the word "surface" strike the period and insert the following: ", except that not to exceed thirty additional minutes underground shall be allowed as a lunch and rest period.".

Senator Bamberger with the aid of four Senators requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 12; Nays, 11; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Musser (explained vote), Ray, Stewart, Wallace.

Those voting in the negative were: Senators Fennell, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Royle, Stevens, Woodward, Mr. President.

H. B. No. 5 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Royle.

H. B. No. 5 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 129 By Mr. Bowman

AN ACT AMENDING SECTION 15-1-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CLASSIFICATION OF CITIES AND TOWNS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130 By Mr. Huggins

AN ACT TO PREVENT THE CIRCULATION OF PAPERS AND DOCUMENTS SIMULATING COURT PROCESS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 131 By Mrs. Musser, by Request

AN ACT AMENDING SECTION 98-2-2, 98-2-3 AND 98-2-4 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISBURSEMENTS OF FUNDS APPROPRIATED FOR CIVIL WAR VETERANS AND THEIR WIDOWS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 132 By Mrs. Musser, by Request

AN ACT AMENDING SECTION 98-3-1 AND SECTION 98-3-2 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE G. A. R. ENCAMPMENT FUND AND THE APPROPRIATIONS THEREUNDER, AND REPEALING SECTION 98-3-3, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 5, 1935.

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. Musser, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

February 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 2*, by Mr. Huggins and Mr. Fowles, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 2 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

February 5, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 72*, by Mr. Holmgren, beg leave to report the same favorably with the following amendments:

Line 3 of the title, insert a comma after the Word "Utah", and after "1933".

Line 4 of the title, insert a comma after the word "Utah".

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 72 was placed on the Second Reading Calendar.

February 5, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 59*, by the Committee on Revenue and Taxation, by request, beg leave to report the same favorably with the following amendments:

Line 1 of the title, insert a comma after the word "Utah".

Line 2 of the title, insert a comma after "1933".

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

February 5, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 4*, by Mr. Holmgren, beg leave to report the same favorably with the following amendment:

Page 1, line 13, strike the word "on", and insert the words "not later than".

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 4 was placed on the Second Reading Calendar.

February 5, 1935.

Mr. President:

Your Committee on State and Municipal Affairs begs leave to report *S. B. No. 73,* by Mr. Bamberger, out favorably with the following amendments:

In the title, line 4, after "18" add ", 20".

On page 1, line 3, after "18" add ", 20".

On page 10 between lines 16 and 17, insert:

20. Any person denied a license or whose license has been *canceled, suspended or* revoked by the department except where such *cancelation or* revocation is mandatory under the provisions of this act shall have the right to file a petition within thirty days thereafter for a hearing in the matter in a court of record in the county wherein such person shall reside and such court is hereby vested with jurisdiction and it shall be its duty to set the matter for hearing upon ten days' written notice to the department, and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is entitled to a license or is subject to *cancelation, suspension or* revocation of license under the provisions of this act.

In title, line 4, strike "and" and insert after "21," "and 28,".

On page 1, line 4, strike "and" and insert after "21," "and 28,".

On page 10 between lines 20 and 21, insert:

28. (*a*) No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven by any person who has no legal right to do so or in violation of any of the provisions of this act.

(b) No person shall rent a motor vehicle to any other person unless that latter person is then duly licensed hereunder, or in the case of a non resident then duly licensed under the laws of the state or country of his residence, except a nonresident whose home state or country does not require that an operator be licensed.

(c) No person shall rent a motor vehicle to another until he has inspected the operator's or chauffeur's license of the person to whom the vehicle is to be rented and compared and verified the signature thereon with the signature of such person written in his presence.

(d) Every person renting a motor vehicle to another shall keep a record of the registration number of the motor vehicle so rented, the name and address of the person to whom the vehicle is rented, the num-

ber of the license of said latter person and the date and place when and where said license was issued. Such record shall be open to inspection by any police officer or officer or employee of the department.

Respectfully,

JULIAN M. BAMGERGER,
Chairman.

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

A communication was received from Mr. A. S. Brown, Democratic National Committeeman, inviting the Senate to make a trip on Sunday, February 10th, to Antelope Island to study the possibilities of the Salt Lake diking project.

On motion of Senator Parratt the Senate adjourned.

TWENTY-FOURTH DAY

February 6, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 6, 1935.

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,

HYRUM B. CALDER,
ALBERT E. HOLMGREN.

Report adopted and filed.

COMMUNICATIONS

February 6, 1935.

TO THE SENATE:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim of Oscar W. Robinson and Electa Robinson, his wife, covering damages sustained when their Chevrolet car collided with a Chevrolet truck on August 26th, 1934, on the highway being reconstructed by the State Road Commission at the entrance to Provo Canyon.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Revised Statutes of Utah, 1933. Upon unanimous vote of the Board I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Respectfully yours,

M. H. WELLING,
Secretary-State Board
of Examiners.

Claim referred to the Committee on Appropriations and Claims.

February 6, 1935.

TO THE SENATE:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim of George Folkman, R. F. D. No. 2, Ogden, Utah, covering damages sustained while riding with John Maw of Plain City, Utah, in his Chevrolet car which collided with a State Road Commission truck on April 19th, 1932, near Wanship.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Revised Statutes of Utah, 1933. Upon unanimous vote of the Board I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Respectfully yours,

M. H. WELLING,
Secretary-State Board
of Examiners.

Claim referred to the Committee on Appropriations and Claims.

February 6, 1935.

TO THE SENATE:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim of John Maw of Plain City, Utah, covering damages sustained in a collision with a State Road Commission truck on April 19th, 1932, near Wanship.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Revised Statutes of Utah, 1933. Upon unanimous vote of the Board I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Respectfully yours,

M. H. WELLING.
Secretary-State Board
of Examiners.

Claim referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEE

February 6, 1935.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 17*, by Mr. Royle, begs leave to report the same back favorably and recommends that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 17 was placed on the Second Reading Calendar.

February 6, 1935.

Mr. President:

Your Committee on Judiciary, to which was referred *H. C. M. No. 1*, by Mr. Gammeter, begs leave to report the same back favorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

H. C. M. No. 1 was placed on the Second Reading Calendar.

February 6, 1935.

To State Senate:

After consultation with the chairmen of the committees, Revenue and Taxation, Judiciary, and Appropriations, and with the senator's name below, the following changes are hereby made in committee personnel:

Senator Hammond is changed from Highways to Revenue and Taxation.

Senator Royle is changed from Judiciary to Appropriations and Claims.

Senator Ray is appointed on the following committees: Judiciary, Banking and Commerce, State and Municipal Affairs, Public Institutions, Highways.

Respectfully yours,

HERBERT B. MAW,
President.

Communication filed.

INTRODUCTION OF BILLS

S. J. R. No. 10 By Judiciary Committee, by Request

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10, OF ARTICLE 1, OF THE CONSTITUTION RELATING TO TRIAL BY JURY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 133 By Mr. Holbrook

AN ACT LICENSING GAMES OF SKILL AND PROVIDING A PENALTY, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 88 was read the second time.

Committee report read and adopted.

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

On page 3, between lines 12-13, insert a new section as follows:
"80-14-19

The total amount of tax imposed by this chapter shall be paid on the 15th day of March following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on the 15th day of the third month following the close of the fiscal year. ( ); *provided, that the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed in this act for the payment of the tax by the taxpayer the second installment shall be paid on the 15th day of the third month, the third installment on the 15th day of the sixth month, and the fourth installment on the 15th day of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the collector."*

The President interrupted debate on *S. B. No. 88* to introduce Mr. Hamilton Gardner, a former President of the Senate, who addressed the body.

COMMUNICATIONS FROM THE HOUSE

February 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 28*, by Mr. Edman, entitled, "AN ACT AMENDING SECTIONS 85-7-2 AND 85-7-11 OF THE REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, PERTAINING TO UTAH STATE HOSPITAL, AND RELATING TO BOARD OF INSANITY PERSONNEL; DUTIES OF BOARD OF TRUSTEES AND SUPERINTENDENT; AND PROVIDING FOR PAYMENT FOR CARE AND NOTICE OF RECOVERY OF PATIENTS", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 28 was read the first time and referred to Committee on Public Institutions.

February 6, 1935.

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. 18*, by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 18 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

February 6, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to which has been referred *S. B. No. 28,* by Mr. Stevens, to be engrossed, has been examined by this committee and a like committee from the House who have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 28 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 6, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 111,* by Mr. Huggins, 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. 111 was ordered printed and referred to the Committee on Judiciary.

February 6, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 94,* by Mr. Huggins, and recommends that the same be not printed as an identical bill is being printed in the House.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 94 was not printed and referred to the Committee on Social Relations.

February 6, 1935.

Mr. President:

We, your Committee on Education, to which was referred *S. J. R. No. 8,* by Mrs. Stewart, begs leave to report the same back favorably.

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. J. R. No. 8 was placed on the Second Reading Calendar.

Senator Bamberger moved that when we adjourn on Friday, February 8th, it be until Saturday, February 9th, at 10:00 A. M.

Motion carried.

COMMUNICATION FROM THE GOVERNOR

February 6, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State *S. B. No. 8*, by Mr. Huggins, entitled, "AN ACT TO AMEND SECTION 104-2-23 REVISED STATUTES OF UTAH, 1933, RELATING TO THE PERIOD OF LIMITATION PRESCRIBED FOR THE COMMENCEMENT OF ACTIONS UPON OBLIGATIONS NOT FOUNDED UPON AN INSTRUMENT IN WRITING, AND UPON OPEN ACCOUNTS."

Respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

On motion of Senator Stevens the Senate adjourned.

TWENTY-SIXTH DAY

February 8, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

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

Prayer by the Chaplain.

February 8, 1935.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 24th day and found it correct with minor amendments noted on the final copy.

Respectfully,

HYRUM B. CALDER,
ALBERT E. HOLMGREN,

Report adopted and filed.

COMMUNICATION FROM THE GOVERNOR

February 8, 1935.

TO THE SENATE:

Since the last regular session of the Senate I have made the following recess appointments to fill vacancies in the offices designated, and I hereby respectfully submit their names for your confirmation:

FOR STATE BANK COMMISSIONER:

Pursuant to Chapter 18, Laws of Utah, 1919. To serve for a term of four years, ending April 1, 1937.

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

FOR MEMBER OF THE STATE BOARD OF EDUCATION:

Pursuant to Section 75-7-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the resignation of George S. Glen, and to serve for the unexpired term ending April 1, 1937.

Mrs. Mary Johnson .....Ogden

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL:

Pursuant to Chapter 66, Laws of Utah, 1933. To serve for a term ending March 31, 1934:

William H. Boyle .....Provo

To serve for a term ending March 31, 1935:

Dr. John R. Llewellyn.....Salt Lake City

To serve for a term ending March 31, 1936:

Mrs. Minnie Wattis Harris.....Ogden

To serve for a term ending March 31, 1937:

John E. Jones.....Salt Lake City

To serve for a term ending March 31, 1938:

Mrs. Frances G. Callahan .....Provo

To serve for a term ending March 31, 1939:

E. A. Britsch .....Manti

To serve for a term ending March 31, 1940:

Dr. W. R. Calderwood.....Salt Lake City

FOR MEMBER OF THE STATE ROAD COMMISSION:

Pursuant to Section 36-2-1, Revised Statutes of Utah, 1933. To serve for a term of six years from December 1, 1933.

Preston G. Peterson .....Provo

FOR MEMBER OF THE STATE BUILDING COMMISSION:

Pursuant to Section 10-0-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the resignation of O. P. Cherdron, and to serve for the unexpired term ending April 1, 1937.

W. E. Ryberg.....Salt Lake City

FOR MEMBER OF THE UTAH WATER STORAGE COMMISSION:

Pursuant to Section 100-6-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the death of A. F. Doremus, and to serve for the unexpired term ending April 1, 1935.

Dr. John A. Widtsoe.....Salt Lake City

FOR MEMBERS OF THE BOARD OF CONTROL OF THE UTAH STATE HISTORICAL SOCIETY:

Pursuant to Section 85-5-5, Revised Statutes of Utah, 1933. To fill the vacancy caused by the death of Albert F. Philips, and to serve for the unexpired term ending April 1, 1937:

Herbert S. Auerbach.....Salt Lake City

To fill the vacancy caused by the resignation of Parley L. Williams, and to serve for the unexpired term ending April 1, 1937:

D. P. Felt.....Salt Lake City

To fill the vacancy caused by the resignation of Hugh Ryan, and to serve for the unexpired term ending April 1, 1935:

W. R. Holmes.....Brigham City

FOR MEMBER OF THE STATE BOARD OF AGRICULTURE:

Pursuant to Section 3-1-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the death of Henry Moss. To serve for the unexpired term ending April 1, 1935:

Henry Erlingson .....Payson

FOR MEMBER OF THE STATE TEXT BOOK COMMISSION:

Pursuant to Section 75-15-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the resignation of John E. Jones, and to serve for the unexpired term ending April 1, 1937:

W. W. Christensen .....Price

FOR MEMBER OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

Pursuant to Section 35-1-1, Revised Statutes of Utah, 1933. To serve for a term of seven years ending April 1, 1941:

Dr. E. W. Browning.....Salt Lake City

FOR MEMBER OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION:

Pursuant to Section 22-0-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the termination of the services of A. E. Wilfong as Chief of Police of Ogden City, Utah, and to serve for the unexpired term ending April 1, 1935:

George Finn .....Ogden

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL:

Pursuant to Chapter 66, Laws of Utah, 1933. To serve for a term of seven years ending March 31, 1941:

William H. Boyle .....Provo

FOR MEMBER OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION:

Pursuant to Section 22-0-1, Revised Statutes of Utah, 1933. To fill the vacancy occasioned by the termination of the services of George Finn as Chief of Police of Ogden City, Utah, and to serve for the unexpired term ending April 1, 1935:

M. L. Hilton ..... Ogden

FOR MEMBER OF THE UTAH GEOLOGICAL AND MINERALOGICAL SURVEY BOARD:

Pursuant to Section 34-0-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the resignation of M. J. Dailey:

Thomas Lyon ..... Salt Lake City

FOR STATE CHEMIST:

Pursuant to Section 87-7-1, Revised Statutes of Utah, 1933. To fill the vacancy caused by the death of Herman Harms, and to serve for the unexpired term ending March 15, 1935:

M. Elmer Christensen ..... Salt Lake City

FOR FULL-TIME COMMISSIONER AND CHAIRMAN OF THE UTAH STATE TAX COMMISSION:

Pursuant to Section 80-5-37, Revised Statutes of Utah, 1933. To fill the vacancy caused by the resignation of George A. Critchlow, and to serve for the unexpired term ending March 31, 1937:

Irwin Arnovitz ..... Salt Lake City

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to a special committee, appointed by the President, consisting of Senators Huggins, Frischknecht, Bamberger, Parratt and Miller.

REPORTS OF STANDING COMMITTEES

February 6, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to which was referred *S. B. No. 18*, by Mr. Holbrook, to be engrossed, has been examined by this committee and a like committee from the House who have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 18 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 8, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, beg leave to recommend that the title to all bills hereafter printed in the Senate shall be numbered by lines.

Respectfully,

GEO. M. MILLER,
Chairman.

Report adopted and filed.

February 8, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 5,* by Mr. Holbrook, beg leave to report the same without recommendation with the following amendments:

In line 15 of the title, strike the comma and insert the word "and".

In line 16 of the title, insert a comma after "19", insert a comma after "UTAH", and insert a period after "1933".

Page 1, line 1, insert commas after "19", "Utah", and "1933".

Page 1, line 5, after "25-4-4",insert the words "Revised Statutes of Utah, 1933".

Page 2, line 4, strike "also".

Page 2, line 5, strike the words "make nominations to public office or".

Page 2, line 25, after "25-11-1" insert "Revised Statutes of Utah, 1933".

Page 2, line 27, "desirable" is misspelled.

Page 2, line 32, change "chapter" and "title" to lower case. "Statutes" should be capitalized, and strike "of" and "of the".

Page 2, line 33, change the comma after "1933" to a period and strike the dotted lines.

Page 3, line 11, strike the underlines.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 5 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 6,* by Mr. Holbrook, beg leave to report the same without recommendation with the following amendments:

Line 1 of the title, strike "OF THE".

Page 1, line 1, strike "of the" and insert a comma in lieu thereof.

Page 1, line 5, strike "or agency connected therewith," and insert "and who receives a salary in excess of $..... per month".

Page 1, strike lines 8, 9 and 10.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 6 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 7*, by Mr. Holbrook, beg leave to report the same without recommendation with the following amendments:

Line 7 of the title, after "25-3-2" insert ", Revised Statutes of Utah, 1933".

Line 8 of the title, "ENACTING" is misspelled. After "SECTIONS" insert "TO BE KNOWN AS". After "25-3-8" insert "REVISED STATUTES OF UTAH, 1933".

Page 1, line 1, after "25-3-2" insert a comma.

Page 1, line 2, after "25-3-8" insert ", Revised Statutes of Utah, 1933."

Page 1, line 15, strike "public" and after the word "place" insert "opened to the public".

Page 2, line 22, underline "Stub" and "Number".

Page 3, line 13, underline "Voter".

Page 3, line 29, strike "of the" and insert a comma.

Page 4, line 17, the word "executive" is misspelled.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 7 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 87*, by Mr. Fowles, beg leave to report the same back favorably with the following amendment :

On line 3, after "Section 80-10-2." insert parenthesis, and recommends that the same be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 6*, by Mr. Hammond, beg leave to report the same back without recommendation, with the following amendment:

On page 2, line 2, strike the underscored word "had" and insert in lieu thereof, the word "paid".

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 6 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

We, your Committee on Fish and Game, to which was referred *S. B. No. 91*, by Mr. Bowman, beg leave to report the same favorably.

Respectfully submitted,

DANIEL STEVENS,
Chairman.

Report filed.

S. B. No. 91 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to which was referred *S. B. No. 68*, by Mr. Holbrook, beg leave to report the same back favorably with the following amendments:

Page 1, lines 5 and 6, strike the words "board room at the".

Page 2, line 3, strike the comma after the word "periods".

On line 10, page 2, insert a comma after the word "legislature".

Page 3, line 1, add the word "constitution" after the word "statutes".

Page 5, line 29, make the word "bureau" possessive.

On line 3 lower the capital letters.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

S. B. No. 68 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

Your Committee on State and Municipal Affairs begs leave to report *H. B. No. 3*, by Mr. Twitchell, out favorably with the following amendments:

In the title, after the word "Utah" in the second line, insert a comma.

Line 1, after "80-10-68" insert a comma.

Line 2, after "62" strike the words "of the" and insert a comma in lieu thereof.

Page 2, lines 17, 18 and 19, strike the House amendments.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 3 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

Your Committee on State and Municipal Affairs begs leave to report *H. B. No. 17*, by Mr. Holbrook, out favorably.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 17 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

Your Committee on State and Municipal Affairs begs leave to report *H. B. No. 27*, by Mr. Edman, out without recommendation.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 27 was placed on the Second Reading Calendar.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 10*, by Judiciary Committee, by request, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98*, by Mr. Huggins, entitled: "AN ACT AMENDING TITLE 79, CHAPTER 4, REVISED STATUTES OF UTAH 1933, AS AMENDED BY CHAPTER 54, LAWS OF UTAH 1933, RELATING TO BARBERS," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING SECTIONS 79-4-1, 79-4-5, 79-4-8, 79-4-10 AND 79-4-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 54, LAWS OF UTAH, 1933, RELATING TO BARBERS," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on Judiciary.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 99*, by Mr. Fowles, 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. 99 was ordered printed and referred to the Committee on Judiciary.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 101*, by Mr. Hammond, 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. 101 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 103*, by Mr. Hammond, 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. 103 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 113*, by Mr. Fowles, 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. 113 was ordered printed and referred to the Committee on Appropriations and Claims.

February 5, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 114*, by Mr. Fowles, 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. 114 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 116*, by Mrs. Stewart, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 116 was ordered printed and referred to the Committee on Education.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 117*, by Mr. Hopkin, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 117 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 118,* by Mr. Royle, by request, 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. 118 was ordered printed and referred to the Committee on Public Institutions.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 120,* by Mr. Hopkin, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 120 was ordered printed and referred to the Committee on Public Institutions.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 121,* by Mr. Hammond, entitled: "AN ACT AMENDING SECTIONS 3-4-1, 3-4-2, 3-4-3, 3-4-6, 3-4-9 AND 3-4-10 OF THE REVISED STATUTES OF UTAH, 1933, AND FURTHER AMENDING CHAPTER 4, TITLE 3, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 3-4-13, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR DISTRIBUTION OF THE STATE BOUNTY FUND AND FOR PAYMENT OF BOUNTIES ON PREDATORY ANIMALS AND REPEALING SECTION 3-4-7," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING SECTIONS 3-4-1, 3-4-2, 3-4-3, 3-4-6, 3-4-9 AND 3-4-10, REVISED STATUTES OF UTAH, 1933, AND FURTHER AMENDING CHAPTER 4, TITLE 3, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 3-4-13, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR DISTRIBUTION OF THE STATE BOUNTY FUND AND FOR PAYMENT OF BOUNTIES ON PREDATORY ANIMALS AND REPEALING SECTION 3-4-7, REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 121 was ordered printed and referred to the Committee on Fish and Game.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 122*, by Mr. Woodward, Mr. Holbrook and Mr. Huggins, with a few minor changes consented to by the authors and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 122 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 123*, by Mr. Woodward, Mr. Holbrook and Mr. Huggins, with a few minor changes consented to by the authors and requests that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 123 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 124*, by Mr. Maw, 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. 124 was ordered printed and referred to the Committee on Judiciary.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 125*, by Mr. Maw, 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. 125 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 126*, by Mr. Holbrook, 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. 126 was ordered printed and referred to the Committee on Judiciary.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 127*, by Mr. Holbrook, 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. 127 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 128*, by Mr. Stevens, 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. 128 was ordered printed and referred to the Committee on Appropriations and Claims.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 129*, by Mr. Bowman, 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. 129 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 130*, by Mr. Huggins, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 130 was ordered printed and referred to the Committee on Judiciary.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 131*, by Mrs. Musser, by request, 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. 131 was ordered printed and referred to the Committee on Public Institutions.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 132*, by Mrs. Musser, by request, entitled: "AN ACT AMENDING SECTION 98-3-1 AND SECTION 98-3-2, OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE G. A. R., THE ENCAMPMENT FUND AND THE APPROPRIATIONS THEREUNDER, AND REPEALING SECTION 98-3-3, REVISED STATUTES OF UTAH, 1933," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING SECTIONS 98-3-1 AND 98-3-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE G. A. R., THE ENCAMPMENT FUND AND THE APPROPRIATIONS THEREFOR, AND REPEALING SECTION 98-3-3, REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 132 was ordered printed and referred to the Committee on Appropriations and Claims.

February 8, 1935.

Mr. President:

We, your Committee on Education, to which was referred *S. B. No.*

78, by Mr. Calder, beg leave to report the same back favorably, and recommend that it be passed.

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 78 was placed on the Second Reading Calendar.

The President introduced Mr. W. Mont Ferry, a former President of the Utah State Senate.

On motion of Senator Bamberger, *S. B. No. 16* was made a special order of business for Saturday, February 9th, at 10:15 A. M.

Senator Bamberger moved that hereafter fifty additional copies of Senate Bills and Senate Journals be printed.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 134 By Mr. Hopkin, by Request

AN ACT AMENDING SECTION 93-1-1, 93-1-2 AND 93-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF UTAH, 1933, LEVYING AND PROVIDING FOR THE LEVYING OF A STAMP TAX FOR THE SALE OF CIGARETTES, CIGARETTE PAPERS AND OLEOMARGARINE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 135 By Mr. Royle, by Request

AN ACT TO AMEND SECTION 70-0-2 OF THE REVISED STATUTES OF UTAH, 1933, WHICH PROVIDES FOR SALES OF FORFEITED PLEDGES, THE REDEMPTION OF PLEDGES AND THE INTEREST RATES TO BE CHARGED BY PAWN BROKERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 136 By Mr. Royle, by Request

AN ACT TO AMEND SECTION 7-8-8 OF THE REVISED STATUTES OF UTAH, 1933, WHICH EXEMPTS CERTAIN LENDERS FROM THE PROVISIONS OF CHAPTER VII OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 137 By Mr. Day

AN ACT TO AMEND CHAPTER FIVE, TITLE NINETEEN, REVISED STATUTES OF THE STATE OF UTAH, 1933, IN RELATION TO THE POWERS OF COUNTY COMMISSIONERS BY ADDING TO SAID TITLE AND CHAPTER A NEW SECTION TO BE KNOWN AS SECTION 88, GRANTING POWER TO ESTABLISH PURE BEET SEED DISTRICTS, TO REGULATE THE SAME, AND TO PROVIDE PENALTIES FOR VIOLATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 138 By Mr. Woodward

AN ACT TO PROVIDE FUNDS FOR THE COLLECTION OF TAXES ASSESSED AGAINST COMMON AND CONTRACT MOTOR CARRIERS OF PERSONS AND PROPERTY AND TO AMEND SECTIONS 19 AND 20 OF CHAPTER 53, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 139 By Mr. Bowman

AN ACT DESIGNATING A STATE SONG, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 88 on Second Reading.

Senator Hammond moved to amend the bill as follows:

In the title after the word "exemptions" place a comma. Strike the words, "and exemptions for dependents" and insert the words "change the offset and".

Line 6, page 1, strike the word "one" and insert the word "two."

Strike all of line 8.

Line 9, strike the numeral "3" and insert the numeral "2".

Line 10, strike the numeral "4" and insert the numeral "3".

Line 11, strike the numeral "5" and insert the numeral "4".

Line 12, strike the numeral "6" and insert the numeral "5".

Between lines 13 and 14, insert the numeral "(6)" and insert the following: "A taxpayer subject to the tax herein provided for shall receive an offset against said tax in the amount of taxes paid upon his real and tangible property in this state during the taxable year, provided that such offset shall not exceed $100."

Line 16, strike "in the case of a single person" and change the "a" to a capital letter.

Line 17, strike "$750," and insert "$500.". Strike the balance of line 17.

Page 2, strike everything down to and including line 18.

Line 20, strike the last five letters.

Line 21, strike the first three words up to and including "credits", and insert "offset and exemptions".

Line 23, strike the numeral "750" and insert "500.". Strike the comma after the word "over" and insert a period.

Strike the balance of page 2.

Page 3, strike all of line 1.

Line 17, strike the word "deductions" and insert "offset" and strike the word "credits" and insert "exemptions."

On line 19, strike the number "750" and insert "500" and strike everything from there down to and including line 22.

Senator Miller with the aid of four Senators requested a roll call on the motion.

The motion carried on the following roll call:

Yeas, 12; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Day, Fennell, Hammond, Huggins, Musser, Ray (explained vote), Royle, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Calder, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Parratt, Woodward, Mr. President.

Absent and not voting: Senator Fowles.

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

Page 3, reinstate lines 23 and 24 and on line 24 strike the numerals "750" and insert "500".

On motion of Senator Frischknecht the Senate adjourned.

TWENTY-SEVENTH DAY

February 9, 1935.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 9, 1935.

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,

HYRUM B. CALDER,
ALBERT E. HOLMGREN,

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 5*, by Mr. Paul M. Peterson, and requests the Senate to recede from its amendments.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Fowles the Senate refused to recede from its position, and the President appointed a Conference Committee consisting of Senators Royle, Bamberger and Parratt.

February 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 28*, by Mr. Stevens, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 28 was transmitted to the Governor.

February 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 9*, by Mr. Paul M. Peterson, entitled, "AN ACT AMENDING SECTION 54-1-5, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR CALLING THE STATE MILITIA INTO SERVICE," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 9 was read the first time and referred to Committee on State and Municipal Affairs.

February 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No.*

18, by Mr. Holbrook, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 18 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEE

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 102* (Substituted for S. B. No. 30), by Mrs. Musser, by request, 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. 102 was ordered printed and referred to the Committee on Judiciary.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No 107,* by Mrs. Musser, by request, 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. 107 was ordered printed and referred to the Committee on Judiciary.

February 9, 1935

Mr. President:

Your Committee on Revision and Enrolling report back *S. B. No. 108,* by Mr. Royle, 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. 108 was ordered printed and referred to the Committee on Revenue and Taxation.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 109*, by Mr. Royle, 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. 109 was ordered printed and referred to the Committee on Revenue and Taxation.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 110*, by Mr. Neslen, 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. 110 was ordered printed and referred to the Committee on Health and Labor.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 112*, by Mr. Fennell, 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. 112 was ordered printed and referred to the Committee on Appropriations and Claims.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 115*, by Mr. Stevens, 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. 115 was ordered printed and referred to the Committee on Health and Labor.

February 8, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 119*, by Mr. Royle, by request, entitled: "AN ACT AMENDING SECTIONS 1 and 3 OF CHAPTER I, TITLE 86, REVISED STATUTES OF UTAH, 1933, RELATING TO THE NUMBER, TERMS OF OFFICE, QUALIFICATIONS, COMPENSATION AND DUTIES OF THE STATE LAND BOARD OF UTAH," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT AMENDING SECTIONS 86-1-1 and 86-1-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE NUMBER, TERMS OF OFFICE, QUALIFICATIONS, COMPENSATION AND DUTIES OF THE STATE LAND BOARD OF UTAH," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 119 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 133*, by Mr. Holbrook, 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. 133 was ordered printed and referred to the Committee on Judiciary.

February 9, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 9*, by Judiciary Committee, by request, and recommends that it be withdrawn since it is identical with *S. J. R. No. 10*.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

Upon unanimous consent of the Senate *S. J. R. No. 9* was withdrawn.

INTRODUCTION OF BILLS

S. J. R. No. 11 By Mrs. Musser

AN ACT PROVIDING FOR THE PLACING OF A STATUE IN ONE OF THE NICHES OF THE ROTUNDA OF THE STATE CAPITOL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 140 By Mr. Stevens

AN ACT AMENDING SECTION 30-0-60, REVISED STATUTES OF UTAH, 1933, RELATING TO NATIVE AND IMPORTED BIRDS AND PROVIDING FOR DESTRUCTION OF THE SAME IN CERTAIN CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 141 By Highways Committee

AN ACT TO REPEAL CHAPTER 6, TITLE 36, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTERS 29 AND 30, LAWS OF UTAH, 1933, AND ENACTING IN LIEU THEREOF A NEW CHAPTER TO BE KNOWN AS CHAPTER 6, TITLE 36, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DESIGNATION OF CERTAIN HIGHWAYS AS STATE ROADS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 142 By Mr. Bamberger

AN ACT AMENDING SECTION 100-1-1, REVISED STATUTES OF UTAH, 1933, DECLARING WATERS PROPERTY OF PUBLIC; AMENDING SECTIONS 100-1-15, 100-2-14, 100-3-1, 100-3-2, 100-3-6, 100-3-7, 100-4-2, 100-4-3, 100-4-5, 100-5-1, 100-5-3, 100-5-4, AND 100-5-10, REVISED STATUTES OF UTAH, 1933, DEFINING GENERAL PROVISIONS CONCERNING WATER AND WATER RIGHTS; THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE THERETO; AND THE APPROPRIATION, DETERMINATION, ADMINISTRATION AND DISTRIBUTION THEREOF; AND ADDING A NEW SECTION TO BE KNOWN AS SECTION 100-3-22, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR REPORTS OF WELL AND TUNNEL DRILLERS IN CONNECTION WITH APPROPRIATION OF UNDERGROUND WATERS, AND PRESCRIBING PENALTY FOR FAILURE TO MAKE SUCH REPORTS; ALSO ADDING A NEW SECTION TO BE KNOWN AS SECTION 100-5-11, REVISED STATUTES OF UTAH, 1933, DEFINING THE POWERS OF THE STATE ENGINEER WITH REFERENCE TO WASTE, LOSS, POLLUTION OR CONTAMINATION OF WATERS AND PRESCRIBING PENALTIES FOR FAILURE TO COMPLY WITH THE STATE ENGINEER'S REQUIREMENTS; ALSO ADDING A NEW SECTION TO BE KNOWN AS SECTION 100-5-12, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR NOTICE OF CLAIM TO UNDERGROUND WATERS; ALSO PROVIDING FOR THE PAYMENT OF THE EXPENSES OF THE ADMINISTRATION OF THIS ACT; ALSO REPEALING SECTION 100-5-8, REVISED STATUTES OF UTAH, 1933, AND REPEALING CHAPTER 6 OF TITLE 19, AND CHAPTER 5 OF TITLE 86, AND CHAPTER 7 OF TITLE 100, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 143 By Highways Committee

AN ACT TO AMEND SECTION 57-12-9, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 42, LAWS OF UTAH, 1933, RELATING TO EXCISE TAX ON MOTOR FUELS PAYABLE MONTHLY, AND THE DISTRIBUTION OF THE RECEIPTS THEREFROM, was read the first time and referred to the Committee on Revision and Enrolling.

The President appointed Senators Stevens and Hopkin to revise the Journal for the week ending February 16, 1935.

On motion of Senator Huggins *S. B. No. 16* was made a special order of business for Tuesday, February 12th at 2:30 p. m.

On motion of Senator Bowman the rules were suspended and *H. C. M. No. 2* was placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Bowman the rules were suspended and *H. C. M. No. 2* was read the second and third times and placed on its final passage.

Committee report read and adopted.

H. C. M. No. 2 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward and Mr. President.

H. C. M. No. 2 was returned to the House.

S. B. No. 88 on second reading.

Senator Holbrook moved to strike the Hammond amendment inserted in the Bill yesterday.

Senator Bamberger, with the aid of four 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 Calder, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Parratt, Royle (explained vote), Woodward and Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Bowman, Day, Fennell, Fowles, Hammond, Huggins, Musser (explained vote), Ray, Stevens, Stewart and Wallace.

S. B. No. 88 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holm-

gren, Hopkin, Huggins, Miller, Musser, Ray, Parratt, Royle, Stevens, Wallace, Woodward and Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote) and Stewart.

On motion of Senator Royle the Senate adjourned until Monday at 2:00 P. M.

TWENTY-NINTH DAY

February 11, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 11, 1935.

Mr. President:

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

Respectfully,

HYRUM B. CALDER,
ALBERT E. HOLMGREN,

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Mrs. Bosone, Mr. Bryan and Mr. Hummer to act with a like committee from the Senate to consider *H. B. No. 5*, by Mr. Paul M. Peterson.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

February 9, 1935.

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. 2*, by Mr. Pectol.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 2,* by Joseph W. Jensen, entitled, "AN ACT TO REGULATE THE LICENSING, REGISTRATION, SALE, INSPECTION, SAMPLING AND ANALYSIS OF COMMERCIAL FERTILIZERS, SUPERPHOSPHATES AND FERTILIZER MATERIALS IN THE STATE OF UTAH, AND TO REPEAL ALL LAWS AND PARTS OF LAWS IN CONFLICT THEREWITH," and the same is transmitted herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 2 was read the first time and referred to Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

February 11, 1935.

Mr. President:

We, your Committee on Trade Regulations, to which has been referred *H. B. No. 23,* by Mr. Murdoch, beg leave to report it out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 23 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Trade Regulations, to which has been referred *H. B. No. 22,* by Mr. Murdoch, beg leave to report it out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 22 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to which was referred *S. J. R. No. 2,* by Mr. Huggins and Mr. Fowles, to be engrossed, has been examined by this committee and a like committee from the House who have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. 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.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 134*, by Mr. Hopkin, by request, entitled, "AN ACT AMENDING SECTION 93-1-1, 93-1-2 AND 93-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF UTAH, 1933, LEVYING AND PROVIDING FOR THE LEVYING OF A STAMP TAX FOR THE SALE OF CIGARETTES, CIGARETTE PAPERS AND OLEOMARGARINE," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING SECTION 93-1-1, 93-1-2 AND 93-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, LEVYING AND PROVIDING FOR THE COLLECTION OF A STAMP TAX FOR THE SALE OF CIGARETTES, CIGARETTE PAPERS AND OLEOMARGARINE," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 134 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 138*, by Mr. Woodward, 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. 138 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 143*, by Highways Committee, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 143 was ordered printed and referred to the Committee on Highways.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 139*, by Mr. Bowman, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 139 was ordered printed and referred to the Committee on Education.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 11*, by Mrs. Musser, 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. J. R. No. 11 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 137*, by Mr. Day, 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. 137 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 136*, by Mr. Royle, by request, entitled: "AN ACT TO AMEND SECTION 7-8-8, REVISED STATUTES OF UTAH, 1933, WHICH EXEMPTS CERTAIN LENDERS FROM THE PROVISIONS OF CHAPTER 7, REVISED STATUTES OF UTAH, 1933," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT TO AMEND SECTION 7-8-8, REVISED STATUTES OF UTAH, 1933, WHICH EXEMPTS CERTAIN LENDERS FROM THE PROVISIONS OF CHAPTER 7, REVISED STATUTES

OF UTAH, 1933, REGULATING THE MAKING OF SMALL LOANS AND EXEMPTING PAWNBROKERS FROM SAID SECTION," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 136 was ordered printed and referred to the Committee on Banking and Commerce.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 135*, by Mr. Royle, by request, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 135 was ordered printed and referred to the Committee on Banking and Commerce.

February 9, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 33*, by Judiciary Committee, beg leave to report the same back favorably, and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 33 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 34*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 34 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 35*,

by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 35 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Judiciary to which was referred *S. B. No. 36*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 36 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 37*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 37 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 38*, by Judiciary Committee beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 38 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 39*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 39 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 40*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 40 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 41*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 41 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 42*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 42 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 43*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 43 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 44*, by Judiciary Committee beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 44 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 45*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 45 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 46*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 46 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 47*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 48*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 48 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your committee on Judiciary, to which was referred *S. B. No. 49*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 49 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 50*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 50 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 51*, by Judiciary Committee, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 51 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 84*,

by Mr. Fowles, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 84 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 85*, by Mr. Fowles, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 105*, by Mr. Huggins, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 19*, by Mr. Holbrook, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 19 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 26*, by Mr. Holbrook, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 26 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 93*, by Mr. Hammond, beg leave to report the same out favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 93 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 58*, by the Committee on Revenue and Taxation, by request, beg leave to report the same out favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

Your Committee on Education to which was referred *S. B. No. 95*, by Mr. Bowman, begs leave to report the same back favorably.

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 69*, by Mr. Hammond, begs leave to report the same back favorably.

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

February 9, 1935.

Mr. President:

We, your Committee on Public Institutions, to which was referred *H. B. No. 28*, by Mr. Edman, beg leave to report the same out favorably with the following amendment:

Page 2, line 5, strike the word "or", and in line 6, strike the word "more".

Respectfully submitted,
MRS. BURTON W. MUSSER,
Chairman.

Report filed.

H. B. No. 28 was placed on the Second Reading Calendar.

February 11, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 142,* by Mr. Bamberger, and recommends that the same be printed.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 142 was ordered printed and referred to the Committee on Appropriations and Claims.

Senator Bamberger moved that fifty additional copies of *S. B. No. 142* be printed.

Motion carried.

On motion of Senator Bamberger the President appointed a committee consisting of Senators Bamberger, Ray and Musser to act with a like committee from the House to call upon the Governor and invite him to attend the Joint Convention tomorrow in honor of Abraham Lincoln's birthday.

On motion of Senator Huggins, *S. B. No. 16* was made a special order of business for Wednesday, February 13th, at 2:30 P. M.

A communication was received from the St. George Chamber of Commerce, Rotary and Lion Clubs inviting the Legislature to visit St. George February 23 and 24 at which time they will take the Legislature as their guests through Zion Park to Boulder Dam and return.

Communication referred to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS

S. B. No. 144 By Mr. Miller

AN ACT MAKING AN APPROPRIATION TO REIMBURSE CARBON COUNTY FOR MONEY EXPENDED IN THE SUPPRESSION OF RIOTS AND THE MAINTENANCE OF LAW AND ORDER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 145 By Mr. Stevens, by Request

AN ACT AMENDING SECTION 79-9-17, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF MEDICINE

AND THE TREATMENT OF HUMAN AILMENTS AND DEFINING THE PRACTICE OF MEDICINE AND THE EXCEPTIONS THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 146 By Mr. Miller

AN ACT MAKING AN APPROPRIATION FOR CARBON COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 147 By Mr. Miller

AN ACT AMENDING CHAPTER 6, TITLE 75, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-6, 75-6-7, 75-6-8, AND 75-6-9, REVISED STATUTES OF UTAH, 1933, RELATING TO A JUNIOR COLLEGE AT PRICE, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 148 By Mr. Frischknecht

AN ACT TO AMEND SECTION 2063, LAWS OF UTAH, 1925, RELATING TO CORRECTION OF ERRORS, IN AMENDMENT TO AND CHANGES OF THE ASSESSMENT ROLL OF BENEFITS AND TAXES, AND THE EQUALIZATION OF BENEFITS TO LANDS AND INTEREST IN LANDS IN DRAINAGE DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 149 By Mr. Hopkin.

AN ACT RELATING TO JUNIOR COLLEGES; CREATING A BOARD OF HIGHER CURRICULA AND PRESCRIBING THE DUTIES, COMPENSATION AND TERMS OF THE MEMBERS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 150 By Mr. Hopkin

AN ACT RELATING TO JUNIOR COLLEGES; CREATING JUNIOR COLLEGE DISTRICTS AND PROVIDING FOR ELECTIONS FOR FORMATION: ESTABLISHING JUNIOR COLLEGE BOARDS, PROVIDING FOR ELECTION OF MEMBERS THEREOF, ORGANIZATION MEETINGS, POWERS AND VACANCIES, PROVIDING FOR THE ESTABLISHMENT OF JUNIOR COLLEGES; STATE AID THEREFOR; ADMISSIONS TO, REQUIREMENTS FOR GRADUATION, TUITION AND COURSES OF STUDY THEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 151 By Mr. Bowman

AN ACT AMENDING SECTIONS 82-1-1, 82-1-2, 82-1-3, 82-1-4, 82-1-5, 82-1-6, 82-1-7, 82-1-8, 82-1-10, 82-1-11, 82-1-12, 82-1-13, 82-1-14, 82-1-15, 82-1-16, 82-1-17, 82-1-18, 82-1-19, 82-1-21, 82-1-23, 82-1-24, 82-1-25, 82-1-27, 82-1-29, 82-1-31, 82-1-32, 82-1-33, 82-1-34, 82-1-37, 82-1-40, 82-1-41, REVISED STATUTES OF UTAH, 1933, RELATING TO SECURITIES; PREVENTING FRAUD IN THE SALE AND DISPOSITION OF SECURITIES, CREATING A STATE SECURITIES COMMISSIONER, DEFINING TERMS AND OFFENSES, PRESCRIBING PENALTIES AND FEES, PROVIDING FOR REGISTRATION AND REVOCATION OF ORDERS AND REGISTRATION, LICENS-

ING OF DEALERS, SALESMEN AND AGENTS AND THE SUSPENSION AND REVOCATION THEREOF, PROVIDING FOR PROCEDURE, SUFFICIENCY OF EVIDENCE, ORDER OF THE COMMISSIONER RELATING TO ESCROWS AND APPEALS FROM ORDERS AND ACTIONS OF THE COMMISSIONER, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Holbrook moved that the Senate defer action on *S. B. No. 88* on third reading until after *S. B. No. 1* has been considered on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 1 was read the second time.

Committee report read and adopted.

Senator Bamberger moved to amend the bill as follows:

Page 4, strike lines 3 and 4 and on line 5 strike the numeral "3" and insert the numeral "2".

In the title on lines 7 and 8, strike the following: "And Repealing Section 80-13-4".

Senator Bamberger with the aid of four Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Day, Fennell, Fowles, Hammond, Huggins, Ray, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Bowman, Calder, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser (explained vote), Parratt, Royle, Woodward, Mr. President.

S. B. No. 1 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 88 was read the third time and placed on its final passage.

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

Page 1, in Section 80-14-2 subdivision 6, strike the numerals "100" and insert "50".

Page 1, reinstate lines 16 and 17 then strike the numerals "750" on line 17 and insert "500".

Page 2, reinstate lines 1 to 18 inclusive, then on lines 1 and 3 strike the numerals "1,500" and insert "1,000".

Line 6, strike the word "three" and insert "two".

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

Page 3, reinstate Section 80-14-52 to its original printed form, then on line 17 strike the numerals "750" and insert "500".

Line 22, strike the numerals "1,500" and insert "1,000".

Line 24, strike the numerals "750" and insert "500".

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

Page 2, line 19, strike the word "individuals" and insert the word "residents".

Line 22, strike the word "individual" and insert the word "resident".

Senator Holbrook moved to amend the bill on Page 1 as follows:

Strike Subdivision 6 of Section 80-14-2.

Senator Miller with the aid of four Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 7; Nays, 16; Absent, 0.

Those voting in the affirmative were: Senators Calder, Frischknecht, Holbrook, Holmgren, Hopkin, Miller, Parratt.

Those voting in the negative were: Senators Bamberger (explained vote), Bowman, Day, Fennell, Fowles, Griffin (explained vote), Hammond, Huggins, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward (explained vote), Mr. President.

Senator Bamberger reported that the joint committee called upon the Governor and he expressed his appreciation and stated that he would be happy to attend our Joint Convention.

INTRODUCTION OF BILLS

S. J. R. No. 12 By Mr. Maw

A RESOLUTION PROPOSING TO AMEND ARTICLE 8, SECTION 10, OF THE CONSTITUTION OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 152 By Mr. Maw

AN ACT AMENDING SECTION 57-12-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 41, LAWS OF UTAH, 1933, RELATING TO LICENSES TO SELL MOTOR FUEL, MAKING AN EXCEPTION TO THE REQUIREMENT FOR PROVIDING BOND TO PROCURE A LICENSE, was read the first time and referred to the Committee on Revision and Enrolling.

FURTHER CONSIDERATION OF S. B. NO. 88

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

Page 2, reinstate lines 25 to 33 inclusive, then on line 23 strike the numerals "750" and insert "500".

Lines 26 and 30, strike the numerals "1,500" and insert "1,000".

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

Page 3, at the end of Section 80-14-19, strike the word "collector" and insert "tax commission".

Senator Wallace moved that *S. B. No. 88* be typewritten in its present form and placed on the Senators' desks tomorrow.

Motion carried.

On motion of Senator Bamberger the Senate adjourned.

THIRTIETH DAY

February 12, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 12, 1935.

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,

DANIEL STEVENS,
ALONZO F. HOPKIN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 33,* by Mr. Luke, entitled, "AN ACT TO AMEND SECTION 15-2-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INCORPORATION OF TOWNS AND FIXING THE MINIMUM POPULATION THEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 33 was read the first time and referred to Committee on State and Municipal Affairs.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 81,* by Mr. Nicholes, entitled, "AN ACT TO AMEND SECTION 19-13-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE OFFICES AT COUNTY SEAT AND OFFICE HOURS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 81 was read the first time and referred to Committee on State and Municipal Affairs.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 97,* by Mr. Richards, entitled, "AN ACT TO AMEND SECTION 85-9-8, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR APPOINTMENT BY THE BOARD OF CORRECTIONS OF THE STATE PRISON FOR A PAROLE AND PROBATION OFFICER, ASSISTANT PAROLE AND PROBATION OFFICERS AND CASE AND SOCIAL WORKERS AND PROVIDING FOR THEIR DUTIES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 97 was read the first time and referred to Committee on Public Institutions.

February 11, 1935.

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. 2*, by Mr. Huggins and Mr. Fowles, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 2 was transmitted to the Secretary of State.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 21st day of January, 1935, approve and transmit to the Secretary of State, *H. B. No. 14*, by Mr. J. W. Jensen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 23rd day of January, 1935, approve and transmit to the Secretary of State, *H. B. No. 1*, by Mr. Maw.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 28th day of January, 1935, approve and transmit to the Secretary of State, *H. C. R. No. 1*, by Mrs. Gibson, Mr. Gammeter and Mr. Lamoreaux.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

February 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of February, 1935, approve and transmit to the Secretary

of State, *H. C. R. No. 2,* by Mrs. Gibson, Mr. Gammeter and Mr. Lamoreaux.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 12, 1935.

Mr. President:

We, your Committee on Trade Regulations, to which has been referred *S. B. No. 82,* by Mr. Fowles, beg leave to report it out without recommendation.

Respectfully,
J. FRANCES FOWLES,
Chairman.

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 12, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 92,* by Mr. Woodward, beg leave to report the same out favorably with the following amendments:

Line 2 of the title, change "21" to "20.".

Page 1, insert under the enacting clause "Section 1" to read as follows: "Section 21, chapter 63, Laws of Utah, 1933, as amended by chapter 20, Laws of Utah, 1933, is amended to read as follows:"

Page 1, line 1, insert "Section 21" preceding the written material.

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

February 12, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 125,* by Mr. Maw, beg leave to report the same out favorably with the following amendments:

Page 1, line 1, insert "hereby" after the word "is".

Page 1, line 2, insert "hereby" after the word "is".

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

February 12, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to whom was referred *S. B. No. 90*, by Mr. Miller, recommend that the same be printed by title only.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 90 was ordered printed by title only and referred to the Committee on Trade Regulations.

February 12, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 100*, by Committee on Trade Regulations, and recommends the same to be printed by title only.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 100 was ordered printed by title only and referred to the Committee on Trade Regulations.

February 12, 1935.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 70*, by Mr. Holbrook, begs leave to report the same back unfavorably.

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

February 12, 1935.

Mr. President:

We, your Committee on Trade Regulations, to which has been referred *S. B. No. 100*, by Trade Regulations Committee, beg leave to report the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

February 12, 1935.

Mr. President:

We, your Committee on Trade Regulations, to which has been referred *S. B. No. 90,* by Mr. Miller, report it without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 90 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 153 By Mr. Fowles

AN ACT AMENDING SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INVESTMENT OF FUNDS ADMINISTERED BY THE STATE LAND BOARD AND REPEALING SECTION 86-4-8 RELATING TO UNPAID WARRANTS, REGISTRATION AND PAYMENT was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 154 By Mr. Fowles

"AN ACT TO APPROPRIATE THE SUM OF $1000 TO THE UTAH HUMANE SOCIETY, INCORPORATED, TO AID IN THE PREVENTION OF CRUELTY TO ANIMALS," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 155 By Mr. Fennell

"AN ACT TO PROVIDE THAT NO GUEST IN A MOTOR VEHICLE SHALL HAVE A CLAIM FOR DAMAGES AGAINST THE OWNER OR OPERATOR THEREOF UNLESS SUCH ACTION SHALL HAVE BEEN INTENTIONAL ON THE PART OF SAID OWNER OR OPERATOR, OR CAUSED BY HIS INTOXICATION OR RECKLESS DISREGARD OF THE RIGHTS OF OTHERS," was read the first time and referred to the Committee on Revision and Enrolling.

The President declared the Senate in recess to proceed to the House Chamber to meet in Joint Convention.

JOINT CONVENTION

President Maw, presiding.

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

Prayer by the Chaplain of the Senate.

President Maw appointed a committee consisting of Senators Bamberger, Musser and Ray and Representatives Maeser, Mrs. Jensen and

Aird to wait upon the Governor and escort him to the House Chamber, to join with the Legislature in celebrating the one hundred and twenty-sixth anniversary of the birth of Abraham Lincoln.

The Committee returned escorting His Excellency to the rostrum.

President Maw introduced Mr. and Mrs. F. S. Hickman, who sang, "I Would That My Love" and "Sainted Mother" accompanied by Mrs. Darrel Ensign.

President Maw introduced the Reverend Monsignor Duane G. Hunt, chairman of the National Conference of Jews and Christians. Monsignor Hunt introduced Rabbi Samuel H. Gordon of the Temple B'nai Israel, the principal speaker of the Joint Convention.

Rabbi Gordon addressed the Joint Convention.

Senator Calder moved that a vote of thanks be given to Monsignor Hunt and Rabbi Samuel H. Gordon.

Motion carried.

Senator Bowman introduced Mr. K. E. Fordham composer of the proposed state song, "Sego Lily."

Mr. and Mrs. F. S. Hickman, accompanied by Mr. K. E. Fordham, sang "Sego Lily."

President Maw expressed the appreciation of the Legislature to the speakers and entertainers on today's program.

The appointed committee escorted Governor Blood back to his executive chamber.

President Maw declared the Joint Convention adjourned.

The Senate reconvened at 3:45 p. m.

Senator Parratt moved that beginning Monday, February 25th, that the Senate meet at 10:00 a. m. and 2:00 p. m. daily.

Senator Holbrook moved that the motion be made a special order of business for tomorrow, February 13th at 2:15 p. m.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 156 By Mr. Maw

"AN ACT AMENDING SECTIONS 3 AND 4, CHAPTER 86, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 24, LAWS OF UTAH, PASSED AT THE SECOND SPECIAL SESSION, 1933, EXTENDING THE POWERS OF THE COMMITTEE TO INVESTIGATE AND STUDY THE OPERATION OF GOVERNMENT AND PROVIDING FOR AN APPROPRIATION THEREFORE," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 157 By Mrs. Musser

"AN ACT TO AMEND CHAPTER 84 OF THE LAWS OF UTAH, 1933, BY ADDING A NEW SECTION THERETO, TO BE KNOWN AS SUB-SECTION (C); SAID ACT TO MAKE THE PAYING OF ANY RANSOM OR PAYMENT OF ANY KIND TO SECURE THE RELEASE OF A PERSON KIDNAPPED OR ILLEGALLY HELD IN CUSTODY, A FELONY," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 88 on third reading.

Senator Bamberger moved to amend the bill as follows:

Page 4, line 21, strike the numeral "5" and insert "6". Line 25, strike the numeral "4" and insert "5". Line 26, strike the numeral "5" and insert "6".

Senator Miller with the aid of four Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 3; Nays, 18; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Fennell, Fowles.

Those voting in the negative were: Senators Bowman, Calder, Day Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Miller Musser, Ray, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Griffin, Huggins.

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

In the title, line 2 after the fifth word "exemptions" insert "and provide for installment payments".

Line 4, after the numerals "80-14-17" insert "80-14-19".

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

Page 2, lines 28 and 31, strike the numerals "2,500" and insert "1,500".

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

In line 6 of Section 80-14-19, after the word "elect" insert the following:

"If the total amount of the tax charged under this chapter shall exceed $50.00".

S. B. No. 88 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward (explained vote), Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Fowles (explained vote), Stewart (explained vote).

Absent and not voting: Senator Huggins.

S. B. No. 88 was transmitted to the House.

S. B. No. 1 was read the third time and placed on its final passage.

Senator Fowles moved to amend the bill as follows:

In the title, line 5, after the word "associations" strike the balance of the line up to and including the word "act" on line 6.

Lines 7 and 8, strike "and repealing section 80-13-4".

Page 4, strike lines 3 and 4.

Line 5, strike the numeral "3" and insert "2".

Senator Bamberger with the aid of four Senators requested a roll call on the motion:

The motion was lost on the following roll call:

Yeas, 11; Nays, 11; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Day, Fennell, Fowles, Hammond, Musser (explained vote), Ray, Royle, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Bamberger, Calder, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Parratt, Woodward, Mr. President.

Absent and not voting: Senator Huggins.

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

Page 2 between lines 1 and 2 insert the following:

"provided, that the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed in this act for the payment of the tax by the taxpayer the second installment shall be paid on the 15th day of the third month, the third installment on the 15th day of the sixth month, and the fourth installment on the 15th day of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the

whole amount of the tax unpaid shall be paid upon notice and demand from the tax commission."

Senator Bamberger moved to reconsider Senator Fowles motion to amend the title on line 5 after the word "associations" strike the balance of the line up to and including the word "act" on line 6. On lines 7 and 8 by striking the words "and repealing Section 80-13-4". Page 4, strike lines 3 and 4. Line 5, strike the numeral "3" and insert "2".

Motion carried.

Senator Bamberger moved to amend the bill as follows:

In the title, line 5, after the word "associations" strike the balance of the line up to and including the word "act" on line 6.

Lines 7 and 8, strike the following: "and repealing Section 80-13-4".

Page 4, strike lines 3 and 4.

Line 5, strike the numeral "3" and insert "2".

Senator Wallace with the aid of four Senators requested a roll call on the motion.

The motion carried on the following roll call:

Yeas, 12; Nays, 11; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Hammond, Huggins, Musser, Ray, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Calder, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Parratt, Royle, Woodward, Mr. President.

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

In the title reinstate lines 5 and 6 to their original printed form and strike the word "Repeal" and insert "Amend".

Line 7, after the numerals "80-13-3" insert "80-13-4".

Page 1, line 1, after the numerals "80-13-3" insert "80-13-4".

Page 2, after the amendment between lines 1 and 2 insert the following:

"80-13-4. Every bank or corporation subject to the tax provided for under section 80-13-2 or 80-13-3 shall, except as to the minimum tax, receive an offset or credit against said tax in the amount of the taxes paid by it during the taxable year upon its real and tangible personal property located in this state; but such offset or credit shall not exceed ( ) *twenty* per cent of the tax computed and payable under this chapter."

Page 2, line 21, strike "( )".

Page 3, line 25, strike "( )".

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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

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

On motion of Senator Parratt the Senate adjourned.

THIRTY-FIRST DAY

February 13, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

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

Prayer by the Chaplain.

February 13, 1935.

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,

DANIEL STEVENS,
ALONZO F. HOPKIN,

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 13, 1935.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 116*, by Mrs. Stewart, begs leave to report the same back without recommendation.

Respectfully submitted,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 77,* by Mr. Miller, beg leave to report the same without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 77 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 81,* by Mr. Hammond, beg leave to report the same out without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 81 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 83,* by Mr. Hammond, beg leave to report the same out without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 79,* by Mr. Hammond, beg leave to report the same out without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 158 By Mr. Huggins

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 HIGHWAYS; PROVIDING FOR THE FURNISHING OF INSURANCE BY MOTOR CARRIERS, AND REPEALING CHAPTER 53, LAWS OF UTAH, 1933, AND ALL OTHER 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. 159 By Mr. Holbrook

AN ACT PROVIDING FOR THE ISSUANCE, DISPOSAL AND PAYMENT OF STATE REFUNDING BONDS AND AUTHORIZING THE STATE BOARD OF LOAN COMMISSIONERS TO ISSUE SUCH BONDS, was read the first time.

On motion of Senator Holbrook the rules were suspended and *S. B. No. 159* was ordered printed and referred to the Committee on Appropriations and Claims.

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

MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO PASS AND APPROVE UNITED STATES HOUSE RESOLUTION 2855, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 160 By Mrs. Musser, by request.

AN ACT TO PROVIDE FOR THE SUPERVISION OF PERSONS PLACED ON PROBATION BY THE DISTRICT, JUSTICE, AND CITY COURTS; PROVIDING FOR THE APPOINTMENT OF PROBATION OFFICERS; PRESCRIBING THE METHOD OF APPOINTMENT OF SUCH OFFICERS; DEFINING THEIR POWERS AND DUTIES AND PLACING SUCH OFFICERS UNDER THE GENERAL DIRECTION, CONTROL, AND SUPERVISION OF THE JUVENILE COURT AND PROBATION COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

Consideration of Senator Parratt's motion that beginning February 25th the Senate hold sessions daily at 10:00 a. m. and 2:00 p. m.

Motion carried.

Senator Holmgren moved that the President appoint a Sifting Committee and that said committee begin functioning on Monday, February 18th.

Senator Holbrook moved to amend the motion so that the committee begins functioning Monday, February, 25th.

Motion as amended carried.

Senator Holmgren moved that the Sifting Committee determine daily the order of consideration of bills on the Second Reading Calendar.

Motion carried.

INTRODUCTION OF BILL

S. B. No. 161 (substitute for S. B. No. 140) By Mr. Stevens

AN ACT AMENDING SECTION 30-0-60 REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRESERVATION OF BIRD LIFE AND THE PROTECTION OF AGRICULTURISTS AND OTHERS FROM THE RAVAGES OF CERTAIN DESTRUCTIVE BIRDS, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 140* was withdrawn.

SPECIAL ORDER

S. B. No. 16 on second reading.

S. B. No. 16 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 Bowman, Calder, Fennell, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, (explained vote), Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were Senators Bamberger, Griffin.

Absent and not voting: Senators Day, Fowles.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 23 was read the second time.

Committee report read and adopted.

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

Page 3, line 22, after the word "discretion" strike the period and insert the following: ", and of the chairman of the liquor control commission at his discretion to enforce the liquor laws of this state.".

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, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Day.

On motion of Senator Bowman the rules were suspended and *S. B. No. 23* was read the third time and placed on its final passage.

S. B. No. 23 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Day.

S. B. No. 23 was transmitted to the House:

The President introduced former State Senator, Hon. John E. Booth.

S. B. No. 9 was read the second time.

Committee report read and adopted.

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

Page 6, line 4, strike the word "practices" and insert "practicing".

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

Page 5, line 30, strike the word "surname" and insert "true name".

Page 6, line 1, strike the word "surnames" and insert "true name".

S. B. No. 9 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, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Miller.

S. B. No. 57 was read the second time.

Committee report read and adopted.

On motion of Senator Parratt the rules were suspended and *S. B. No. 57* was read the third time and placed on its final passage.

S. B. No. 57 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Senators Day, Miller, Mr. President.

S. B. No. 57 was transmitted to the House.

On motion of Senator Holbrook *S. B. No. 70* was taken from the Second Reading Calendar and was referred to the Committee on Judiciary.

On motion of Senator Parratt the Senate adjourned.

THIRTY-SECOND DAY

February 14, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 14, 1935.

Mr. President:

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

Respectfully,

DANIEL STEVENS,
ALONZO F. HOPKIN,

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 11, 1935.

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. 2*, by Mr. Pectol, entitled, "A MEMORIAL TO CONGRESS OF THE UNITED STATES AGAIN REQUESTING THE CREATION OF A NATIONAL PARK IN WAYNE COUNTY, UTAH", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

February 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 84*, by Mr. Farr, entitled, "AN ACT AMENDING SECTION 15-6-7, REVISED STATUTES OF UTAH, 1933, RELATING TO MUNICIPAL ELECTIONS; TERMS OF OFFICE AND PROVIDING FOR THE ELECTION IN CITIES OF THE SECOND CLASS OF AN AUDITOR FOR A TERM OF FOUR YEARS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 84 was read the first time and referred to Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

February 13, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *H. B. No. 81*, by Mr. Nicholes, beg leave to report the same back favorably with the following amendment:

On line 1 of the title, insert a comma after the figures "19-13-9".

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 81 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 102*, by Mrs. Musser, begs leave to report the same back favorably with the following amendments:

After the word "ACT" in the first line of the title, strike lines 1 and 2, and on the 3rd line, strike "AS SECTION 79-8-18".

On line 1 of the bill, strike all subject matter down to "79-8-18" on line 2.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 102 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 130,* by Mr. Huggins, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 126,* by Mr. Holbrook, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 126 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 10,* by Judiciary Committee, beg leave to report the same back favorably with the following amendments:

On line 3, insert the word "Section" before the figure "10".

On line 6, after the word "unanimous." remove the underscoring under the word "In" and on line 7, underscore the word "in".

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 10 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 99*, by Mr. Fowles, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 13, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 124*, by Mr. Maw, beg leave to report the same back without recommendation with the following amendments:

In the last line of the title, strike the period and add the following: "AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76-4-23X."

In line 2, after the word "amended", insert the following: "and enacting a new section to be known as 76-4-23x."

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

February 14, 1935.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 115*, by Mr. Stevens, begs leave to report the same back without recommendation.

Respectfully submitted,

P. J. FENNELL,
Chairman.

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

February 14, 1935.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 110*, by Mr. Neslen, begs leave to report the same back without recommendation.

Respectfully submitted,

P. J. FENNELL,
Chairman.

Report filed.

S. B. No. 110 was placed on the Second Reading Calendar.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 144*, by Mr. Miller, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 144 was ordered printed and referred to the Committee on Appropriations and Claims.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 161*, substitute for S. B. No. 140, by Mr. Stevens, 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. 161 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 160*, by Mrs. Musser, by request, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 160 was ordered printed and referred to the Committee on Public Institutions.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 154*, by Mr. Fowles, 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. 154 was ordered printed and referred to the Committee on Appropriations and Claims.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 153*, by Mr. Fowles, and recommends that the same be printed.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 153 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 149*, by Mr. Hopkin, and recommends that the same be printed.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 149 was ordered printed and referred to the Committee on Education.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 147*, by Mr. Miller, 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. 147 was ordered printed and referred to the Committee on Education.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 12*, by Mr. Maw, and recommends that the same be printed.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 12 was ordered printed and referred to the Committee on Judiciary.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No.*

145, by Mr. Stevens, by request, 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. 145 was ordered printed and referred to the Committee on Health and Labor.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146*, by Mr. Miller, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 146 was ordered printed and referred to the Committee on Appropriations and Claims.

February 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. M. No. 2*, by Mr. Maw, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

On motion of Senator Bowman the rules were suspended and *S. C. M. No. 2* was read the second and third times and placed on its final passage.

S. C. M. No. 2 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Royle.

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

INTRODUCTION OF BILLS

S. J. R. No. 13 By Mr. Huggins

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE STATE CONSTITUTION RELATING TO THE DURATION OF FRANCHISE OR CHARTER OF

ANY CORPORATION NOW EXISTING OR WHICH SHALL HEREAFTER EXIST UNDER THE LAWS OF THIS STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 162 By Mr. Holbrook

AN ACT TO AMEND CHAPTER 73 LAWS OF UTAH, 1923 AND TO PROVIDE FOR THE DISSOLUTION OF DRAINAGE DISTRICTS; THE WINDING AND CLOSING OF THE AFFAIRS OF THE DISTRICT; *EQUALIZATION OF PAID AND UNPAID ASSESSMENTS;* PAYMENT OF THE OBLIGATIONS OF THE DISTRICT; COSTS OF DISSOLUTION; AND THE SALE AND DISPOSITION OF THE PROPERTY OF THE DISTRICT WHEN THE DISTRICT IS DISSOLVED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 163 By Mrs. Musser

AN ACT MAKING AN APPROPRIATION TO PROVIDE A RECEPTACLE FOR THE ORIGINAL CONSTITUTION OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 164 By Mr. Day

AN ACT TO ESTABLISH A STATE MUSEUM AT SALT LAKE CITY, WITH FULL POWER TO CARRY OUT THE OBJECTS AND PURPOSES FOR WHICH IT WAS ORGANIZED AND INCORPORATED, TO BE MAINTAINED WITHOUT EXPENSE TO THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 16 was read the third time and placed on its final passage.

S. B. No. 16 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bowman (explained vote), Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Holbrook.

Absent and not voting: Senators Day, Royle.

S. B. No. 16 was transmitted to the House.

S. B. No. 9 was read the third time and placed on its final passage.

Senator Stewart moved to amend the bill as follows:

Page 6, between lines 20 and 21 insert the following:

"(7) Prepares fillings, inlays, concretions, bridges, plates or repro-

ductions of the human teeth, or any part thereof, or does or performs any dental laboratory work, unless he is a duly licensed dentist."

Senator Bowman, with the aid of four Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 7; Nays, 15; Absent, 1.

Those voting in the affirmative were: Senators Day, Hammond, Musser, Royle, Stevens, Stewart, Woodward.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Wallace, Mr. President.

Absent and not voting: Senator Frischknecht.

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

Page 6, line 4, strike the word "practicing" and insert "practices".

S. B. No. 9 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Griffin, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stewart (explained vote), Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Day (explained vote), Hammond (explained vote), Stevens.

Absent and not voting: Senators Frischknecht, Hopkin.

S. B. No. 9 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 55 was read the second time.

Committee report read and adopted.

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

Insert between lines 11 and 12, page 1, the following paragraph:

Residence within the meaning of this section shall be construed to mean that district in which the parents or guardians of the school child have resided continuously for a period of thirty days or more, or that district in which the parents or guardians bona fide intend to continue to reside as evidenced by sworn statement of such intention filed with the board of education of such district.

S. B. No. 55 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, Day, Fennell, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Miller, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Griffin, Huggins, Musser, Stewart.

On motion of Senator Hammond the rules were suspended and the position of *S. B. Nos. 76, 79, 83, 71 and 81* were changed on the Second Reading Calendar and they now take their position immediately following *S. J. R. No. 6.*

S. B. No. 72 was read the second time.

Committee report read and adopted.

Senator Huggins moved that when we do adjourn tomorrow it be until Saturday, February 16th, at 1:30 P. M.

Motion carried.

On motion of Senator Holbrook the Senate adjourned.

THIRTY-THIRD DAY

February 15, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 15, 1935.

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,

DANIEL STEVENS,
ALONZO F. HOPKIN.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

February 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 12*, by Mr. Mac-

farlane, 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 BUSINESS," and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 12 was read the first time and referred to Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

February 14, 1935.

Mr. President:

Your Committee on Appropriations and Claims to which was referred *S. B. No. 113*, by Mr. Fowles, begs leave to report the same back favorably.

Respectfully submitted,
WARD C. HOLBROOK,
Chairman.

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

February 15, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 86*, by Mr. Fowles, beg leave to report the same back without recommendation, and that it be considered with *S. B. No. 11*, by Senator Neslen, or similar House Bill.

Respectfully submitted,
JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 86 was placed on the Second Reading Calendar.

February 15, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 129*, by Mr. Bowman, begs leave to report the same back without recommendation.

Respectfully submitted,
JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

February 15, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was

referred *H. B. No. 33*, by Mr. Luke, beg leave to report the same back favorably.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 33 was placed on the Second Reading Calendar.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 148*, by Mr. Frischknecht, entitled, "AN ACT TO AMEND SECTION 2063, LAWS OF UTAH, 1925, RELATING TO CORRECTION OF ERRORS, IN AMENDMENT TO AND CHANGES OF THE ASSESSMENT ROLL OF BENEFITS AND TAXES, AND THE EQUALIZATION OF BENEFITS TO LANDS AND INTEREST IN LANDS IN DRAINAGE DISTRICTS," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT TO AMEND SECTION 2063, COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1921, AS AMENDED BY CHAPTER 109, LAWS OF UTAH, 1925, RELATING TO CORRECTION OF ERRORS, IN AMENDMENT TO AND CHANGES OF THE ASSESSMENT ROLL OF BENEFITS AND TAXES, AND THE EQUALIZATION OF BENEFITS TO LAND AND INTEREST IN LANDS IN DRAINAGE DISTRICTS," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 148 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 150*, by Mr. Hopkin, 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. 150 was ordered printed and referred to the Committee on Education.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 155*, by Mr. Fennell, entitled, "AN ACT TO PROVIDE THAT NO GUEST IN A MOTOR VEHICLE SHALL HAVE A CLAIM FOR DAMAGES AGAINST THE OWNER OR OPERATOR THEREOF UNLESS SUCH ACTION SHALL HAVE BEEN INTENTIONAL ON THE

PART OF SAID OWNER OR OPERATOR, OR CAUSED BY HIS INTOXICATION OR RECKLESS DISREGARD OF THE RIGHTS OF OTHERS," with a few minor changes consented to by the author, including a change in the title as follows: "AN ACT TO PROVIDE THAT NO GUEST IN A MOTOR VEHICLE SHALL HAVE A CLAIM FOR DAMAGES AGAINST THE OWNER OR OPERATOR THEREOF UNLESS SUCH ACCIDENT SHALL HAVE BEEN INTENTIONAL ON THE PART OF SAID OWNER OR OPERATOR, OR CAUSED BY HIS INTOXICATION OR RECKLESS DISREGARD OF THE RIGHTS OF OTHERS," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 155 was ordered printed and referred to the Committee on Judiciary.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 158*, by Mr. Huggins, 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. 158 was ordered printed and referred to the Committee on Highways.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 162*, by Mr. Holbrook, 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. 162 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 163*, by Mrs. Musser, 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. 163 was ordered printed and referred to the Committee on Appropriations and Claims.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 164*, by Mr. Day, 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. 164 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 13*, by Mr. Huggins, 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. J. R. No. 13 was ordered printed and referred to the Committee on Judiciary.

February 15, 1935.

Mr. President:

We, your Committee on Revenue and Taxation to whom was referred *S. B. No. 138*, by Mr. Woodward, beg leave to report the same out favorably.

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

February 15, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 64*, by Committee on Revenue and Taxation, by request, beg leave to report the same out favorably.

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 64 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 165 (Substitute for S. B. No. 107) By Mrs. Musser, by Request

AN ACT AMENDING SECTION 79-1-5, REVISED STATUTES

OF UTAH, 1933, RELATING TO COMMITTEES UNDER THE DEPARTMENT OF REGISTRATION, BY ADDING THERETO SUBSECTION (17) AND AMENDING TITLE 79, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DEPARTMENT OF REGISTRATION BY ADDING A NEW CHAPTER THERETO TO BE KNOWN AS CHAPTER 14 OF TITLE 79, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PROFESSION OF PRIVATE MUSIC TEACHING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 166 By Mr. Royle, by Request

AN ACT RELATING TO SMALL LOANS, DEFINING APPLICATIONS OF SECTION 7-8-5, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 167 By Mr. Huggins, by Request

AN ACT AMENDING SECTION 12-1-1, REVISED STATUTES OF UTAH, 1933, RELATING TO DONATIONS FOR PERPETUAL CARE OF CEMETERIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 168 By Mr. Ray, by Request

AN ACT TO AMEND SECTION 43-6-4, REVISED STATUTES OF UTAH, 1933, RELATING TO INSURANCE AGENTS AND BROKERS AND PERMITTING SUCH AGENTS OR BROKERS IN CERTAIN CASES TO PROCURE POLICIES OF INSURANCE ON RISKS LOCATED IN THE STATE IN COMPANIES NOT AUTHORIZED TO TRANSACT BUSINESS IN THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. M. No. 1 By Messrs. Frischknecht, Stevens and Miller

A MEMORIAL TO THE GOVERNOR AND OTHER EXECUTIVE OFFICERS OF THE STATE OF UTAH REQUESTING READJUSTMENT BE MADE WITH THE SETTLERS UNDER IRRIGATION PROJECTS OWNED BY THE STATE OR IN WHICH THE STATE MAY BE INTERESTED, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Musser *S. B. No. 107* was recalled from the Committee on Judiciary, and upon unanimous consent of the Senate said bill was withdrawn.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 55 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 5, after the word "children" insert "wish to".

Line 7, after the word "education" insert "if it gives such consent".

S. B. No. 55 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Fowles.

S. B. No. 55 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 72 on second reading.

Senator Holbrook moved to amend the bill as follows:

Page 1, strike line 21.

Page 2, strike lines 1 to 10 inclusive and in lieu of the stricken material insert the following:

"If any such taxes or any part thereof is paid during the month of January preceding the date when the same becomes delinquent, an additional credit of 3 per cent of the amount so paid shall be allowed and deducted from such tax; if paid during February, March or April, an additional credit of 2 per cent of the amount so paid shall be allowed and deducted; if paid during May, June or July, an additional credit of 1 per cent of the amount so paid shall be allowed and deducted."

Senator Bamberger moved to amend the motion as follows:

Wherever the words "an additional" appear such words be stricken and the word "a" inserted in lieu thereof.

Senator Hammond moved to amend the original motion as follows:

Page 1, line 13, after the word "before" insert "or after".

Line 14, place a period after the numeral "10" and strike the balance of the bill with the exception of Section 2.

Motion as amended carried.

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

In the title strike the fourth word "Reduce" and insert "Eliminate".

Page 1, line 14, after the word "made" insert ", but not subsequent to date of delinquency".

Line 14, after the numerals "10" delete the period and insert the following: ", or the full amount of said tax remaining unpaid at any time before delinquency.".

S. B. No. 72 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Hopkin.

On motion of Senator Parratt the rules were suspended and *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, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Hopkin.

S. B. No. 72 was transmitted to the House.

Senator Holmgren moved that the rules be suspended and that the Senate consider *S. B. No. 4* ahead of *S. B. No. 59* on the Second Reading Calendar.

Motion carried.

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

Committee report read and adopted.

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

Page 1, line 8, strike the following: ", less the discount" and insert the word "as" in lieu thereof.

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

Page 1, line 4, change the word "unit" to read "units" and strike the words "in the".

Line 5, strike the word "county".

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

Page 1, line 5, strike the word "hands" and insert "possession".

On motion of Senator Bamberger the rules were suspended and *S. B. No. 4* was read the third time and placed on its final passage.

S. B. No. 4 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook,

Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward.

Absent and not voting: Senators Day, Stewart, Mr. President.

S. B. No. 4 was transmitted to the House.

Senator Fowles moved to reconsider the Senates action of Senator Huggins' motion made yesterday with reference to today's adjournment.

Motion carried.

Senator Fowles moved to amend the motion as follows: that when we adjourn it be until tomorrow, February 16th, at 10:00 A. M.

Motion as amended carried.

REPORTS OF STANDING COMMITTEES

February 15, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141,* by Highways Committee, 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. 141 was ordered printed and referred to the Committee on Highways.

February 15, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to which was referred *S. B. No. 159,* by Mr. Holbrook, beg leave to report the same back favorably, and recommend speedy action.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

S. B. No. 159 was placed on the Second Reading Calendar.

On motion of Senator Holbrook *S. B. No. 159* was made a special order of business for Monday, February 18th, at 2:30 P. M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 59 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger 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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Holbrook, Royle.

S. B. No. 59 was transmitted to the House.

Senator Bamberger moved that the rules be suspended and that the Senate consider *S. B. No. 17* ahead of *S. B. No. 73* on the Second Reading Calendar.

Motion carried.

S. B. No. 17 was read the second time.

Committee report read and adopted.

On motion of Senator Royle, *S. B. No. 17* was made a special order of business for tomorrow, February 16th, at 10:30 A. M.

S. B. No. 73 was read the second time.

Committee report read and adopted.

On motion of Senator Parratt the Senate adjourned.

THIRTY-FOURTH DAY

MORNING SESSION

February 16, 1935

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

Roll Call—All Senators present except Senator Holmgren, excused and Senator Griffin.

Prayer by the Sergeant-at-Arms.

February 16, 1935.

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,

DANIEL STEVENS,
ALONZO F. HOPKIN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 15, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 29,* by Mr. Edman, entitled, "AN ACT AMENDING SECTIONS 85-7-10, 85-7-14, 85-7-27, 85-7-30, 85-7-38, OF THE REVISED STATUTES OF UTAH, 1933, AND SECTION 85-7-45 OF THE REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, RELATING TO THE UTAH STATE HOSPITAL, PERTAINING TO PERSONNEL ADDING TO THE DUTIES OF THE STEWARD; AND REPEALING SECTIONS 85-7-8, 85-7-9; AND ENACTING A NEW SECTION TO BE KNOWN AS 85-7-52 PROVIDING FOR THE BOARDING OUT OF PATIENTS OF THE HOSPITAL UNDER CERTAIN PROVISIONS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,

Chief Clerk.

Communication filed.

H. B. No. 29 was read the first time and referred to Committee on Public Institutions.

February 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 67,* by Mr. Lamoreaux, entitled, "AN ACT MAKING IT MANDATORY FOR GAS AND ELECTRIC CORPORATIONS TO DISCLOSE ON MONTHLY BILLS THE AMOUNT AND UNIT COST OF THE PRODUCT OR SERVICE RENDERED", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,

Chief Clerk.

Communication filed.

H. B. No. 67 was read the first time and referred to Committee on State and Municipal Affairs.

February 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 80,* by Mr. Macfarlane by request, entitled, "AN ACT TO PROVIDE PENALTIES FOR USING, MANUFACTURING, SELLING OR GIVING AWAY TOKENS, SLUGS, OR SPURIOUS COINS FOR THE FRAUDULENT OPERATION OF VENDING MACHINES, COIN-BOX TELEPHONES OR OTHER RECEPTACLES, DESIGNED TO RECEIVE LAWFUL COINS OF THE UNITED STATES OF AMERICA, IN THE SALE, USE OR ENJOYMENT OF PROPERTY OR SERVICE", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,

Chief Clerk.

Communication filed.

H. B. No. 80 was read the first time and referred to Committee on Judiciary.

February 15, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 10,* by Mr. Grant Macfarlane, 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, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 10 was read the first time and referred to Committee on State and Municipal Affairs.

February 15, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 18,* by Mr. Holbrook, entitled, AN ACT TO AMEND SECTIONS 3-12-1 AND 3-12-8, REVISED STATUTES OF UTAH, 1933, RELATING TO HOTELS AND LODGING HOUSES, DEFINING A HOTEL AND FIXING CERTAIN SANITARY REQUIREMENTS, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 18 was read the first time and referred to Committee on Health and Labor.

INTRODUCTION OF BILLS

S. B. No. 169 By Mr. Woodward

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE UTAH ACADEMY OF SCIENCES, ARTS AND LETTERS FOR THE PERIOD BEGINNING JULY 1, 1935, AND ENDING JUNE 30, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 170 By Mrs. Musser, by request.

AN ACT TO CREATE A LIEN IN FAVOR OF HOSPITALS FOR ITS REASONABLE CHARGES FOR CARING FOR PERSONS INJURED IN ACCIDENTS, THE GIVING OF NOTICE OF SUCH LIEN, THE EFFECT THEREOF AND TO PROVIDE FOR THE ADJUDICATION OF THE CLAIMS MADE BY HOSPITALS AGAINST PERSONS INJURED IN ACCIDENTS, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 17 on second reading.

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

Page 2, line 9, after the word "except", insert "a reasonable attorneys fee".

Line 13, after the word "interest", insert "in excess of 8 per cent per annum".

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

Page 1, line 5, after the word "affect", insert "any penalty or interest charged which by law applies to delinquent taxes or".

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

COMMUNICATIONS FROM THE GOVERNOR

February 16, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State *S. B. No. 28,* by Mr. Stevens, entitled, "AN ACT EMPOWERING THE STATE FISH AND GAME COMMISSIONER TO BORROW MONEY FROM THE STATE LAND BOARD AND FROM THE STATE INDUSTRIAL COMMISSION, AND AUTHORIZING EACH OF THE LATTER TO LOAN, FROM FUNDS IN THEIR CUSTODY AVAILABLE FOR INVESTMENT, MONEY FOR USE IN CONNECTION WITH PUBLIC PROJECTS AND PROVIDING FOR THE REPAYMENT THEREOF".

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

February 16, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State *S. B. No. 18,* by Mr. Holbrook, entitled, "AN ACT TO ENABLE THE UNITED STATES TO ACQUIRE BY PURCHASE LAND IN THE STATE OF UTAH FOR CONSTRUCTION, EXTENSION OR ESTABLISHMENT OF NATIONAL FORESTS, RESERVING TO THE STATE THE RIGHT TO SERVE PROCESS AND PUNISH OFFENSES COMMITTED THEREON".

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

Further consideration of *S. B. No. 17.*

On motion of Senator Wallace, *S. B. No. 17,* was made a special order of business for Monday, February 18th, to follow *S. B. No. 159.*

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 73 on second reading.

Senator Frischknecht moved to amend the bill as follows:

On page 4, strike all of lines 22 to 27, inclusive, and insert in lieu thereof:

6. ( ) *(a) No person who is under the age of seventeen years shall drive any motor vehicle while in use as a school bus for the transportation of pupils to or from school and no person who is under the age of twenty-one years shall drive any motor vehicle while in use as a public or common carrier of persons or property, nor in either event until he has been licensed as a chauffeur and received a special chauffeur's license.*

(b) No person shall be granted a special chauffeur's license unless he has had one year of driving experience prior to the issuance thereof nor until he files with the department a certificate showing his employment as such chauffeur and one or more certificates signed by a total of at least three responsible people to whom he is well known certifying as to his good character and habits.

(c) No such license shall be granted until the department is fully satisfied as to the applicant's competency and fitness to be so employed.

(d) The department may in its discretion impose such rules and regulations for the exercise of such special chauffeurs' licenses as it may deem necessary for the safety and welfare of the traveling public.

Also on page 3, line 27, add to subsection (a):
"except as provided in section 6."

Senator Frischknecht moved to amend the motion as follows:

Strike under "(6)" line 1, commencing with the word "the" to and including the word "under" in line 3. At the end of subsection "a", change the period to a comma and add "provided that the department may license a person under the age of 21 years to drive a motor vehicle while in use as a school bus for the transportation of pupils to or from school upon written request of the board of education of the district concerned.

Senator Frischknecht, with the aid of four Senators, requested a roll call on the amendment to the motion.

The amendment to the motion carried on the following roll call:

Yeas, 11; Nays, 4; Absent, 8.

Those voting in the affirmative were: Senators Bamberger (ex-

plained vote), Calder, Frischknecht, Hammond, Holbrook, Huggins (explained vote), Miller, Ray, Stevens, Wallace, Mr. President.

Those voting in the negative were: Senators Bowman, Day, Fennell, Hopkin.

Absent and not voting: Senators Fowles, Griffin, Holmgren, Musser, Parratt, Royle, Stewart, Woodward.

Senator Huggins, with the aid of four Senators, requested a roll call on the motion as amended:

The motion as amended was lost on the following roll call:

Yeas, 7; Nays, 10; Absent, 6.

Those voting in the affirmative were: Senators Calder, Frischknecht, Hammond, Ray, Stevens, Wallace, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Day, Fennell, Holbrook (explained vote), Hopkin, Huggins, Miller, Musser, Woodward.

Absent and not voting: Senators Fowles, Griffin, Holmgren Parratt, Royle, Stewart.

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

Page 4, line 22, after the numeral "6" insert "(a)".

Between lines 27 and 28 insert the following:

"(b) No person shall be granted a special chauffeur's license unless he has had one year of driving experience prior to the issuance thereof nor until he files with the department a certificate showing his employment as such chauffeur and one or more certificates signed by a total of at least three responsible people, to whom he is well known, certifying as to his good character and habits.

(c) No such license shall be granted until the department is fully satisfied as to the applicant's competency and fitness to be so employed.

(d) The department may in its discretion impose such rules and regulations for the exercise of such special chauffeurs' licenses as it may deem necessary for the safety and welfare of the traveling public."

Page 3, line 27, add to subsection (a) the following: *"except as provided in section 6."*

Page 7, line 25, strike the period at the end of the line and insert the following: ", except as provided in Section 4."

Page 9, line 19, after the word "state" insert "or under any city ordinance".

Line 21, after the word "laws", insert "or ordinances".

Page 10, line 7, strike the numeral "5" and insert "(b)".

Lines 7, 8 and 9 to follow line 12.

Line 10, strike the numeral "6" and insert "5".

Line 13, strike the letter "b" and insert "c".

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

Page 4, line 24, after the word "of" insert "more than ten".

Page 8, line 29, strike the word "one" and insert "one-half".

S. B. No. 73 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, Day, Fennell, Frischknecht, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Calder, Fowles, Griffin, Holmgren, Parratt, Royle, Stewart.

On motion of Senator Woodward the rules were suspended and *S. B. No. 73* was read the third time and placed on its final passage.

S. B. No. 73 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischnecht, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Griffin, Holmgren, Parratt, Royle, Stewart.

S. B. No. 73 was transmitted to the House.

H. C. M. No. 1 was read the second time.

Committee report read and adopted.

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

Page 1, strike lines 4, 5, 6 and 7.

On motion of Senator Bowman *H. C. M. No. 1* was recommitted to the Committee on Judiciary.

Senator Huggins moved that the Sifting Committee be composed of as many members as desired by the President.

Motion carried.

INTRODUCTION OF BILL

S. B. No. 171 By Mr. Holbrook

AN ACT TO PROVIDE FOR THE EXAMINATION OF THE REPORTS OF MINES AND MINING CLAIMS FOR TAXATION PURPOSES; PROVIDING FOR PENALTIES AND AMENDING SECTIONS 80-5-52 AND 80-5-61 OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Bamberger the Senate adjourned

THIRTY-SIXTH DAY

February 18, 1935.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 18, 1935.

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,

DANIEL STEVENS,
ALONZO F. HOPKIN.

Report adopted and filed.

February 18, 1935.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 18*, by Mr. Holbrook, begs leave to report the same back favorably.

Respectfully submitted,

PATRICK J. FENNELL,
Chairman.

Report filed.

H. B. No. 18 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No.*

121, by Mr. Hammond, begs leave to report the same back favorably with the following amendments:

Page 1, line 9, change *"$1500"* to *"$1000."*

Page 2, line 15, after *"$1.50"*, change the period to a comma and add "rabbits and rodents in any amount as may be determined by the county commissioners of each county."

Respectfully submitted,

DANIEL STEVENS,
Chairman.

Report filed.

S. B. No. 121 was placed on the Second Reading Calendar.

February 16, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 2*, by Joseph W. Jensen, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 2 was placed on the Second Reading Calendar.

February 16, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 137*, by Mr. Day, beg leave to report the same back favorably with the following amendments:

On line 1 of the Title, after the word "act", strike the remainder of the line, and up to and including "in" on Line 2.

On line 2, strike the word "relation", and insert "relating".

On line 3 of the Title, after the word "commissioners", add a comma and strike the remainder of line 3 and all of line 4 up to and including "88".

On line 1 of the bill, after the word "Section 1", strike all of lines 1, 2, and 3, including "19-5-88" on line 4.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 137 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 65,* by Committee on Revenue and Taxation, by request, beg leave to report the same out favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 65 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 104,* by Mr. Woodward, beg leave to report the same out favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 67,* by Committee on Revenue and Taxation, by request, beg leave to report the same without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 67 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 151,* by Mr. Bowman, entitled: "AN ACT AMENDING SECTIONS 82-1-1, 82-1-2, 82-1-3, 82-1-4, 82-1-5, 82-1-6, 82-1-7, 82-1-8, 82-1-10, 82-1-11, 82-1-12, 82-1-13, 82-1-14, 82-1-15, 82-1-16, 82-1-17, 82-1-18, 82-1-19, 82-1-21, 82-1-23, 82-1-24, 82-1-25, 82-1-27, 82-1-29, 82-1-31, 82-1-32, 82-1-33, 82-1-34, 82-1-37, 82-1-40, AND 82-1-41, REVISED STATUTES OF UTAH, 1933, RELATING TO SECURITIES; PREVENTING FRAUD IN THE SALE AND DISPOSITION OF SECURITIES, CREATING A STATE SECURITIES COMMISSIONER, DEFINING TERMS AND OFFENSES, PRESCRIBING PENALTIES AND FEES, PROVIDING FOR REGISTRATION AND REVOCATION OF ORDERS AND REGISTRATION, LICENSING OF DEALERS, SALESMEN AND AGENTS AND THE SUSPENSION AND

REVOCATION THEREOF, PROVIDING FOR PROCEDURE, SUFFICIENCY OF EVIDENCE, ORDER OF THE COMMISSIONER RELATING TO ESCROWS AND APPEALS FROM ORDERS AND ACTIONS OF THE COMMISSIONER," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT REPEALING CHAPTER 1, TITLE 82, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 1, TITLE 82, REVISED STATUTES OF UTAH, 1933, RELATING TO SECURITIES; PREVENTING FRAUD IN THE SALE AND DISPOSITION OF SECURITIES, CREATING A STATE SECURITIES COMMISSIONER, DEFINING TERMS AND OFFENSES, PRESCRIBING PENALTIES AND FEES, PROVIDING FOR REGISTRATION AND REVOCATION OF ORDERS AND REGISTRATION, LICENSING OF DEALERS, SALESMEN AND AGENTS, AND THE SUSPENSION AND REVOCATION THEREOF, PROVIDING FOR PROCEDURE, SUFFICIENCY OF EVIDENCE, ORDER OF THE COMMISSIONER RELATING TO ESCROWS AND APPEALS FROM ORDERS AND ACTIONS OF THE COMMISSIONER," and recommends that the same be printed.

Respectfully,

GEO M. MILLER,
Chairman.

Report filed.

S. B. No. 151 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 152*, by Mr. Maw, 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. 152 was order printed and referred to the Committee on Revenue and Taxation.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 156*, by Mr. Maw, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 156 was ordered printed and referred to the Committee on Appropriations and Claims.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 157*, by Mrs. Musser, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 157 was ordered printed and referred to the Committee on Judiciary.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No 165*, Substitute for *S. B. No. 107*, by Mrs. Musser, by request, 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. 165 was ordered printed and referred to the Committee on Judiciary.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 166*, by Mr. Royle, by request, entitled, "AN ACT RELATING TO SMALL LOANS, DEFINING APPLICATION OF SECTION 7-8-5, REVISED STATUTES OF UTAH, 1933," with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING CHAPTER 8, TITLE 7, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 7-8-5X, REVISED STATUTES OF UTAH, 1933; RELATING TO SMALL LOANS, DEFINING APPLICATION OF SECTION 7-8-5, REVISED STATUTES OF UTAH, 1933," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 166 was ordered printed and referred to the Committee on Banking and Commerce.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No.*

168, by Mr. Ray, by request, 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. 168 was ordered printed and referred to the Committee on Banking and Commerce.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 169*, by Mr. Woodward, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 169 was ordered printed and referred to the Committee on Appropriations and Claims.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 170*, by Mrs. Musser, by request, 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. 170 was ordered printed and referred to the Committee on Judiciary.

February 18, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 171*, by Mr. Holbrook, 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. 171 was ordered printed and referred to the Committee on Revenue and Taxation.

February 16, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. J. M. No. 1*, by Mr. Frischkneckt, Mr. Stevens and Mr. Miller, 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. J. M. No. 1 was ordered printed and referred to the Committee on Agriculture and Irrigation.

The President appointed Senators Hammond and Royle to revise the Journal for the week ending February 23rd.

INTRODUCTION OF BILLS

S. B. No. 172 By Mr. Ray

AN ACT AMENDING SECTION 75-12-10, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE ESTIMATE AND STATEMENT FOR AND LEVY OF SCHOOL TAXES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 173 By Mr. Miller

AN ACT TO ACCEPT THE PROVISIONS OF THE ACT OF CONGRESS APPROVED JUNE 6, 1933, ENTITLED, "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL EMPLOYMENT SYSTEM AND FOR COOPERATION WITH THE STATES IN THE PROMOTION OF SUCH SYSTEM, AND FOR OTHER PURPOSES," AND MAKING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 174 By Mr. Huggins

AN ACT REGULATING THE TRANSPORTATION OF MOTOR VEHICLES IN MOTOR CARAVANS; DEFINING THE TERMS "DEALER" AND "MOTOR CARAVANS"; PROVIDING FOR THE SECURING OF CHAUFFEUR'S LICENSES; PROVIDING FOR THE SECURING OF PERMITS FROM THE STATE TAX COMMISSION; MAKING IT UNLAWFUL TO TAMPER WITH THE MILEAGE-REGISTERING DEVICE IN OR UPON SUCH VEHICLES OR TO SELL SUCH MOTOR VEHICLES AS NEW, AND DECLARING A VIOLATION OF SAID PROVISIONS A MISDEMEANOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 175 By Mr. Maw

AN ACT AMENDING SECTION 76-4-22, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS OF THE UTILITIES COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 176 By Mr. Stevens

AN ACT PROVIDING FOR THE APPOINTMENT OF THE ATTORNEY GENERAL OF THE STATE OF UTAH AS THE COMMISSIONER ON BEHALF OF THE STATE OF UTAH TO NEGOTIATE AN AGREEMENT OR AGREEMENTS OR A COMPACT OR COMPACTS, BETWEEN OR AMONG THE STATE OF UTAH

AND ANY OTHER STATE OR STATES, PARTICULARLY ANY OTHER STATE OR STATES ADJOINING THE STATE OF UTAH, FOR COOPERATIVE EFFORT AND MUTUAL ASSISTANCE IN THE PREVENTION OF CRIME AND IN THE ENFORCEMENT OF THE RESPECTIVE CRIMINAL LAWS AND POLICIES OF THE STATE OF UTAH AND OF SUCH OTHER STATE OR STATES, AND FOR THE ESTABLISHMENT OF SUCH AGENCIES, JOINT OR OTHERWISE, AS MAY BE DEEMED LAWFUL AND DESIRABLE FOR MAKING EFFECTIVE ANY SUCH AGREEMENT OR AGREEMENTS, COMPACT OR COMPACTS, AND MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES OF NEGOTIATING ANY AGREEMENT OR AGREEMENTS, COMPACT OR COMPACTS, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 159 was read the second time.

Committee report read and adopted.

S. B. No. 159 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, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace (explained vote), Woodward, Mr. President.

Absent and not voting: Senator Bowman.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 8 was read the second time.

Committee report read and adopted.

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

Line 5, capitalize the first letter in the word "legislature".

S. J. R. No. 8 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, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Musser, Royle.

On motion of Senator Stewart 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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Musser, Royle.

S. J. R. No. 8 was transmitted to the House.

S. B. No. 5 was read the second time.

Committee report read and adopted.

SPECIAL ORDER

S. B. No. 17 on second reading.

On motion on Senator Royle the bill was amended as follows:

Page 1, line 10, strike the word "eight" and insert "ten".

Page 2, line 5, after the fourth word "charge" insert "in excess of four per cent per annum".

Line 8, strike the word "eight" and insert "ten".

Line 12, after the word "action" insert "under Sections 44-0-1 and 44-0-2".

Line 13, strike the word "eight" and insert "ten".

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

In the Senate amendment on page 1, line 5, after the word "delinquent" insert "or other" and after the word "or" insert the word "to".

S. B. No. 17 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodword, Mr. President .

Absent and not voting: Senator Musser.

Senator Stewart moved that the rules be suspended and that the Senate reconsider its action on *S. J. R. No. 8*.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 5 on second reading.

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

Page 4, line 3, after the word "nominated" strike the balance of the line down to and including the word "convention" on line 12.

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

Page 4, restore lines 3, 4 up to and including the word "again" on line 5 and after said word insert the following: "and so on until a nominee has been chosen for each available office.".

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

Last line of the title, place a period after the numerals "1933" and strike the balance of the title.

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

Page 3, line 9, correct the spelling of the first word.

S. B. No. 5 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Hammond (explained vote), Holbrook, Holmgren, Hopkin, Huggins (explained vote), Miller, Musser, Parratt (explained vote), Ray, Royle, Stevens, Wallace, Woodward (explained vote), Mr. President.

Those voting in the negative were: Senators Day, Griffin.

Absent and not voting: Senator Stewart.

REPORTS OF STANDING COMMITTEES

February 16, 1935.

Mr. President:

We, your Committee on Highways, to whom was referred *S. B. No. 141*, by Highways Committee, beg leave to report the same out favorably, with the following amendments:

Page 1, at the beginning of line 10, insert "(a) Route", and strike the parenthesis around the numeral.

Page 1, line 17, insert "(b) Route" and strike the parenthesis around the numeral, and similarly throughout the bill, adding the small letters of the alphabet, "a, b, c, d," etc., in succession followed by the word "Route", striking the parenthesis from the numerals; in the same manner as is shown in Section 36-6-21 on page 13.

Page 1, line 11, "southerly" misspelled.

Page 2, line 19, "Green River" misspelled.

Page 3, line 24, After "Hanksville" delete period insert comma and add: "thence northeasterly to Green River on route 8."

Page 4, line 2, "Freedom" misspelled.

Page 6, line 4, "junction" misspelled.

Page 10, line 27, "Jensen" misspelled.

Page 11, line 23, "Antelope" misspelled.

Respectfully,

HYRUM B. CALDER,
Chairman.

Report filed.

S. B. No. 141 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to whom was referred *S. B. No. 74*, by Mr. Bamberger, beg leave to report the same out favorably as amended, but due to the many changes made in this bill by the Revision and Enrolling Committee and the amendments which are approved by our committee, we request authority for re-printing this bill as amended.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report adopted and filed.

S. B. No. 74 was ordered reprinted and placed on the Second Reading Calendar.

Committee amendments to *S. B. No. 74*.

SECTION 25, PAGE 10—shall be amended by striking from line 10 thereof the word "ten" and inserting in lieu thereof the word "twenty".

SECTION 26, PAGE 10—shall be amended by striking from line 17 thereof the word "this" and inserting the following: the word "section", figure of "25".

SECTION 28, PAGE 11—shall be amended by inserting in line 4 thereof after the word "vehicle" and before the word "shall" in line 5 the following:

"Other than new vehicles sold by dealers licensed in this State."

SECTION 55, PAGE 15—shall be amended by striking therefrom the following:

"Commencing with the word "Upon" in line 13 thereof, and ending with the word "vehicle" in line 14 thereof, and adding thereto in lieu thereof the following: "Any certificate of title issued pursuant to this

Section shall have printed or stamped in ink upon its face the words 'duplicate certificate' and, in the event that more than one duplicate certificate shall be issued, this fact shall likewise be made to appear upon the face of said duplicate certificate."

SECTION 61, PAGE 16—shall be amended by striking the entire contents thereof and inserting the following:

"Whenever the owner of a registered vehicle transfers or assigns his title, or interest thereto, the registration of said vehicle shall expire.

"The owner shall remove the registration plates therefrom and within 20 days from the date of transfer shall forward the same to the department to be destroyed. If the registration plates are removed and forwarded as above provided, the owner shall be entitled to a new registration upon the payment of the transfer fee provided by law."

SECTION 62, PAGE 16—shall be amended by striking the entire contents thereof and inserting the following:

"That the owner shall endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens or encumbrances thereto, which statement shall be verified under oath by the owner, and he shall deliver the certificate of title and certificate of registration to the purchaser or transferee at the time of delivering the vehicle, except as hereinafter provided in Section 78."

SECTION 63, PAGE 17—shall be amended by striking the entire contents thereof and inserting the following:

"The transferee before operating or permitting the operation of such vehicle on a highway shall present the certificate of registration and certificate of title, properly endorsed, to the department and shall apply for and obtain a new certificate of title for said vehicle and a new registration therefor. as upon an original registration, except as permitted in Section 64 and"

SECTION 66, PAGE 17—shall be amended by striking the entire contents thereof and inserting the following:

"Whenever the title or interest of an owner in or to a registered vehicle shall pass to another, otherwise than by voluntary transfer, the registration thereof shall expire and the vehicle shall not be operated upon a highway unless and until the person entitled to possession of such vehicle shall apply for and obtain the registration thereof, except that vehicle may be operated by the person entitled to its possession or his legal representative upon the highways for a distance not exceeding 74 miles upon displaying upon such vehicle the registration plates issued to the former owner, or in the event title has become vested in a person holding a lien or encumbrance on such vehicle, such person may apply to the department for and obtain special plates as may be issued under this Act to dealers and may operate any said repossessed vehicle under such special plate only for the purposes of transporting the same to a garage or warehouse or in demonstrating or selling such vehicle."

SECTION 67, PAGE 17—shall be amended by striking the entire contents thereof and inserting the following:

"Upon any such transfer a new owner may either secure a new registration and certificate of title on proper application, upon presentation

of such instruments or documents of authority or certified copies thereof as may be sufficient or required by law to evidence or effect a transfer of title or interest in or to chattels in such case, or such new owner, upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title and deliver the same, also the documents of authority or certified copies thereof as may be sufficient or required by law to evidence the right of such person, to the person to whom such transfer is made."

SECTION 68, PAGE 17—shall be amended by striking the entire contents thereof and inserting the following:

"Before the person holding a lien or encumbrance upon a vehicle can secure or use special plates as may be issued under this act to dealers, he shall apply for and obtain a dealer's license to deal in motor vehicles, trailers or semi-trailers, as provided in Section 97 of this Act and shall pay the same fees for such licenses as is required for a dealer in motor vehicles, trailers, or semi-trailers."

SECTION 70, PAGE 18—shall be amended by striking the entire contents thereof and inserting the following:

"The department upon receipt of a properly endorsed certificate of title and certificate of registration and proper application for registration, accompanied by the required fee and when satisfied as to the genuineness and regularity of such transfer and the right of the transferee to a certificate of title, shall re-register the vehicle as upon a new registration in the name of the new owner and issue a new certificate of registration and a certificate of title as upon an original application.

The department shall rêtain and appropriately file every surrendered certificate of title and every application for title for a period of not less than seven years, such file to be so maintained as to permit the tracing of titles of the vehicles designated therein."

SECTION 84, PAGE 21—shall be amended by inserting the word "or" after the word "owner" in line 14 thereof and by placing a period after the word "encumbrances" in line 14 and striking the balance of the section beginning with the word "except" in line 14 and ending with the word "vehicle" in line 18.

SECTION 88, PAGE 22—shall be amended by striking the words "same" and "as is" from line 16 and the words "with reference to like vehicles owned by residents of this state" from line 17 and inserting in line 17 following word "quired" the following: "By this Act." The Department has authority to enter into reciprocal agreements with other states, or establish such rates for vehicles from other states seeking registration in this state as will insure equal registration charges to vehicles in interstate traffic."

SECTION 101, PAGE 24—shall be amended by striking from line 27 thereof the words "shall pay the", by striking all of line 28 and inserting in lieu thereof the words "without additional fee".

SECTION 120, PAGE 28—shall be amended by striking from line 15 thereof the word "ownership" and inserting in lieu thereof the words "owner or lien holder", by striking from line 16 thereof the word "es-

tablished" and inserting in lieu thereof the word "determined" and by striking from line 17 the figure "102" and inserting the figure "139".

SECTION 132, PAGE 31—shall be amended by inserting on line 21 thereof after the word "semi-trailer" the following:

"Except vehicles propelled by electric power obtained from overhead control wires" and on page 32, line 12, by striking the words "by electricity or".

SECTION 133, PAGE 32—shall be amended by inserting the word "illegally" at the end of line 29 following the word "been" and adding at the end of line 31 the following:

"Whenever a motor vehicle, trailer or semi-trailer, is registered on or after the first day of October of any year, the fee for such registration shall be one-fourth the regular annual registration fee; provided that the minimum fee for any such registration shall be $2.00."

SECTION 134, PAGE 33—shall be amended by inserting on line 4 after the word "registered", "for the current registration year".

SECTION 136, PAGE 33—shall be amended as follows:
On line 18 strike the word and figure "to 101", change word "sections" to "section".

Line 19, strike 25, insert 20.

Line 20, strike 25, insert 20.

Line 21, strike 25, insert 20.

Line 23, strike 25, insert 20.

Line 24, strike 25, insert 20.

Line 27, strike 25, insert 20, and by adding after line 27, the following:

"7 for a person engaged in the businesses covered by sub-sections 1 to 6 thereof inclusive, $25.00 in line 32 strike the word "such" and insert "a supplemental", in line 33 after the word "established" insert the word "additional".

SECTION 137, Page 34—shall be amended as follows:

In line 3 thereof, after the word "certificate" insert the word "of".

In line 4 strike the words "by an owner or lien holder".

In line 5 following the figure of $1.00 insert "plus the difference in rate if the new registration takes a higher rate than the previous registration".

Strike all of line 7 and 8.

SECTION 132, Page 31, on line 18, strike "$7.50" and insert "$7.00".

Page 31, on line 25, change "3,000" to "4,000".

Page 31, on line 26, change "6,000" to "7,000".

Page 31, on line 27, change "6,000" to "7,000".

Page 31, on line 28, change "10,000" to "11,000".

Page 31, on line 29, change "10,000" to "11,000".

Page 31, on line 30, change "$20" to "$15".

Page 31, on line 31, change "10,000" to "11,000".

SECTION 136, Page 33, between lines 31 and 32, insert the following:

"Provided that the small two wheeled trailer, while used for carrying personal effects on pleasure trips shall be exempt from registration fee, and that trailers of less than 500 pounds capacity shall pay a registration fee of $2.50."

INTRODUCTION OF BILLS

S. B. No. 177 By Mr. Stevens

AN ACT AMENDING SECTION 30-0-33, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 24, LAWS OF UTAH, 1933, RELATING TO DATES OF FISHING SEASON, was read the first time and referred to the Committee on Revision and Enrolling

Reconsideration of *S. J. R. No. 8.*

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

"Section 2. The secretary of state is hereby directed to submit this proposed amendment to the electors of the state at the next general election in the manner provided by law.

Section 3. If adopted by the electors of the state, this amendment shall take effect the first day of January, 1937."

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

Line 4, preceding the word "School" insert "Section 6.".

S. J. R. No. 8 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht.

S. J. R. No. 8 was transmitted to the House.

On motion of Senator Huggins the Senate adjourned.

THIRTY-SEVENTH DAY

February 19, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

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

Prayer by the Chaplain.

February 19, 1935.

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-sixth day and found it correct with minor amendments noted on the final copy.

Respectfully,

W. D. HAMMOND,
E. M. ROYLE.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

February 15, 1935.

Mr. President:

I am directed to inform your Honorably Body that the House has this day passed, as amended by the House, *H. B. No. 170,* by Mr. Romney, entitled, AN ACT AUTHORIZING CORPORATIONS UNDER THE SUPERVISION OF THE BANKING OR INSURANCE DEPARTMENT TO MAKE LOANS, ADVANCES OF CREDIT AND PURCHASES OF MORTGAGES IN ACCORDANCE WITH THE PROVISION OF THE ACT OF CONGRESS ENTITLED "NATIONAL HOUSING ACT," APPROVED BY THE PRESIDENT, AND ALL AMENDMENTS THERETO EXEMPTING SUCH LOANS AND ADVANCES OF CREDIT AND PURCHASES FROM THE APPLICATION OF GENERAL STATUTES, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

Senator Wallace moved that the rules be suspended and that *H. B. No. 170* be made a special order of business to follow *S. B. No. 17.*

Motion carried.

COMMUNICATIONS FROM THE GOVERNOR

February 18, 1935.

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 STATE TEXT BOOK COMMISSION:
To serve for the unexpired term ending June 30, 1937, caused by the resignation of W. W. Christensen; pursuant to Section 75-15-1, Revised Statutes of Utah, 1933.

Ralph Nilsson .....Heber City

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to the Special Committee on the Governor's appointments.

February 16, 1935.

TO THE LEGISLATURE:

Pursuant to Section 12, Article VII, Constitution of the State of Utah, I hereby submit to you a report showing the remission of fines, the reprieves and commutations of sentences granted by the State Board of Pardons since the last regular session of the State Legislature.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORT OF REMISSION OF FINES, REPRIEVES AND COMMUTATIONS GRANTED BY STATE BOARD OF PARDONS SINCE LAST REGULAR SESSION OF STATE LEGISLATURE

THOMAS, LEW. Convicted in Ogden, Utah. *Reprieve* granted by the Governor and approved by the Board March 18, 1933.

McGREGORY, DAVID. Convicted in Emery County on a charge of murder in the first degree. Received at the Utah State Prison, January 31, 1925. Life sentence *commuted* to ten years actual service by action of the Board March 25, 1933.

HAWKINS, ARTHUR E. Convicted in Utah County on a charge of persistent violation of liquor law, and sentenced to 3 months to two years in the Utah State Prison. *Reprieve* granted by the Governor, approved by the Board June 17, 1933, and parole granted.

KOULIZAS, ANDROS. Convicted in Carbon County on a charge of murder in the first degree. Received at the Utah State Prison June 1, 1922. Life sentence *commuted* to fifteen years by the Board on September 16, 1933.

AMBROSE, LOUIS. Convicted in Salt Lake County on a charge of petty larceny and sentenced to thirty days in County Jail. *Reprieve* granted by the Governor; approved and sentence terminated by the Board on September 16, 1933.

CHADWICK, CARL. Convicted in Salt Lake County on a charge of bad check writing, and sentenced to Salt Lake County Jail. *Reprieve* granted by the Governor; approved and termination granted by the Board September 16, 1933.

MERRILL, DON L. Convicted in Utah County on a charge of issuing fraudulent checks, and sentenced to six months in Utah County Jail. *Reprieve* granted by the Governor; approved and a parole granted by the Board September 16, 1933.

POLODROI, ERNIE. Convicted in Salt Lake County on a charge of petty larceny, and sentenced to thirty days in the County Jail. *Reprieve* granted by the Governor; approved and termination granted by the Board September 16, 1933.

HAMMER, CHRIS. Convicted in Box Elder County on a charge of issuing fictitious checks, and sentenced to the Utah State Prison May 12, 1933. *Reprieve* granted by the Governor; approved, and sentence terminated by the Board October 21, 1933.

JENSEN, C. L. Convicted in Sanpete County on a charge of killing a deer out of season. Sentenced to a fine of $200, or ninety days in the County Jail. Termination granted and *fine remitted* by action of the Board October 21, 1933.

MONTAGUE, ED. ALFRED. Convicted in the County of Salt Lake on a charge of involuntary manslaughter. Sentenced May 3, 1933, to one year in Salt Lake County Jail. *Reprieve* granted by M. H. Welling, in the absence of the Governor, and was approved and a parole granted by the Board November 18, 1933.

BRIGHTON, GILBERT. Convicted in Salt Lake County on a charge of murder in the first degree. Received at the Utah State Prison June 1, 1922. Sentence *commuted* to fifteen years by the Board on November 25, 1933. Application for commutation was again granted by the Board on April 28, 1934, effective June 1, 1934.

MARTIN, JOHN (Alias Blackie Gibson). Convicted in Carbon County on a charge of first degree murder. Sentenced to life in the Utah State Prison on May 18, 1929. Sentence *commuted* to fifteen years by the Board on December 18, 1933.

TRUJILLO, ERNEST. Convicted in the County of Uintah on a charge of murder in the first degree. Received at the Utah State Prison December 15, 1924. Life sentence *commuted* to twenty-five years actual service by action of the Board December 16, 1933.

CONNELL, ROY E. Convicted in Salt Lake County on a charge of murder in the first degree. Received at the Utah State Prison April 26, 1922. On October 15, 1932, subject's sentence was *commuted* to 20 years, and on March 23, 1934, subject's sentence was commuted to April 26, 1934, both being granted by action of the Board.

SMITH, JACOB. Convicted in Weber County on a charge of trapping without a license. Sentenced to 50 days in Weber County Jail or a fine of $50. Received February 9, 1934. *Reprieve* granted by the Governor; approved and parole granted by the Board April 28, 1934.

WHITE, NOEL E. Convicted in Salt Lake County on a charge of murder in the second degree. Received at the Utah State Prison September 10, 1924, on an indeterminate sentence. Sentence *commuted* by the Board, effective April 28, 1934.

MURRAY, HARRIS. Convicted in Uintah County on a charge of murder in the first degree. Received at the Utah State Prison December 13, 1924. Life sentence *commuted* to twenty-five years actual imprisonment by the Board on June 23, 1934.

MARTIN, FLOYD. Convicted in San Juan County on a charge of grand larceny. Received at the Utah State Prison April 11, 1934, on a one to ten year sentence. *Reprieve* granted by the Governor; approved and parole granted by the Board September 15, 1934.

STEVENSON, RULON. Convicted in Salt Lake County on a simple assault charge. Sentenced in August, 1934 to ninety days in Salt Lake County Jail. *Reprieve* granted by the Governor and approved by the Board, September 15, 1934.

TAYLOR, MARGARET. Convicted in Weber County on a charge of driving while intoxicated. Sentenced on August 23, 1934, to 60 days in County Jail or a fine of $120. *Reprieve* granted by the Governor and approved by the Board October 20, 1934.

Referred to the Committee on Judiciary.

February 18, 1935.

TO THE LEGISLATURE:

Under authority of Section 5, Chapter 23, Laws of Utah, 1933, Second Special Session, I appointed a committee to prepare a program of public works to be undertaken as an emergency unemployment relief activity.

The committee gave comprehensive study to the problem presented for its consideration and agreed upon and reported to me recommendations for the construction, repair and improvement of certain public buildings considered by it as needed by the several institutions supported by the State; and for construction of a wild life sanctuary.

The total cost of the work recommended to be undertaken was $1,512,500. I present to you below the projects suggested by said committee:

1. Home Economics Building at the Utah State Agricultural College at an estimated cost of $325,000.

2. Library building and remodeling of the Park Memorial Building at the University of Utah at an estimated cost of $550,000.

3. Custodial building at the Utah State Training School at an estimated cost of $100,000, and a residence for the superintendent at a cost of $7,500.

4. Dormitory for boys and addition to heating plant at School for the Deaf and Blind at an estimated cost of $105,000.

5. Remodeling present Administration and Main Building of the State Mental Hospital together with necessary related changes to provide for a receiving ward and hospital facilities together

with installation of electric wiring, plumbing, fire escapes, etc., and to provide for safety and sanitation of the present plant at a cost of $124,500.

6. Education and Trades Building and greenhouse for the State Industrial School at an estimated cost of $128,000.
7. Remodeling of Weber College Gymnasium at an estimated cost of $15,000.
8. Addition and rebuilding Snow College at an estimated cost of $15,500.
9. Installation of a new water system at Utah State Agricultural College at an estimated cost of $50,000.
10. Remodeling of Park Memorial Building at the University of Utah at an estimated cost of $25,000.
11. Dairy and Meat Building at the Branch Agricultural College at an estimated cost of $20,000.
12. Construction of a Wild Life Sanctuary on the north shore of Great Salt Lake, at an estimated cost of $47,000.

Under the provisions of Section 6, Chapter 23, Laws of Utah, 1933, Second Special Session, I made application to the Public Works Administration of the Federal Government for a loan and grant of $1,512,500, and subsequently entered into contract with the Government for the purchase by the Government of State building notes in the amount found necessary, together with the grant, to equal the construction expenditures.

In connection with the issuance of State building notes it developed that validating legislation would be necessary. Under the circumstances I wrote a letter to Hon. Harold L. Ickes, Secretary of the Interior, under date of October 19, 1933, in which the following paragraph appears:

> "If any loan is granted to the State of Utah on the basis of the foregoing application, I assure you that I will do all within my power to secure the enactment into law at the next session of the State legislature of any bills relating to the issuance of such notes and providing for the payment thereof, deemed by the Government necessary or advisable."

Later the Government requested assurance of the Board of Loan Commissioners and the leaders of the Senate and House of the Twentieth Legislature that they too would support validating legislation that the Government proposed. These officials wrote the Government that they would do all within their power to secure the necessary legislation. Thereupon the Government approved the loan and grant agreement and purchased State building notes as the work progressed.

Of the notes issued $65,000 have been retired and the balance have been repurchased from the Government and are now in possession of the State. It is nevertheless deemed advisable to have the validating legislation enacted in order that the notes may be saleable in the open market if it is found necessary to dispose of them.

At my request the Secretary of the Interior has had prepared and forwarded to me a proposed bill for an act validating this Public Building note issue, and also in the same bill validating notes or bonds issued by political sub-divisions of the State to provide funds for public improvements, it having been made a requirement that the Governor would approve such legislation in behalf of the notes issued by the several borrowers from the Public Works Administration. The proposed bill is a general validation measure which I am advised by representatives of bond houses and attorneys to whom it has been submitted, is safe and desirable legislation.

I am pleased to submit to you this proposed bill and to recommend its enactment into law.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

Senator Fowles moved that the proposed bill be made a special order of business for Monday, February 25th, at 3:30 P. M.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 178 By Mr. Fowles

AN ACT VALIDATING, RATIFYING, APPROVING AND CONFIRMING BONDS AND OTHER INSTRUMENTS OR OBLIGATIONS HERETOFORE ISSUED BY PUBLIC BODIES OF THIS STATE FOR PUBLIC WORKS PROJECTS, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

February 19, 1935.

Mr. President:

We, your Committee on Mining and Smelting, to which was referred *S. B. No. 29,* by Mr. Miller, beg leave to report the same out favorably.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

S. B. No. 29 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 161,* substitute for S. B. No. 140, by Mr. Stevens, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 161 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 21,* by Mr. Holdaway, beg leave to report the same back unfavorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 21 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 145,* by Mr. Stevens, by request, beg leave to report the same back favorably.

Respectfully submitted,

PATRICK J. FENNELL,
Chairman.

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 167,* by Mr. Huggins, by request entitled, "AN ACT AMENDING SECTION 12-1-1, REVISED STATUTES OF UTAH, 1933, RELATING TO DONATIONS FOR PERPETUAL CARE OF CEMETERIES." with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT AMENDING CHAPTER 1, TITLE 12, REVISED STATUTES OF UTAH, 1933, BY ADDING A NEW SECTION TO BE KNOWN AS 12-1-3, RELATING TO THE FILING OF REPORTS OF PERPETUAL CARE FUNDS OF CEMETERIES, MAUSOLEUMS AND COLUMBARIUMS, AND AMENDING SECTION 12-2-4, REVISED STATUTES OF UTAH, 1933, PERTAINING TO PENALTIES." and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 167 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 19, 1935.

Mr. President:

We, your Conference Committee appointed to confer with a like committee of the House, on *H. B. No. 5* by Paul M. Peterson, beg leave to report they have failed to agree.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

On motion of Senator Fowles the President appointed a Conference Committee consisting of Senators Calder, Wallace and Day to act with a like committee from the House to consider amendments to *H. B. No. 5.*

Senator Holbrook moved that the Sifting Committee take the second reading calendar at the close of the session Wednesday, February 20, 1935, that all bills then in the hands of standing committees be reported out on or before Wednesday, February 27, except appropriation bills, and that new bills which may be introduced hereafter be referred to the Sifting Committee; or if special consideration is desirable the president or the Sifting Committee may refer any such bill to a standing committee for a limited time.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 179 By Mr. Calder

AN ACT MAKING AN APPROPRIATION TO UINTAH COUNTY IN SETTLEMENT OF CLAIMS FOR COLLECTED ASSESSED TAXES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 180 By Mr. Frischknecht

AN ACT PROVIDING FOR A COMMITTEE TO INVESTIGATE AND STUDY; AND TO GATHER, COMPLETE AND ANALYZE STATISTICS CONCERNING THE MANNER OF ACQUISITION, LOCATION, CONSTRUCTION, MAINTENANCE, CLASSIFICATION, USE OF AND EXPENDITURES FOR HIGHWAYS WITHIN THE STATE OF UTAH AND DEFINING THE POWERS AND DUTIES OF THE COMMITTEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. M. No. 2 By Mr. Holmgren

MEMORIALIZING CONGRESS TO GRANT CONSENT TO TAXATION BY THE SEVERAL STATES OF CERTAIN INTERSTATE SALES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 181 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: 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; PESCRIBING 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, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 182 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; FOR FORMS AND PROCEDURE TO BE USED AND FOLLOWED; REQUIRING REPORTS OF THE PRODUCTION OF ELECTICITY 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.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 159 was read the third time and placed on its final passage.

S. B. No. 159 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Griffin, Huggins, Woodward.

S. B. No. 159 was transmitted to the House.

S. B. No. 17 was read the third time and placed on its final passage.

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

In line 4 of the title change first "FOR" to "OF".

In line 8 of the title, strike the last five words.

In line 9 of the title, change "EXCEED" to "EXCEEDING".

In line 9 of the title, change "8" to "10".

In line 11 of the title, strike the period after the word "MERCHANDISE", insert a semicolon in lieu thereof, and add the following:

"AND PROVIDING FURTHER THAT NO ADDITIONAL CHARGE FOR SERVICE FEES OR DISCOUNT CHARGES SHALL EXCEED 4% PER ANNUM UPON THE PURCHASE PRICE OF SAID GOODS, WARES AND MERCHANDISE OR UPON THE PRINCIPAL OF ANY LOAN."

On page 2, strike all of lines 11, 12, 13 and 14, and insert in lieu thereof the following:

"Interest accruing on loans, contracts, forbearance of money, goods, or things in action, under Sections 44-0-1 and 44-0-2, Revised Statutes of Utah, 1933, when paid in advance or otherwise shall not exceed the rate of 10% per annum."

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

Page 2, strike the Senate amendments in lines 5 and 9.

On line 9, strike the word "as" and strike the whole of line 10. After the word "except" insert a "semi-colon" and the following:

"(a) A contract may specifically provide for a service charge, which charge shall not exceed 4 per cent of the said principal sum, such service charge to be applied but once on any transaction and shall not be again applied in case of refunding or renewal of contract between the parties concerned with the original transaction nor shall such service charge be subject to any additional service charge, interest charge or penalty; (b) A reasonable attorney's fee in case of collection by an attorney; and (c) Such exceptions as are otherwise provided by law."

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

In the above subdivision "(a)" insert on page 2, line 9, after the word "cent" the following "unpaid balance".

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

Page 2, line 9, before the word "principal" insert "unpaid".

On the same line, change the word "centum" to read "cent".

S. B. No. 17 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Calder, Huggins.

S. B. No. 17 was transmitted to the House.

SPECIAL ORDER

H. B. No. 170 was read the second time.

On motion of Senator Fowles the rules were suspended and *H. B. No. 170* was read the third time and placed on its final passage.

H. B. No. 170 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Senators Calder, Huggins, Mr. President.

H. B. No. 170 was returned to the House.

Senator Holbrook moved that the rules be suspended and that we now consider bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 6 was read the second time.

Committee report read and rejected.

Senator Fowles moved to strike lines 8, 9 and 10.

President Maw, with the aid of four Senators, requested a roll call on the motion.

The motion carried on the following roll call:

Yeas, 13; Nays, 9; Absent, 1.

Those voting in the affirmative were: Senators Day, Fowles, Frischknecht, Hammond, Holmgren, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Holbrook, Hopkin, Miller, Musser.

Absent and not voting: Senator Huggins.

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

In lieu of the stricken material on lines 8, 9 and 10 insert the following:

"No holder of a salaried position, other than an office filled by the voters, shall be a delegate to a convention that nominates the officer under whom he, directly or indirectly, holds such position, nor shall he be a member of a party committee for the state, district or municipality by which he is employed."

S. B. No. 6 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, Bowman,

Calder, Day, Fennell, Fowles, Frischknecht Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Mr. President.

Those voting in the negative were: Senators Hammond, Stewart, Woodward.

Absent and not voting: Senator Huggins.

S. B. No. 7 was read the second time.

Committee report read and adopted.

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

Page 1, line 13, strike the following: "in at least five conspicuous places".

Line 14, strike the word "and".

Page 2, line 9, after the word "held" insert "and until all present at that hour for voting".

Page 2, line 31, strike "etc." and insert "and so on for all positions to be held.".

Page 3, line 13, insert "Address"

Line 24, strike the word "retain" and capitalize the first letter in the next word "the". Strike the word "until" and insert the following: "shall be delivered to the secretary of the party committee of the unit conducting such primary".

Strike the underlined material on line 25.

Line 31, after the word "held" insert "therein".

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

Page 1, line 13, reinstate to original printed form.

On motion of Senator Royle the Senate adjourned.

THIRTY-EIGHTH DAY

February 20, 1935.

The Senate was called to order at 2:00 P. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 20, 1935.

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.

Respectfully,

W. D. HAMMOND,
E. M. ROYLE.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 20, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 63*, by Mrs. Reva Beck Bosone, entitled, AN ACT TO PROMOTE THE SAFETY OF EMPLOYEES AND TRAVELERS UPON RAILROADS BY COMPELLING COMMON CARRIERS BY RAILROAD TO LIMIT THE LENGTH OF FREIGHT AND PASSENGER TRAINS AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 63 was read the first time and referred to the Sifting Committee.

February 20, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *H. J. M. No. 4*, by Mr. Marthakis, entitled, "AN ACT MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO PASS ADEQUATE ANTI-LYNCHING LAWS AT THE PRESENT SESSION OF CONGRESS," and the same is returned herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. M. No. 4 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 20, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B.*

No. 178, by Mr. Fowles, 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. 178 was ordered printed.

February 19, 1935.

Mr. President:

We, your Committee on Public Institutions, to whom was referred *S. B.. No. 131*, by Mrs. Musser, by request, beg leave to report the same out favorably.

Respectfully,

MRS. BURTON W. MUSSER,
Chairman.

Report filed.

S. B. No. 131 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Public Institutions, to whom was referred *S. B. No. 160*, by Mrs. Musser, by request, beg leave to report the same out favorably.

Respectfully submitted,

MRS. BURTON W. MUSSER,
Chairman.

Report filed.

S. B. No. 160 was placed on the Second Reading Calendar.

February 20, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *H. B. No. 11*, by Mr. Macfarlane, beg leave to report the same out without recommendation.

Respectfully,

H. M. WOODWARD,
Chairman.

Report filed.

H. B. No. 11 was placed on the Second Reading Calendar.

February 20, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 117*, by Mr. Hopkin, beg leave to report the same back favorably.

Respectfully,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

February 20, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. B. No. 134*, by Mr. Hopkin, by request, beg leave to report the same out without recommendation.

Respectfully,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 134 was placed on the Second Reading Calendar.

February 20, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 153*, by Mr. Fowles, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

February 20, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 96*, by Mr. Huggins, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 96 was placed on the Second Reading Calendar.

February 20, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *S. J. M. No. 1*, by Mr. Frischkneckt, Mr. Stevens and Mr. Miller, beg leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. J. M. No. 1 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Banking and Commerce, to which was re-

ferred *S. B. No. 135*, by Mr. Royle, beg leave to report the same back without recommendation.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 135 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Banking and Commerce, to whom was referred *S. B. No. 136*, by Mr. Royle, beg leave to report the same back without recommendation.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 136 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Banking and Commerce. to which was referred *S. B. No. 97*, by Mr. Neslen, beg leave to report the same back favorably, and recommend that it be passed.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 97 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on Banking and Commerce, to which was referred *S. B. No. 60*, by Mr. Neslen, beg leave to report the same back without recommendation.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

February 18, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to whom was

referred *H. B. No. 84,* by Mr. Farr, beg leave to report the same out favorably.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 84 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to whom was referred *S. J. R. No. 11,* by Mrs. Musser, beg leave to report the same back favorably.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. J. R. No. 11 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. J. R. No. 14 By Mr. Fennell

A RESOLUTION FOR THE STATE BUILDING COMMISSION TO ADD AN ADDITIONAL PROJECT KNOWN AS THE GOVERNOR'S HOME TO THE STATE EMERGENCY ADMINISTRATION OF PUBLIC WORKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 183 By Mr. Holbrook

AN ACT RELATING TO THE TERM OF OFFICE OF THE MEMBERS OF THE STATE TAX COMMISSION AND THEIR COMPENSATION, AND AMENDING SECTIONS 80-5-37, 80-5-40 AND 80-5-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 59, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 184 By Mr. Ray

AN ACT RELATING TO THE PLACE OF PAYMENT AND/OR ACCEPTANCE OF CHECKS, DRAFTS, BILLS OF EXCHANGE AND OTHER ORDERS FOR THE PAYMENT OF MONEY DRAWN AGAINST ANY BANKING CORPORATION OPERATING BRANCH BANKS OR MORE THAN ONE BRANCH OR OFFICE WHERE DEPOSITS ARE RECEIVED, AND TO THE PLACE OF PAYMENT OF ALL OTHER NEGOTIABLE INSTRUMENTS OR OTHER INSTRUMENTS FOR THE PAYMENT OF MONEY, SPECIFYING ANY SUCH BANK AS THE PLACE OF PAYMENT AND/OR ACCEPTANCE, AND DECLARING AN EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 185 By Mr. Ray

AN ACT RELATING TO THE SERVICE OF WRITS OF EXECUTION, ATTACHMENT AND GARNISHMENT AND PRESCRIBING THE METHOD OF SERVICE THEREOF UPON BANKS MAINTAINING BRANCH OFFICES, AND AMENDING TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW CHAPTER AND SECTION TO BE KNOWN AS CHAPTER 19A, AND SECTION 104-19A-1, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 186 By Banking and Commerce Committee

AN ACT TO AUTHORIZE ANY BANK, SAVINGS BANK OR TRUST COMPANY NOW OR HEREAFTER ORGANIZED UNDER THE LAWS OF THIS STATE OR THE CONSERVATOR OR LIQUIDATOR THEREOF, TO ENTER INTO SUCH CONTRACTS, INCUR SUCH OBLIGATIONS AND GENERALLY TO DO SUCH ACTS AS MAY BE APPROPRIATE OR NECESSARY TO TAKE ADVANTAGE OF ANY AND ALL MEMBERSHIPS, LOANS, SUBSCRIPTIONS, CONTRACTS, GRANTS, RIGHTS OR PRIVILEGES WHICH MAY, AT ANY TIME, BE AVAILABLE OR ENURE TO SAID BANKING INSTITUTIONS OR THEIR DEPOSITORS OR STOCKHOLDERS, OR THEIR CONSERVATORS OR LIQUIDATORS, BY VIRTUE OF ANY ACT OR RESOLUTION OF THE CONGRESS OF THE UNITED STATES TO AID, REGULATE OR SAFEGUARD BANKING INSTITUTIONS AND DEPOSITORS, INCLUDING THE ACT CREATING THE FEDERAL DEPOSIT INSURANCE CORPORATION: TO EMPOWER ANY SUCH BANKING INSTITUTION TO SUBSCRIBE TO AND ACQUIRE ANY STOCK OR DEBENTURES OR BONDS OR OTHER TYPES OF SECURITIES OF SAID CORPORATION AND TO COMPLY WITH ITS REGULATIONS AND REQUIREMENTS: TO AUTHORIZE THE APPOINTMENT OF THE FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER OR LIQUIDATOR OF ANY SUCH INSURED CLOSED BANKING INSTITUTION, AND TO AUTHORIZE SAID CORPORATION TO DO ANY AND ALL THINGS APPROPRIATE IN THE SALE OR ACQUIREMENT OF THE ASSETS OF SUCH INSTITUTIONS AND IN THE LIQUIDATION OF SAME: TO MAKE LOANS TO SAME AND TO ITS LIQUIDATORS AND THE STATE BANK COMMISSIONER THEREFOR: TO PROVIDE FOR THE SUBROGATION OF SAID CORPORATION TO THE RIGHTS AGAINST SAID CLOSED INSTITUTIONS OF ALL INSURED DEPOSITORS, WHOSE DEPOSITS HAVE BEEN PAID, OR FOR THE PAYMENT OF WHICH FUNDS HAVE BEEN MADE AVAILABLE: TO RECOGNIZE THE RIGHT OF SAID CORPORATION TO MAKE EXAMINATIONS OF AND TO REQUIRE REPORTS FROM SUCH INSTITUTION, AND THE STATE BANK COMMISSIONER TO ACCEPT SAME IN LIEU OF ANY EXAMINATION OR REPORT AUTHORIZED TO BE MADE TO SAID OFFICIAL: TO PROVIDE FOR DISCLOSURE BY SAID STATE BANK COMMISSIONER TO SAID CORPORATION OF THE CONDITION AND AFFAIRS OF SUCH INSURED INSTITUTION AND ACCESS TO INFORMATION REGARDING SAME: TO PROVIDE FOR THE VESTING OF TITLE IN SAID CORPORATION OF ASSETS OF SUCH CLOSED INSTITUTIONS AND THE RIGHT FOR THE CORPORATION, AS LIQUIDATOR, TO ENFORCE THE INDI-

VIDUAL LIABILITY OF STOCKHOLDERS AND DIRECTORS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 187 By Mr. Fennell

AN ACT APPROPRIATING $4,000 FOR THE UPKEEP AND HOME SERVICES OF THE GOVERNOR'S HOME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 188 By Mr. Woodward

AN ACT AMENDING SECTION 15-7-62, REVISED STATUTES OF UTAH, 1933, RELATING TO SPECIAL IMPROVEMENT WARRANTS, WHEN ISSUED AND PURPOSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 189 By Mr. Woodward

AN ACT AMENDING ARTICLE 7, TITLE 15, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 15-7-23X, REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSMENT OF SPECIAL TAXES WHERE DONATIONS OR CONTRIBUTIONS ARE MADE FOR LABOR AND/OR MATERIAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 190 By Mr. Woodward

AN ACT TO AMEND SECTION 80-5-56, REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSMENT OF MINES; CHANGING THE BASIS OF ASSESSMENT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 15 By Mr. Woodward

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE 13 OF THE CONSTITUTION OF THE STATE OF UTAH, AS AMENDED BY THE VOTE OF THE ELECTORS AT THE GENERAL ELECTION OF 1930 RELATING TO TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 191 By Mr. Woodward

AN ACT AUTHORIZING AND DIRECTING THE GOVERNOR OF UTAH TO APPLY FOR AND SECURE A LOAN OF TWO MILLION DOLLARS ($2,000,000.00) UPON THE CREDIT OF THE STATE AND TO APPLY FOR GRANTS OF MONEY FROM THE FEDERAL GOVERNMENT FOR THE PURPOSE OF CONSTRUCTING DIKES IN GREAT SALT LAKE, ROADS TO AND ALONG SAME, PARKS, RESTING AND NESTING PLACES FOR WILD FOWL, CHANNELS AND PONDS FOR FISH AND MUSKRATS AND OTHER IMPROVEMENTS INCIDENTAL TO THE CREATION OF A FRESH WATER LAKE BETWEEN SAID DIKES AND THE DIVERSION AND USE OF WATER TO BE IMPOUNDED BETWEEN SAID DIKES AND FOR THE PURPOSE OF BUYING LAND AND EASEMENTS, AUTHORIZING SUCH CONSTRUCTION AND THE ACQUIRING OF ALL LAND AND EASEMENTS NECESSARY TO

ACCOMPLISH SUCH PURPOSES AND THE PURCHASE OF ADJOINING LAND AND LAND UPON WHICH WATER FROM SAID FRESH WATER LAKE MAY BE USED, PROVIDING FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND REPORT TO THE UTAH LEGISLATURE IN 1937, A PERMANENT PLAN FOR THE ADMINISTRATION AND CONTROL OF ALL PROPERTY AND IMPROVEMENTS TO BE ACQUIRED OR CONSTRUCTED, WITHDRAWING FROM ENTRY, APPROPRIATION OR SALE ALL WATER IMPOUNDED OR TO BE IMPOUNDED BY SAID DIKES AND ALL WATER AND LAND AND ALL MINERALS CONTAINED IN WATER OR LAND LOCATED WITHIN THE MEANDER LINE OF GREAT SALT LAKE, AND REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THIS ACT IN SO FAR AS SUCH OTHER ACTS AFFECT THE SPECIFIC PROPERTY MENTIONED OR THE OPERATIONS CONTEMPLATED BY THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 192 By Mr. Woodward

AN ACT TO CREATE A GAME AND FISH COMMISSION, TO DEFINE ITS POWERS AND DUTIES, AND TO PROVIDE FOR THE PROTECTION, RESTORATION, PROPAGATION, AND INCREASE OF GAME, BIRDS, FISH, AND FUR-BEARING ANIMALS; AND TRANSFERRING DUTIES AND FUNDS; AND REPEALING CERTAIN SECTIONS OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 193 By Mr. Hopkin

AN ACT TO AMEND SECTION 18-4-18 REVISED STATUTES OF UTAH, 1933, RELATING TO THE SALE AND PURCHASE OF CORPORATE STOCK FOR DELINQUENT ASSESSMENTS AND CALLS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 194 By Mr. Hopkin

AN ACT GRANTING THE RIGHT OF A TAX PAYER TO INSPECT THE ACCOUNTS, BOOKS AND RECORDS OF ANY CITY, SCHOOL DISTRICT OR COUNTY, 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. 195 By Mrs. Stewart, by request

AN ACT AMENDING SECTION 75-2-6 REVISED STATUTES OF UTAH, 1933, RELATING TO REPORTS AND DEPOSITS OF MONEYS RECEIVED BY THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE; PROVIDING PENALTY FOR FAILURE TO MAKE SUCH REPORT AND REMIT SUCH FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 196 By Mr. Miller

AN ACT TO AMEND SECTIONS 80-5-56, 80-5-59, 80-5-64, REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSMENT

OF MINES; TAXPAYERS' STATEMENTS FOR METALLIFEROUS MINES, AND COLLECTION OF TAX; AND REPEALING SECTIONS 80-5-57 and 80-5-58, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 197 By Mr. Woodward

AN ACT TO EXTEND THE PERIOD OF LIMITATIONS FOR THE COMMENCEMENT OF AN ACTION FOR A LIABILITY CREATED BY THE STATUTES OF THIS STATE, OTHER THAN FOR A PENALTY OR FORFEITURE, AND TO AMEND SECTION 104-2-26, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 198 By Mr. Woodward

AN ACT TO PROVIDE FOR THE ASSESSMENT OF TAX AND PENALTIES AGAINST A PERSON WHO FAILS TO FILE A RETURN OF HIS SALES OF TANGIBLE PERSONAL PROPERTY, AND TO AMEND SECTION 9 OF CHAPTER 63, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 199 By Mr. Woodward

AN ACT TO PROVIDE FOR THE METHOD OF THE COLLECTION OF DELINQUENT SALES TAX AND TO AMEND SECTION 11 OF CHAPTER 63, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 16 By Mr. Holbrook

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIII OF THE CONSTITUTION OF UTAH, AS AMENDED BY THE VOTE OF THE ELECTORS AT THE GENERAL ELECTION OF 1930, RELATING TO TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 3 By Highways Committee

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES URGING THAT PART OF THE APPROPRIATION OF FOUR BILLION EIGHT HUNDRED MILLION DOLLARS ($4,800,000,000) REQUESTED BY THE PRESIDENT FOR PUBLIC WORKS IMPROVEMENT BE SET ASIDE EXCLUSIVELY FOR HIGHWAY PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 200 By Mr. Maw

AN ACT AMENDING SECTION 4775 and 4777 OF THE LAWS OF THE STATE OF UTAH PASSED AT THE SPECIAL AND REGULAR SESSIONS OF THE 20th LEGISLATURE, 1933, PROVIDING FOR CHANGE OF NAME FROM PUBLIC UTILITIES COMMISSION TO PUBLIC SERVICE COMMISSION, AND PROVIDING FOR THE MEMBERSHIP, APPOINTMENT, TERM OF OFFICE, SALARY TO BE RECEIVED BY MEMBERS OF THE PUBLIC SERVICE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT PUBLIC UTILITIES COMMISSIONERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 201 By Mr. Maw

AN ACT EMPOWERING THE PUBLIC UTILITIES COMMISSION TO PRESCRIBE AND ALTER RATES AND SCHEDULES TEMPORARILY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 202 By Mr. Maw

AN ACT PROVIDING FOR THE RAISING OF MONEY FOR THE SUPPORT AND MAINTENANCE OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF UTAH BY IMPOSING A REGULATION AND SUPERVISION FEE UPON PUBLIC UTILITIES DOING BUSINESS IN THE STATE OF UTAH, BASED UPON THE TOTAL GROSS ANNUAL REVENUE DERIVED BY SAID UTILITIES FROM THEIR INTRASTATE BUSINESS PLUS THE VALUATION OF THE PROPERTY OF SAID UTILITIES IN THE STATE OF UTAH; DUTIES OF THE STATE TAX COMMISSION AND STATE TREASURER; LIABILITIES AND PENALTIES FOR FAILURE TO COMPLY WITH THE TERMS OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 203 By Mr. Royle, by request

AN ACT AMENDING SECTION 86-1-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RESERVATION OF MINERALS IN STATE LANDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 204 By State and Municipal Affairs Committee

AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY OR GRANT TO THE UNITED STATES OF AMERICA CERTAIN LANDS OR INTERESTS IN SAID LANDS IN THE BED OF OR ON THE MARGIN OF UTAH LAKE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 205 By State and Municipal Affairs Committee

AN ACT AMENDING CHAPTER 81, LAWS OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE VALIDITY OF CONTRACTS BETWEEN WATER USERS' ASSOCIATIONS, IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES OR RESERVOIR COMPANIES AND THE UNITED STATES FOR THE CONSTRUCTION OF RECLAMATION PROJECTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 206 By State and Municipal Affairs Committee

AN ACT AUTHORIZING AND DIRECTING THE STATE ENGINEER TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY TO MAKE A SURVEY OF THE GROUND-WATER SUPPLY OF THE STATE OF UTAH AND TO INVESTIGATE THE SOURCES OF SUPPLY, THE QUANTITY OF WATER AVAILABLE, AND THE METHODS OF CONSERVING SUCH WATERS, AND TO MAKE AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 207 By State and Municipal Affairs Committee

AN ACT AMENDING SECTION 19-21-1, REVISED STATUTES OF UTAH, 1933, RELATING TO THE GENERAL DUTIES OF COUNTY TREASURERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 208 By Mr. Hammond

AN ACT AMENDING SECTION 75-7-27, REVISED STATUTES OF UTAH, 1933, RELATIVE TO THE DISTRIBUTION OF THE EQUALIZATION FUND TO THE SCHOOL DISTRICTS OF THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 209 By Mr. Hammond

AN ACT PROVIDING FOR THE ASSESSMENT OF MINES AND MINING CLAIMS BY THE STATE TAX COMMISSION, AMENDING SECTIONS 80-5-55, 80-5-56 AND 80-5-59; AND REPEALING SECTIONS 80-5-57 AND 80-5-58, OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 210 By Mr. Fowles

AN ACT REPEALING CHAPTER 2, TITLE 82, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 2, TITLE 82, REVISED STATUTES OF UTAH, 1933, RELATING TO REAL ESTATE; DEFINING REAL ESTATE BROKERS AND SALESMEN; PROVIDING FOR THE REGULATION, SUPERVISION AND LICENSING THEREOF; CREATING A STATE REAL ESTATE DEPARTMENT UNDER THE SUPERVISION AND DIRECTION OF THE STATE SECURITIES COMMISSIONER; AND PROVIDING FOR THE ENFORCEMENT OF SAID ACT AND THE PENALTIES FOR THE VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 211 By Mr. Bamberger

AN ACT AMENDING SECTION 100-4-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE COMMENCEMENT OF ACTIONS BY THE STATE ENGINEER TO ADJUDICATE WATER RIGHTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 212 By Mr. Holbrook

AN ACT AUTHORIZING THE STATE LAND BOARD TO COMMENCE LEGAL PROCEEDINGS AGAINST THE OWNER OF LANDS WITHIN WATER SHEDS FOR THE PROTECTION OF LIFE AND PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 213 By Mr. Holbrook

AN ACT AMENDING SECTION 19-7-1 REVISED STATUTES OF UTAH, 1933, RELATING TO THE CREATION AND CONTROL OF FIRE DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Bamberger moved that the rules be suspended and that all bills now in the hands of the Revision and Enrolling Committee, inclusive of those bills submitted to them today, which they approve for printing shall be printed during adjournment between now and Monday and referred to the Sifting Committee.

Motion carried.

UNFINISHED BUSINESS

S. B. No. 7 on second reading.

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

Page 3, line 8, after the word "therein" insert a period and strike the balance of the line.

Strike all of line 9.

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

Page 3, line 14, add at beginning of line: "It shall be a misdemeanor for any person to vote at the primaries of more than one political party called in the same year for the purpose of naming delegates to party conventions when said conventions are called to make nominations for the same office or offices."

Page 3, line 30, after "district" add "ward or precinct".

Page 3, line 31, at end of line add "or persons".

Page 3, line 32, strike "voting district" and insert "party". Change "committeeman" to "committeemen or committeewomen".

Page 4, line 3, strike "The".

Strike lines 4, 5 and to the comma in line 6.

In line 6, strike "therein".

Page 4, line 21, after "25-3-8" add: "Except as herein provided each political party may adopt such rules and regulations governing its organization and perform such functions through its various committees and".

Page 3, line 24, after the last word "election" insert the following: "No act of a primary shall be invalidated by any failure of the officers in charge thereof to properly perform the duties herein assigned to them, and if any committee or officer thereof shall fail to perform the duties assigned to him, its subsequent performance by such other person as the party rules may provide shall be sufficient."

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

Page 3, line 10, strike the first word "that".

S. B. No. 7 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell. Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Day, Stewart.

Absent and not voting: Senator Hopkin.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 5 was read the third time and placed on its final passage.

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

Page 3, between lines 26 and 27, insert the following: "The delegates from each congressional district shall vote for a nominee for congress only in their respective district.".

S. B. No. 5 then passed on the following roll call:

Yeas, 18; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Miller, Musser, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Day, Huggins (explained vote), Parratt, Stewart.

Absent and not voting: Senator Hopkin.

S. B. No. 5 was transmitted to the House.

S. B. No. 6 was read the third time and placed on its final passage.

Senator Holbrook moved to reinstate lines 8, 9 and 10 to their original form.

Senator Miller with the aid of four 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 Bowman, Calder, Fennell, Griffin, Holbrook, Hopkin, Miller, Musser (explained vote).

Those voting in the negative were: Senators Day, Fowles, Frischknecht, Hammond, Holmgren, Huggins, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Bamberger.

COMMUNICATION FROM THE HOUSE

February 20, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House will adjourn until 10 o'clock Monday morning, February 25, 1935, and we ask the Honorable Senate to consent to and concur in this action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Fowles the Senate consented and concurred in the action of the House.

On motion of Senator Bamberger the House was asked to consent and concur in the action of the Senate to adjourn until 10:00 A. M. Monday, February 25th.

REPORTS OF STANDING COMMITTEES

February 19, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to whom was referred *S. B. No. 101,* by Mr. Hammond, beg leave to report that the committee has favorably approved the attached new bill which has been approved by Mr. Hammond, and requests that it be introduced as a substitute for *S. B. No. 101* and printed.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report adopted and filed.

February 19, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to whom was referred *S. B. No. 103,* by Mr. Hammond, beg leave to report the same back favorably with the following amendment:

Strike all of the new matter after the semi-colon on page 1, line 7, and substitute the following:

"The boards or officers of the several taxing districts of the State, in the issuance and sale of bonds of their respective districts, shall, at the time of advertising the same for sale give notice of such sale, by regis-

tered mail, to the board of loan commissioners who are hereby authorized to bid for and to purchase any such issues of bonds."

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 103 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 148*, by Mr. Frischknecht, beg leave to report the same back without recommendation.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *H. B. No. 12*, by Mr. Macfarlane, beg leave to report the same back favorably with the following amendment:

Page 1, line 5, after the word "ordinance" insert the following: *"provided, that no Utah city or town shall collect a license fee or tax hereunder from any solicitor or salesman who solicits, obtains orders for or sells goods in such city or town solely for re-sale."*

Strike the underlined matter in lines 8, 9 and 10.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 12 was placed on the Second Reading Calendar.

February 19, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *H. B. No. 10*, by Mr. Macfarlane, beg leave to report the same back favorably with the following amendment:

Page 1, line 8, after the word "town;" add the following: *"provided that no Utah city or town shall collect a license fee or tax hereunder*

from any solicitor or salesman who solicits, obtains orders for or sells goods in such city or town solely for re-sale; they".

Strike the underlined matter in lines 11, 12, 13 and 14.

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 10 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 214 (Substitute for S. B. No. 101)
By Committee on State and Municipal Affairs

AN ACT TO AMEND SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A PROVISION REQUIRING THE BOARDS OR OFFICERS OF THE SEVERAL TAXING DISTRICTS OF THE STATE, IN THE ISSUANCE AND SALE OF THE BONDS OF THEIR RESPECTIVE DISTRICTS, TO OFFER THE SAME TO THE STATE LAND BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 101* was withdrawn.

S. B. No. 215 By Mr. Ray, by Request

AN ACT TO FACILITATE THE ENFORCEMENT OF LAWS OF THE STATE OF UTAH CONCERNING MOTOR VEHICLES BY THE ESTABLISHMENT OF PORTS OF ENTRY UPON HIGHWAYS ENTERING THIS STATE; VESTING AUTHORITY TO ESTABLISH AND CONDUCT SUCH PORTS OF ENTRY IN THE STATE TAX COMMISSION; AUTHORIZING SAID STATE TAX COMMISSION TO UTILIZE THE FACILITIES AND EMPLOYES OF ANY DEPARTMENT OF THIS STATE WHICH MAY BE CONVENIENT IN THE CONDUCT OF SUCH PORTS OF ENTRY; AND AUTHORIZING SAID STATE TAX COMMISSION TO CONTRACT WITH PRIVATE PERSONS OR CORPORATIONS FOR THE MAINTENANCE OF PORT OF ENTRY SERVICE AT SUCH HIGHWAYS OF LESSER IMPORTANCE; AND AUTHORIZING THE STATE TAX COMMISSION TO ACT AS AGENT FOR ANY DEPARTMENT, BOARD OR OFFICER OF THIS STATE HAVING TO DO WITH THE ADMINISTRATION OR ENFORCEMENT OF LAWS RELATING TO THE USE OF PUBLIC HIGHWAYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 216 By Judiciary Committee by Request

AN ACT TO COMBINE IN THE DISTRICT ATTORNEYS THE DUTY TO REPRESENT THE STATE IN ALL PROSECUTIONS FOR FELONY AND INDICTABLE MISDEMEANOR FROM THEIR INCEPTION BEFORE THE GRAND JURY OR COMMITTING MAGISTRATE TO THEIR FINAL DISPOSITION IN THE SUPREME COURT, AND AMENDING SECTIONS 19-15-1, 87-8-4, 87-8-5 and 105-12-1, AND REPEALING SECTION 19-15-3, REVISED STATUTES

OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 4 By Mr. Royle, by Request

COMMENDING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND MEMORIALIZING THEM TO GIVE FULL AND EXPEDITIOUS APPLICATION AND EFFECT TO EXISTING LEGISLATION FOR THE COMPLETE REESTABLISHMENT OF SILVER IN OUR MONETARY SYSTEM AND TO ENACT SPEEDILY SUCH FURTHER LEGISLATION AND TO PERFECT SUCH INTERNATIONAL AGREEMENTS AS MAY BE NECESSARY TO ATTAIN FULL RECOGNITION OF SILVER AS MONEY AND AS A CURRENCY AND CREDIT BASE THROUGHOUT THE WORLD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 217 By Mr. Huggins

AN ACT ADDING SECTION 63-1-11 TO THE REVISED STATUTES OF UTAH, 1933, AUTHORIZING SERVICE OFFICERS OF ORGANIZED VETERANS TO ACT AS NOTARY PUBLICS FOR VETERANS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 218 By Mr. Frischknecht

AN ACT TO AMEND SECTIONS 19-5-68, 19-5-70, 19-5-72, 19-5-73, AND 19-5-75, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CARE OF THE NEEDY BLIND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 219 By Mr. Royle

AN ACT TO AMEND SECTION 15-7-20 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO CALLING FOR BIDS ON CONTRACTS FOR PUBLIC IMPROVEMENTS IN CITIES AND TOWNS, was read the first time and referred to the Committee on Revision and Enrolling.

The President appointed a Sifting Committee consisting of Senators Royle, Parratt, Huggins, Bamberger, Holbrook, Frischknecht and Holmgren.

FURTHER CONSIDERATION OF S. B. NO. 6

S. B. No. 6 passed on the following roll call:

Yeas, 13; Nays, 7; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Fowles, Frischknecht, Holbrook, Holmgren, Hopkin, Miller, Musser, Ray, Royle, Wallace.

Those voting in the negative were: Senators Bowman (explained vote), Hammond, Parratt, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Day, Griffin, Huggins.

S. B. No. 6 was transmitted to the House.

On motion of Senator Fowles the Senate adjourned.

FORTY-THIRD DAY

MORNING SESSION

February 25, 1935.

The Senate was called to order at 10:00 A. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 25, 1935.

Mr. President:

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

Respectfully,

W. D. HAMMOND,
E. M. ROYLE.

Report adopted and filed.

The President appointed Senators Ray and Fennell to revise the Journal for the week ending Saturday, March 2, 1935.

REPORT OF SPECIAL COMMITTEE

February 25, 1935.

Mr. President:

Your Sifting Committee reports out the following bills for third reading: S. B. No. 7, and for second reading calendar to be considered: S. B. No. 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, S. J. R. No. 7, H. B. No. 132, S. B. No. 204, S. B. No. 205, S. B. No. 96, S. B No. 211. After H. B. No. 182 has been received, follow it with H. B. No. 133 or S. B. No. 142 (which are identical), S. B. No. 206.

Respectfully,

E. M. ROYLE,
Chairman.

Report filed.

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 4, line 19, after the word "committee" insert a period and strike the balance of the paragraph.

S. B. No. 7 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Wallace, Woodward, and Mr. President.

Those voting in the negative: Senator Stewart.

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

S. B. No. 7 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 33 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 33* was read the third time and placed on its final passage.

S. B. No. 33 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

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

S. B. No. 33 was transmitted to the House.

S. B. No. 34 was read the second time.

Committee report read and adopted.

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

Line 3 of the title, change the spelling of the word "filling" to "filing".

On motion of Senator Huggins the rules were suspended and *S. B. No. 34* was read the third time and placed on its final passage.

S. B. No. 34 then passed on the following roll call:

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

Those voting in the affimative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook,

Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Day and Holmgren.

S. B. No. 34 was transmitted to the House.

S. B. No. 35 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 35* was read the third time and placed on its final passage.

S. B. No. 35 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Day and Holmgren.

S. B. No. 35 was transmitted to the House.

S. B. No. 36 was read the second time.

Committee report read and adopted.

S. B. No. 36 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, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Bowman, Day, and Hopkin.

S. B. No. 37 was read the second time.

Committee report read and adopted.

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

Page 1, line 2, strike the words "be and the same".

Page 2, lines 3 and 4, strike the words "be and the same".

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

Page 1, line 6, strike the words "of this code".

On motion of Senator Huggins the rules were suspended and *S. B. No. 37* was read the third time and placed on its final passage.

S. B. No. 37 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Bowman, Day, Royle.

S. B. No. 37 was transmitted to the House.

The President introduced the Honorable Phil D. Swing, former Congressman of California and co-author of the bill authorizing the construction of Boulder Dam.

S. B. No. 38 was read the second time.

Committee report read and adopted.

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

Page 1, lines 2 and 3, strike the words "be and the same".

S. B. No. 38 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, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senator Bowman.

S. B. No. 39 was read the second time.

Committee report read and adopted.

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

Page 1, line 2, strike the words "be and the same".

Line 8, after the word "county" strike "( )".

On motion of Senator Huggins 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, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Bowman and Holbrook.

S. B. No. 39 was transmitted to the House.

S. B. No. 40 was read the second time.

Committee report read and adopted.

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

Lines 1 and 2, strike the words "be and the same"

On motion of Senator Huggins the rules were suspended and *S. B. No. 40* was read the third time and placed on its final passage.

S. B. No. 40 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senator Bowman.

S. B. No. 40 was transmitted to the House.

S. B. No. 41 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 41* was read the third time and placed on its final passage.

S. B. No. 41 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senators Bowman and Royle.

S. B. No. 41 was transmitted to the House.

S. B. No. 42 was read the second time.

Committee report read and adopted.

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

Lines 1 and 2, strike the words "be and the same".

On motion of Senator Huggins the rules were suspended and *S. B. No. 42* was read the third time and placed on its final passage.

S. B. No. 42 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

S. B. No. 42 was transmitted to the House.

S. B. No. 43 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 43* was read the third time and placed on its final passage.

S. B. No. 43 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senator Musser.

S. B. No. 43 was transmitted to the House.

S. B. No. 44 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 44* was read the third time and placed on its final passage.

S. B. No. 44 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, and Mr. President.

Absent and not voting: Senator Frischknecht.

S. B. No. 44 was transmitted to the House.

S. B. No. 45 was read the second time.

Committee report read and adopted.

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

Lines 1 and 2, strike the words "be and the same same".

On motion of Senator Huggins the rules were suspended and *S. B. No. 45* was read the third time and placed on its final passage.

S. B. No. 45 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, and Mr. President.

Absent and not voting: Senators Frischknecht and Woodward.

S. B. No. 45 was transmitted to the House.

S. B. No. 46 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 46* was read the third time and placed on its final passage.

S. B. No. 46 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell. Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, and Mr. President.

Absent and not voting: Senators Frischknecht and Woodward.

S. B. No. 46 was transmitted to the House.

Senator Huggins moved that the rules be suspended and that we consider *S. B. No. 51* next on the Second Reading Calendar.

Motion carried.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 P. M.

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

COMMUNICATIONS FROM THE HOUSE

February 20, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 132*, by Mrs. Bosone, Mr. Macfarlane, Mr. Holdaway and Mr. Edman, entitled, "AN ACT PROVIDING FOR THE INCORPORATION, GOVERNMENT AND MANAGEMENT OF METROPOLITAN WATER DISTRICTS, AUTHORIZING SUCH DISTRICTS TO INCUR BONDED DEBT AND TO ACQUIRE, CONSTRUCT, OPERATE AND MANAGE WORKS AND PROPERTY, PROVIDING FOR THE TAXATION OF PROPERTY

THEREIN AND THE PERFORMANCE OF CERTAIN FUNCTIONS RELATING THERETO BY OFFICERS OF COUNTIES, PROVIDING FOR THE ADDITION OF AREA THERETO AND THE EXCLUSION OF AREA THEREFROM AND AUTHORIZING MUNICIPAL CORPORATIONS TO AID AND PARTICIPATE IN THE INCORPORATION OF SUCH DISTRICTS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 132 took its place on the Second Reading Calendar.

February 25, 1935.

Mr. President.

I am directed to inform your Honorable Body that the Governor did on the 21st day of February, 1935, approve and transmit to the Secretary of State, *H. C. M. No. 2,* by Mr. Pectol, entitled:."A MEMORIAL TO CONGRESS OF THE UNITED STATES AGAIN REQUESTING THE CREATION OF A NATIONAL PARK IN WAYNE COUNTY, UTAH."

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

February 25, 1935.

Mr. President:

We, your Sifting Committee recommend that the following bills be withdrawn from the Second Reading Calendar, S. B. No. 211, H. B. No. 182, H. B. No. 133, S. B. No. 142, S. B. No. 206.

That S. B. No. 206 be referred to the Appropriations Committee.

That the following bills be added to the Second Reading Calendar: S. B. No. 78, S. B. No. 92, S. B. No. 99, S. J. M. No. 1, S. B. No. 193.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report adopted and filed.

Upon unanimous consent of the Senate S. B. Nos. 2, 32 and 166 were withdrawn.

REPORTS OF STANDING COMMITTEES

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports that the following bills have been printed and referred to the Sifting Committee:

S. J. R. Nos. 14, 15, 16; S. J. M. No. 2; S. C. M. Nos. 3, 4; S. B. Nos. 172, 173, 174, 175, 176, 177, 179, 180. 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 193, 194, 195, 196, 199, 201, 202, 203, 206, 207, 208, 209, 211, 212, 213, 215, 219.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 185*, by Mr. Ray, entitled, "AN ACT RELATING TO THE SERVICE OF WRITS OF EXECUTION, ATTACHMENT AND GARNISHMENT AND PRESCRIBING THE METHOD OF SERVICE THEREOF UPON BANKS MAINTAINING BRANCH OFFICES, AND AMENDING TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW CHAPTER AND SECTION TO BE KNOWN AS CHAPTER 19A, AND SECTION 104-19-A-1," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT RELATING TO THE SERVICE OF WRITS OF EXECUTION, ATTACHMENT AND GARNISHMENT AND PRESCRIBING THE METHOD OF SERVICE THEREOF UPON BANKS MAINTAINING BRANCH OFFICES. AND AMENDING TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 104-19-28." Said bill has been printed and referred to the Sifting Committee.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 200*, by Mr. Maw, entitled, "AN ACT AMENDING SECTION 4775 AND 4777, OF THE LAWS OF THE STATE OF UTAH PASSED AT THE SPECIAL AND REGULAR SESSIONS OF THE 20th LEGISLATURE, 1933, PROVIDING FOR CHANGE OF NAME FROM PUBLIC UTILITIES COMMISSION TO PUBLIC SERVICE COMMISSION, AND PROVIDING FOR THE MEMBERSHIP, APPOINTMENT, TERM OF OFFICE, SALARY TO BE RECEIVED BY MEMBERS OF THE PUBLIC SERVICE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT PUBLIC UTILITIES COMMISSIONERS," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT REPEALING SECTIONS 4775 AND 4777, COMPILED LAWS OF UTAH, 1917, AND SECTIONS 76-1-1 AND 76-1-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 52, LAWS OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 76-1-1 AND 76-1-3, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR CHANGE OF NAME FROM PUBLIC UTILITIES COMMISSION TO PUBLIC SERVICE COMMISSION, AND PROVIDING FOR THE MEMBERSHIP, APPOINTMENT, TERM OF OFFICE, SALARY TO

BE RECEIVED BY MEMBERS OF THE PUBLIC SERVICE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT PUBLIC UTILITIES COMMISSIONERS," and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 200 was ordered printed and referred to the Sifting Committee.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 205,* by State and Municipal Affairs Committee, entitled: "AN ACT AMENDING CHAPTER 81, LAWS OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE VALIDITY OF CONTRACTS BETWEEN WATER USERS' ASSOCIATIONS, IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES OR RESERVOIR COMPANIES AND THE UNITED STATES FOR THE CONSTRUCTION OF RECLAMATION PROJECTS," with a few minor changes consented to by the author including changes in the title as follows: "AN ACT AMENDING SECTION 1. CHAPTER 81 LAWS OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE VALIDITY OF CONTRACTS BETWEEN WATER USERS' ASSOCIATIONS, IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES OR RESERVOIR COMPANIES AND THE UNITED STATES FOR THE CONSTRUCTION OF RECLAMATION PROJECTS." Said bill has been printed and referred to the Sifting Committee.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 214,* substitute for S. B. No. 101, by State and Municipal Affairs Committee, entitled: "AN ACT TO AMEND SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO AND REQUIRING THE BOARDS OR OFFICERS OF THE SEVERAL TAXING DISTRICTS OF THE STATE, IN THE ISSUANCE AND SALE OF THE BONDS OF THEIR RESPECTIVE DISTRICTS, TO OFFER THE SAME TO THE STATE LAND BOARD." with a few minor changes consented to by the author, including changes in the title as follows: "AN ACT TO AMEND SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, RELATING TO INVESTMENT OF FUNDS BY THE STATE LAND BOARD; AND REQUIRING THE BOARDS OR OFFICERS OF THE SEVERAL TAXING DISTRICTS OF THE STATE, IN THE ISSUANCE AND SALE OF THE BONDS OF THEIR RESPEC-

TIVE DISTRICTS, TO OFFER THE SAME TO THE STATE LAND BOARD." and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 214 was ordered printed and referred to the Sifting Committee.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 217*, by Mr. Huggins, entitled: "AN ACT ADDING SECTION 63-1-11, TO THE REVISED STATUTES OF UTAH, 1933, AUTHORIZING SERVICE OFFICERS OF ORGANIZED VETERANS TO ACT AS NOTARY PUBLICS FOR VETERANS." with a few minor changes consented to by the author including changes in the title as follows: "AN ACT AMENDING CHAPTER 1, TITLE 63, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 63-1-11, REVISED STATUTES OF UTAH, 1933, AUTHORIZING SERVICE OFFICERS OF ORGANIZED VETERANS TO ACT AS NOTARY PUBLICS FOR VETERANS." Said bill has been printed and referred to the Sifting Committee.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

February 25, 1935.

Mr. President:

We, your Committee on Banking and Commerce, to which was referred *S. B. No. 168* by Mr. Ray, by request, beg leave to report the same out favorably.

Respectfully submitted,

JOHN M. WALLACE,
Chairman.

Report filed.

S. B. No. 168 was referred to the Sifting Committee.

February 25, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 98*, by Mr. Huggins, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 98 was referred to the Sifting Committee.

February 25, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 111*, by Mr. Huggins, beg leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 111 was referred to the Sifting Committee.

February 25, 1935.

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 7*, by Senate Judiciary Committee, by request, begs leave to report the same out without recommendation.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 7 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 51 was read the second time.

Committee report read and adopted.

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

Line 6 of the title, after the numerals "24" insert the word "of"

Line 7, after the word "Chapters" insert 'to be known as Chapters".

Page 1, line 1, strike the word "that".

Line 2, strike the word "hereby", also strike the last three words and insert "there are enacted".

Line 3, strike the first three words and after the word "chapters" insert "to be known as chapters".

Page 20, line 10, strike the word 'that".

Line 11, strike the words "be and the same".

On motion of Senator Huggins the rules were suspended and *S. B. No. 51* was read the third time and placed on its final passage.

S. B. No. 51 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Royle.

S. B. No. 51 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

February 25, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 182,* by Mr. Macfarlane, entitled, "AN ACT AMENDING SECTION 100-1-4, REVISED STATUTES OF UTAH, 1933, RELATING TO THE REVERSION OF WATER TO THE PUBLIC BY ABANDONMENT OR FAILURE TO USE WITHIN FIVE YEARS UNLESS THE TIME IS EXTENDED BY THE STATE ENGINEER AS HEREIN PROVIDED," and the same is returned herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 182 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEE

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 198,* by Mr Woodward, 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. 198 was ordered printed and referred to the Sifting Committee.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 197,* by Mr. Woodward, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 197 was ordered printed and referred to the Sifting Committee.

February 25, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 210*, by Mr. Fowles, 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. 210 was ordered printed and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the bill was amended as follows.

Line 1, strike the words "That" and "be".

Line 2, strike the first three words.

On motion of Senator Huggins 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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Musser, Royle.

S. B. No. 47 was transmitted to the House.

S. B. No. 48 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 48* was read the third time and placed on its final passage.

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

Line 1, strike the words "That" and "be".

Line 2, strike the first three words.

S. B. No. 48 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Musser, Royle.

S. B. No. 48 was transmitted to the House.

S. B. No. 49 was read the second time.

Committee report read and adopted.

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.

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

Line 1, strike the words "That" and "be".

Line 2, strike the first three words.

S. B. No. 49 then passed on the following roll call:

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

Those voting in the affirmative were Senators: Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Royle.

S. B. No. 49 was transmitted to the House.

S. B. No. 50 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 50* was read the third time and placed on its final passage.

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

Line 1, strike the words "That" and "be".

Line 2, strike the first three words.

S. B. No. 50 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent 3.

Those voting in the affirmative were: Senators Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Royle.

S. B. No. 50 was transmitted to the House.

S. J. R. No. 7 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, strike the word "That" and capitalize the next word "it".

Page 3, line 32, after the numerals "19" insert "37".

Senator Fowles moved that we now consider *S. B. No. 178* as a special order of business.

Motion carried.

SPECIAL ORDER

S. B. No. 178 was read the second time.

On motion of Senator Fowles the rules were suspended and *S. B. No. 178* was read the third time and placed on its final passage.

S. B. No. 178 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Day (explained vote), Fennell, Fowles, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Calder, Griffin, Royle.

S. B. No. 178 was transmitted to the House.

On motion of Senator Fowles the Senate adjourned.

FORTY-FOURTH DAY

February 26, 1935.

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

Roll Call. All Senators present.

Prayer by the Chaplain.

February 26, 1935.

Mr. President:

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

Respectfully,

PAUL H. RAY,
PATRICK J. FENNELL.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 25, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to which was referred *S. B. No. 142,* by Mr. Bamberger, begs leave to report the same out favorably, and recommend the following amendments:

On page 2, line 15, after the word "him", insert the word "monthly." After the word "treasury", strike the balance of line 15 and 16 and insert, "to the credit of the general fund". On page 12, line 22, change the "$25,000" to "$15,000", and on line 24, change the "1937" to "1936", and insert: "and $10,000 for the fiscal year ending June 30, 1937. But in no event shall the total for the two years drawn from this fund exceed the total amount collected under those provisions of this act which apply to the fees charged for the filing and recording of claims to underground waters and for approving and recording completed applications relative to underground water up to and including March 31, 1937, and the appropriation herein made shall be used exclusively in administering those provisions of this act which apply to underground waters."

There is attached hereto a report of the *S. B. No. 142,* by the Committee on State and Municipal Affairs.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

February 25, 1935.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 142,* by Mr. Bamberger, begs leave to report the same back favorably with the following amendments:

On the third line of the title, after the word "SECTIONS" insert "100-1-6,".

On line 16, of the title, after the semicolon, insert "AND BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 100-3-23, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR REPLACEMENT OF UNDERGROUND WATER;"

On Page 2, line 1, after the numerals, "100-1-1," insert "100-1-6,".

On Page 2, line 5, strike "The" and insert the word "All". Strike the words "of all sources".

On Page 2, between the lines 7 and 8, insert the following:

"100-1-6. Any person shall have a right of way across and upon public, private and corporate lands, or other rights of way, for the construction, maintenance, repair and use of all necessary reservoirs, dams, watergates, canals, ditches, flumes, tunnels, *pipe lines and areas for setting up pumps and pumping machinery* or other means of securing, storing, *replacing* and conveying water for domestic, culinary, *industrial* and irrigation purposes or for any necessary public use, or for drainage, upon payment of just compensation therefor, but such right of way shall in all cases be exercised in a manner not unnecessarily to impair the practical use of any other right of way, highway or public or private road, or to injure any public or private property."

Page 10, line 31, after the numerals "100-3-22," insert "100-3-23,".

Page 11, between lines 15 and 16, insert the following:

"100-3-23. In all cases of appropriation of underground water the right of replacement is hereby granted to any junior appropriator whose appropriation may diminish the quantity or injuriously affect the quality of appropriated underground water in which the right to the use thereof has been established as provided by law. No replacement may be made until application in writing has been made to and approved by the state engineer. In all cases replacement shall be at the sole cost and expense of the applicant and subject to such rules and regulations as the state engineer may prescribe. The right of eminent domain is hereby granted to any applicant for the purpose of replacement as provided herein."

On page 5, line 24, after the word "the" insert the word "state".

On page 9, line 4, change the last word "or" to "of".

On page 10, line 9, capitalize the word "if".

On page 10, line 24, change "kinds" to "kind".

On page 10, line 25, the word "statements" is misspelled.

On page 8, line 21, change semicolon to period and capitalize the word "if".

Respectfully submitted,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 142 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred *S. B. No. 114*, by Mr. Fowles, begs leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 114 was referred to the Sifting Committee.

February 25, 1935.

Mr. President:

We, your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 119,* by Mr. Royle, by request, begs leave to report the same back unfavorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 119 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

Your Education Committee to which was referred *S. B. No. 147,* by Mr. Miller, begs leave to report the same back without recommendation.

Respectfully,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 147 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

Your Education Committee to which was referred *S. B. No. 149,* by Mr. Hopkin, begs leave to report the same back without recommendation.

Respectfully,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 149 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

Your Education Committee to which was referred *S. B. No. 150,* by Mr. Hopkin, begs leave to report the same back without recommendation.

Respectfully,

D. W. PARRATT,
Chairman.

Report filed.

S. B. No. 150 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 36 was read the third time and placed on its final passage.

S. B. No. 36 passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Hammond, Holbrook, Holmgren,

Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Griffin, Hopkin, Royle.

S. B. No. 36 was transmitted to the House.

S. B. No. 38 was read the third time and placed on its final passage.

S. B. No. 38 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Hammond, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fowles, Griffin, Holbrook, Hopkin, Woodward.

S. B. No. 38 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 7 on second reading.

S. J. R. No. 7 failed to pass on the following roll call:

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

Those voting in the affirmative were: Senators Fowles, Huggins, Musser, Ray, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Miller, Parratt, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Senators Griffin, Royle.

H. B. No. 132 was read the second time.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll Call. All Senators present.

COMMUNICATIONS FROM THE HOUSE

February 26, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 41,* by Mr. Holbrook

and Mr. Edman, entitled, "AN ACT TO PROVIDE A SYSTEM OF STATE CONTROL OF THE MANUFACTURE, PURCHASE, SALE, IMPORTATION, EXPORTATION, TRANSPORTATION, AND USE OF ALCOHOL AND ALCOHOLIC BEVERAGES; TO CREATE A LIQUOR CONTROL COMMISSION, AND TO PROVIDE FOR THE SALE OF ALCOHOL AND ALCOHOLIC BEVERAGES BY SUCH COMMISSION, TO MAKE AN APPROPRIATION THEREFOR; TO PROVIDE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT; AND TO PROVIDE FOR LOCAL OPTION, AND REPEALING TITLE 46 OF THE REVISED STATUTES OF UTAH, 1933, AND CHAPTER 10 OF THE LAWS OF UTAH, 1933, SECOND SPECIAL SESSION," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 41 was read the first time and referred to the Committee on Trade Regulations.

February 26, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 24,* by Mr. Hall, entitled, "AN ACT TO PROVIDE FOR THE BONDING, LICENSING, REGULATION, AND SUPERVISION OF PRODUCE DEALERS ENGAGED IN THE HANDLING, RECEIVING, OR SELLING OF FARM PRODUCTS AND TO CREATE A PRODUCE DEALERS' LICENSE FUND; TO DEFINE THE PURPOSE OF THE ACT AND THE TERMS USED THEREIN; TO DEFINE THE POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE WITH REFERENCE THERETO; TO PROVIDE FOR THE KEEPING OF CERTAIN RECORDS CONCERNING THE SALE OF FARM PRODUCTS; TO PROVIDE FOR THE REVOCATION OF PRODUCE DEALERS' LICENSE; TO DECLARE CERTAIN ACTS TO BE OFFENSES AND TO FIX THE PENALTIES THEREOF, AND TO REPEAL TITLE 3, CHAPTER 9, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1933, AS FURTHER AMENDED BY CHAPTER 1, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND ALL CONFLICTING ACTS OR PARTS OF ACTS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 24 was read the first time and referred to the Sifting Committee.

February 26, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has

this day passed *S. B. No. 159*, by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 159 was referred to the Committee on Revision and Enrolling to be engrossed.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to whom was referred *S. B. No. 61*, by Mr. Royle, begs leave to report the same back without recommendation.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 61 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 70*, by Mr. Holbrook, begs leave to report the same back without recommendation.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 70 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 133*, by Mr. Holbrook, begs leave to report the same back without recommendation.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 133 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 155*, by Mr. Fennell, begs leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 155 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 157*, by Mrs. Musser, begs leave to report the same back unfavorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 157 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 162*, by Mr. Holbrook, begs leave to report the same back favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 162 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. B. No. 170*, by Mrs. Musser, begs leave to report the same back unfavorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 170 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 192*, by Mr. Woodward, entitled: "AN ACT TO CREATE A GAME AND FISH COMMISSION, TO DEFINE ITS POWERS AND DUTIES, AND TO PROVIDE FOR THE PROTECTION, RESTORATION, PROPAGATION, AND INCREASE OF GAME, BIRDS, FISH AND FURBEARING ANIMALS; AND TRANSFERRING DUTIES AND FUNDS: AND REPEALING CERTAIN SECTIONS OF THE REVISED STATUTES OF UTAH, 1933." with a few minor changes consented to by the author including changes in the title as follows: "AN ACT TO CREATE A GAME AND FISH COMMISSION, TO DEFINE ITS POWERS AND DUTIES AND TO PROVIDE FOR THE PROTECTION, RESTORATION, PROPAGATION AND INCREASE OF GAME, BIRDS, FISH AND FUR-BEARING ANIMALS; AND TRANS-

FERRING DUTIES AND FUNDS, AND REPEALING SECTIONS 30-0-1, 30-0-2, 30-0-3, 30-0-4, 30-0-5, 30-0-6 AND 30-0-11, REVISED STATUTES OF UTAH, 1933." and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 192 was ordered printed and referred to the Sifting Committee.

February 28, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 12*, by Mr. Maw, begs leave to report the same back favorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 12 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *S. J. R. No. 13*, by Mr. Huggins, begs leave to report the same back favorably with the following amendment:

On line 3, insert the words "Section 3."

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

S. J. R. No. 13 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *H. B. No. 80*, by Mr. Macfarlane, begs leave to report the same back favorably and recommend that it be passed.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 80 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Judiciary, to which was referred *H. C. M.*

No. 1, by Mr. Gammeter, begs leave to report the same back favorably.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

H. C. M. No. 1 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 132 on second reading.

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

Page 11, line 29, after the word "bonds", strike the letter "of" and insert "or".

Page 16, line 18, after the word "or", change the spelling of the next word "frabicated" so that it will read "fabricated".

On motion of Senator Bamberger the rules were suspended and *H. B. No. 132* was read the third time and placed on its final passage.

H. B. No. 132 was then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day (explained vote), Fennell, Fowles, Griffin, Hammond (explained vote), Holbrook, Holmgren, Hopkins, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting the negative were: Senators Frischknecht (explained vote).

H. B. No. 132 was transmitted to the House.

S. B. No. 204 was read the second time.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 204* was read the third time and placed on its final passage.

S. B. No. 204 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

S. B. No. 204 was transmitted to the House.

S. B. No. 205 was read the second time.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 205* was read the third time and placed on its final passage.

S. B. No. 205 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Huggins, Royle.

S. B. No. 205 was transmitted to the House.

REPORT OF STANDING COMMITTEE

Mr. President:

Mr. Speaker:

We, the Joint Committee on Appropriations, in accordance with joint rule No. 41, "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," beg leave to report our progress to date as follows:

Our sub-committees are conducting a careful investigation of the various institutions, departments and agencies to which appropriations are made, with the hope of determining the actual amounts needed for successful and efficient operation of the State Government.

The Legislature has not as yet made available any new revenues nor has it approved the Legislation (S. B. No. 159) designed to permit refunding of certain bonds held in the State Treasury which would make available some additional $750,000 for our present appropriations. We consider therefore, that it would be unwise for your Committee to attempt to fix the amounts of the various items to be appropriated, so long as action on either of the above mentioned matters is still pending.

In order to permit your Joint Committee to properly complete its work, we beg leave to request of the Senate and of the House, the following:

1. That any legislation designed to raise revenues which will go into the general fund, or which will otherwise make available additional funds for the appropriation by the Legislature, be acted upon at once.

2. That special appropriation bills reported out by this Committee be acted upon at once.

3. That the Joint Committee be given ten more days in which to complete its labors and to make its report in bill form to the Legislature.

Respectfully submitted,

WARD C. HOLBROOK,
Chairman Senate Committee,

W. J. MAW,
Chairman House Committee.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

February 26, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for second reading calendar:

Following S. B. No. 96, H. B. No. 182; S. B. No. 142, S. B. No. 206, S. B. No. 92, S. B. No. 78, S. J. M. No. 1, S. B. No. 99, S. B. No. 114, S. B. No. 153, S. B. No. 203, S. B. No. 193, S. B. No. 156, S. B. No. 137 and S. B. No. 102 in order named.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 96 was read the second time.

Committee report read and adopted.

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

Page 1, line 8, strike the word "or" and insert "and".

S. B. No. 96 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 Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Bowman.

H. B. No. 182 was read the second time.

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

Page 1, line 6, underline the comma.

Page 3, line 7, place a comma before the word "metropolitan".

Underline the last three words on line 17 and all the printed material on lines 18 and 19.

In the House amendment on line 19, strike the word "act" and insert "section".

H. B. No. 182 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, Calder, Day, Fennell, Fowles, Fischknecht, Griffin, Hammond, Holbrook, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Holmgren, Huggins.

S. B. No. 142 was read the second time.

Committee report read and adopted.

S. B. No. 142 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Royle.

Upon unanimous consent of the Senate the rules were suspended and the following bills were introduced:

INTRODUCTION OF BILLS

S. B. No. 220 By Messrs. Royle and Woodward, by Request

AN ACT AMENDING SECTION 80-9-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 60, LAWS OF UTAH, 1933, RELATING TO MAXIMUM LEVIES IN COUNTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 221 By Mr. Fowles

AN ACT REPEALING THE PROVISIONS OF SECTION 54-2-3, REVISED STATUTES OF UTAH, 1933, WHICH SECTION RELATES TO AN ANNUAL APPROPRIATION TO THE MILITARY FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 222 By Mr. Huggins

AN ACT AMENDING SECTION 18-5-1, REVISED STATUTES OF UTAH, 1933, RELATING TO CONSOLIDATION OF CORPORATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 17 By Mr. Bamberger

A RESOLUTION REPEALING S. J. R. NO. 2 AS PASSED BY THE TWENTY-FIRST SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, AND PROPOSING A NEW RESOLUTION IN LIEU THEREOF AMENDING ARTICLE 13, SECTION 2, OF THE

CONSTITUTION OF THE STATE OF UTAH, AS AMENDED AT THE GENERAL ELECTION IN 1930 RELATING TO TAXATION OF TANGIBLE PROPERTY, ASCERTAINMENT OF VALUE, EXEMPTIONS, AND THE ANNUAL TAX FOR THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 112* was withdrawn.

On motion of Senator Day the Senate adjourned.

FORTY-FIFTH DAY

MORNING SESSION

February 27, 1935.

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

Roll call. All Senators present.

Prayer by the Chaplain.

February 27, 1935.

Mr. President:

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

Respectfully,
PAUL H. RAY,
PATRICK J. FENNELL.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 26, 1935.

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. 170,* by Mr. Romney, entitled, "AN ACT AUTHORIZING CORPORATIONS UNDER THE SUPERVISION OF THE BANKING OR INSURANCE DEPARTMENT TO MAKE LOANS, ADVANCES OF CREDIT AND PURCHASES OF MORTGAGES IN ACCORDANCE WITH THE PROVISION OF THE ACT OF CONGRESS, ENTITLED "NATIONAL HOUSING ACT," APPROVED BY THE PRESIDENT, AND ALL AMENDMENTS THERETO, EXEMPTING SUCH LOANS AND ADVANCES OF CREDIT AND PURCHASES FROM THE APPLICATION OF GENERAL STATUTES," and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 170 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 26, 1935.

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. 1*, by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate refused to concur in the House amendments.

February 27, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 62*, by Mr. Farr, entitled, "AN ACT TO AMEND SECTION 43-3-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ANNUAL STATEMENT AND TAX OF INSURANCE COMPANIES; PROVIDING THAT ALL INSURANCE COMPANIES LICENSED TO TRANSACT BUSINESS IN THIS STATE SHALL BE REQUIRED TO FILE AN ANNUAL STATEMENT OF GROSS PREMIUMS AND BE REQUIRED TO PAY A TAX THEREON," and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 62 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 26, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, to which has been referred *S. B. No. 159*, by Mr. Holbrook, entitled: "AN ACT PROVIDING FOR THE ISSUANCE, DISPOSAL AND PAYMENT OF STATE REFUNDING BONDS AND AUTHORIZING THE STATE BOARD OF LOAN COMMISSIONERS TO ISSUE SUCH BONDS", has been examined by this committee and a like committee from the House who have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully submitted,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 159 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, 1935.

Mr. President:

We, your Committee on Highways, to which was referred *S. B. No. 143*, by Highways Committee, begs leave to report the same out favorably.

Respectfully submitted,

HYRUM B. CALDER,

Chairman.

Report filed.

S. B. No. 143 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Huggins *S. B. No. 96* was made a special order of business for tomorrow, February 28, at 10:30 a. m.

H. B. No. 182 was read the third time and placed on its final passage.

H. B. No. 182 passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht, Holbrook, Parratt, Woodward.

H. B. No. 182 was returned to the House.

S. B. No. 142 was read the third time and placed on its final passage.

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

Page 8, line 13, after the word "of" insert "underground".

On motion of Senator Huggins *S. B. No. 142* was made a special order of business for 11:00 a. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 92 was read the second time.

Committee report read and adopted.

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

After the last word "Sales" in the title, change the period to a com-

ma and insert the following: "AND MAKING UP DEFICIENCIES IN CERTAIN DISTRICT SCHOOL AND EQUALIZING FUNDS."

Page 1, line 19, strike the word "taken" and after the word "be" insert the following: "allocated by the state auditor to make up said deficiencies as certified to by the state superintendent of public instruction."

On motion of Senator Huggins *S. B. No. 96* was made a special order of business for this afternoon at 2:00 p. m., and *S. B. No. 142* a special order for 2:30 p. m.

COMMUNICATIONS FROM THE HOUSE

February 27, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 88*, by Committee on Revenue and Taxation, by request, and the same is transmitted herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Holbrook *S. B. No. 88* was made a special order of business for tomorrow, February 28, at 10:30 a. m.

February 27, 1935.

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. 268*, by Mr. Kiefer and Mr. Marthakis, entitled, "AN ACT TO EXTEND THE RIGHT TO OPERATE MOTOR VEHICLES UNDER 1934 LICENSES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. *268* was read the first time and referred to the Sifting Committee.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present.

REPORT OF SPECIAL COMMITTEE

February 27, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for Second Reading Calendar:

H. B. No. 268 for immediate consideration.

Following S. B. No. 78 in order named, S. B. Nos. 211, 206, 156, 68, S. J. M No. 1, S. B. Nos. 99, 114, 153, 203, 193, 137, 102, 125, 126, 29, 74, 172.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

REPORTS OF STANDING COMMITTEES

February 27, 1935.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 27,* by Mr. Frischknecht, begs leave to report the same back without recommendation.

Respectfully,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 27 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Public Institutions, to whom was referred *S. B. No. 75,* by Mr. Bamberger, begs leave to report the same back unfavorably.

Respectfully,

MRS. BURTON W. MUSSER,
Chairman.

Report filed.

S. B. No. 75 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

Your State and Municipal Affairs Committee, to which was referred *S. B. No. 89,* by Mr. Neslen, begs leave to report the same back unfavorably.

Respectfully,

JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 89 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Public Institutions, to which was referred *S. B. No. 120,* by Mr. Hopkin, begs leave to report the same back unfavorably.

Respectfully,

MRS. BURTON W. MUSSER,
Chairman.

Report filed.

S. B. No. 120 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

Your State and Municipal Affairs Committee, to which was referred *S. B. No. 151,* by Mr. Bowman, begs leave to report the same back favorably with the following amendments:

Page 18, line 15, following the word: "interests" add the following words: "provided, that all such records, files, and reports received from the state banking department shall not be open for public inspection as required of the state banking department in section 7-1-25, Revised Statutes of Utah, 1933."

Page 19, line 19, following the word "Every" add the word "non-resident."

Page 23, line 10, following the word "process" add the words "mining claims".

Page 23, line 17, following the word "until" strike all the words to and including line 25.

Page 23, line 17, following the word: "until" add the following words: "in the discretion of the commissioner such release shall not be detrimental to the interests of purchasers of stock for cash ( )."

Page 24, line 24, following the word: "provided" add the words: "that no action shall be brought for the recovery of the purchase price after two years from date of such sale or contract for sale, except that in case where the purchase price is payable in installments the two years shall begin from the date of final payment of the contract or when such final payment comes due, whichever is earlier, and provided further".

Respectfully,
JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No. 151 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to whom was referred *S. B. No. 156,* by Mr. Maw, begs leave to report the same back favorably.

Respectfully,
WARD C. HOLBROOK,
Chairman.

Report filed.

S. B. No. 156 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

Your State and Municipal Affairs Committee, to which was referred *S. B. No. 164,* by Mr. Day, begs leave to report the same back unfavorably.

Respectfully,
JULIAN M. BAMBERGER,
Chairman.

Report filed.

S. B. No 164 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to whom was referred *S. B. No. 206*, by State and Municipal Affairs Committee, begs leave to report the same back favorably.

Respectfully,
WARD C. HOLBROOK,
Chairman.

Report filed.

February 27, 1935.

Mr. President:

Your State and Municipal Affairs Committee, to which was referred *H. B. No. 9*, by Paul M. Peterson, begs leave to report the same back unfavorably.

Respectfully,
JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No 9 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Public Institutions, to which was referred *H. B. No. 29*, by Mr. Edman, begs leave to report the same back favorably.

Respectfully,
MRS. BURTON W. MUSSER,
Chairman.

Report filed.

H. B. No 29 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

Your State and Municipal Affairs Committee, to which was referred *H. B. No. 67*, by Mr. Lamoreaux, begs leave to report the same back unfavorably.

Respectfully,
JULIAN M. BAMBERGER,
Chairman.

Report filed.

H. B. No. 67 was referred to the Sifting Committee.

February 26, 1935.

Mr. President:

We, your Committee on Public Institutions, to whom was referred *H. B. No. 97*, by Mr. Richards, begs leave to report the same back without recommendation.

Respectfully,
MRS. BURTON W. MUSSER,
Chairman.

Report filed.

H. B. No. 97 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 268 was read the second time.

On motion of Senator Huggins the rules were suspended and *H. B. No. 268* was read the third time and placed on its final passage.

H. B. No. 268 failed to pass on the following roll call:

Yeas, 5; Nays, 18; Absent, 0.

Those voting in the affirmative were: Senators Bowman, Fennell, Miller, Ray, Stevens.

Those voting in the negative were: Senators Bamberger, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser (explained vote), Parratt, Royle, Stewart, Wallace, Woodward (explained vote), Mr. President.

H. B. No. 268 was returned to the House.

SPECIAL ORDER

On motion of Senator Huggins, *S. B. No. 96* was made a special order of business for tomorrow, February 28, at 11:00 a. m.

S. B. No. 142 on third reading.

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

Page 8, line 13, strike the word "underground".

Line 17, after the word "the" insert "underground".

Senator Day moved to strike lines 12 to 25, inclusive, on page 8.

Senator Day, with the aid of four Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 1; Nays, 21; Absent, 1.

Those voting in the affirmative were: Senator Day.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parrat, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Fowles.

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

Page 8, line 16, after the first word "of" insert "underground".

S. B. No. 142 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht (explained vote), Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt (explained vote), Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Hammond, Huggins, Stewart.

S. B. No. 142 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 92 on second reading.

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

Page 1, line 13, after the word "legislature" insert "provided that any money not required for this purpose shall be transferred to the general fund of the state treasury to balance the general fund budget".

Page 2, line 2, after the word "governor" insert "and general fund".

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

Page 1, line 16, after the word "shall" insert "each year".

Line 17, after the word "collected" insert "during the preceding year".

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

Page 1, line 13, in the Hammond amendment, strike the word "this" and insert "these" and change the word "purpose" to "purposes".

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

Page 1, line 13, strike the word "present" and insert "second" and before the word "legislature" insert "twentieth".

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

Strike lines 4, 5, 6 and 7 on page 1.

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

Page 2, line 4, place a period after the word "purposes" and strike the balance of the page.

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

Page 2, insert a new section as follows: "Section 2. This act shall take effect upon approval."

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

Page 1, in the Hammond amendment on line 13, after the word "money", insert "of the $2,000,000.00 appropriated".

S. B. No. 92 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles (explained vote), Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Huggins (explained vote), Stewart.

Absent and not voting: Senator Stevens.

REPORTS OF STANDING COMMITTEE

February 27, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 106*, by Mr. Miller and Mr. Holbrook, beg leave to report the same without recommendation.

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 106 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 62*, by Committee on Revenue and Taxation, by request, beg leave to report the same out favorably.

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 62 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 66*, by Committee on Revenue and Taxation, by request, beg leave to report the same out favorably.

Respectfully submitted,
H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 66 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 3,* by Mr. Miller, beg leave to report the same out without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 3 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 171,* by Mr. Holbrook, beg leave to report the same out favorably.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 171 was referred to the Sifting Committee.

February 27, 1935.

Mr. President:

We, your Committee on Revenue and Taxation, to whom was referred *S. B. No. 31,* by Mr. Holbrook, by request of President Maw, beg leave to report the same without recommendation.

Respectfully submitted,

H. M. WOODWARD,
Chairman.

Report filed.

S. B. No. 31 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 78 was read the second time.

Committee report read and adopted.

Senator Calder moved that *S. B. No. 78* be retained at the head of the Second Reading Calendar.

Motion carried.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced:

S. B. No. 223 (Substitute for S. B. No. 10) By Mr. Bamberger

AN ACT CREATING A STATE PLANNING BOARD; PROVIDING FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR

OF SAID BOARD; DELEGATING TO SUCH BOARD THE DUTY OF PREPARING STATE PLANS FOR THE MATERIAL, SOCIAL, AND ECONOMIC DEVELOPMENT OF THE STATE; DEFINING THE PURPOSES OF SUCH PLANS; AND PROVIDING FOR THE EXECUTION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. No. 10* was withdrawn.

COMMUNICATIONS FROM THE HOUSE

February 27, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 1*, by Mr. Holbrook, and has appointed a conference committee consisting of Messrs. Holbrook, Bennion and Doty, to act with a like committee of conference from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Holbrook, Griffin and Miller to meet with a like committee from the House to consider amendments to *S. B. No. 1*.

February 27, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 137*, by Mr. Farr, P. M. Peterson, Holmes, Larsen and Slaugh, entitled: AN ACT REPEALING CHAPTER 31 OF THE LAWS OF UTAH, 1933, RELATING TO THE AUTHORITY OF THE GOVERNOR OF THE STATE OF UTAH TO APPOINT ONE OF THE ELECTIVE OFFICERS IN THE EXECUTIVE DEPARTMENT OF THE STATE GOVERNMENT TO ACT AS EX-OFFICIO MEMBER OF THE STATE ROAD COMMISSION, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 137 was read the first time and referred to the Sifting Committee.

February 27, 1935.

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. 159*, by Mr. Holbrook, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 159 was transmitted to the Governor.

REPORT OF STANDING COMMITTEE

February 27, 1935.

Mr. President:

Your Education Committee, to which was referred *S. B. No. 139*, by Mr. Bowman, begs leave to report the same back favorably.

Respectfully,

D. W. PARRATT,
Chairman.

Report filed

S. B. No. 139 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 211 was read the second time.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 211* was read the third time and placed on its final passage.

S. B. No. 211 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators: Royle, Woodward.

S. B. No. 211 was transmitted to the House.

S. B. No. 206 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 206* was read the third time and placed on its final passage.

S. B. No. 206 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Wallace, Mr. President.

Absent and not voting: Senators Parratt, Stewart, Woodward.

S. B. No. 206 was transmitted to the House.

On motion of Senator Huggins the Senate adjourned.

FORTY-SIXTH DAY

MORNING SESSION

February 28, 1935.

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

Roll call. All Senators present.

Prayer by the Chaplain.

February 28, 1935.

Mr. President:

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

Respectfully,

PAUL H. RAY,
PATRICK J. FENNELL.

Report adopted and filed.

Upon unanimous consent of the Senate *S. B. Nos. 165, 215* and *118* were withdrawn.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 92 was read the third time and placed on its final passage.

On motion of Senator Bamberger *S. B. No. 92* was made a special order of business for this afternoon at three o'clock.

SPECIAL ORDER

Consideration of House amendments to *S. B. No. 88.*

Action deferred temporarily.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Calder *S. B. No. 78* was made a special order of business to follow *S. B. No. 92.*

S. B. No. 156 was read the second time.

Committee report read and adopted.

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

In line 1 of the title, after the word "SECTIONS", insert the numeral "1".

In line 1 of the bill, after the word "SECTIONS", insert the numeral "1".

Between lines 3 and 4, insert the following: "1. There shall be ( ) *another* committee composed of nine members, to be appointed as follows: Three by the president of the Senate from members of the Senate, three by the speaker of the House from members of the House, and three by the governor." Any vacancies in said committee shall be filled by the governor.

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

Page 1, line 12, strike the word "December" and insert "October".

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

Page 1, line 15, preceding the word "legislature", insert "elective members of the".

Line 16, strike "January 15, 1937", and insert "November 15, 1936".

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

Page 1, lines 9, 14 and 16, strike "a $2,000" and change the word "exemption" to "exemptions".

Lines 10, 15 and 16, after the word "homes", insert "and homesteads and/or personal property".

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

Page 1, add to line 17, the following: It shall study the advisability of grouping of several or all counties into one school district, or consolidating existing districts within counties, the report to set up a desirable minimum standard as to the attendance and assessed valuation for the most economical and efficient operation of the school district as a unit. It should also consider the present arguments for and against, with its own conclusions on the plan for the operation or partial operation of the schools by the state as a unit, with a statement as to the estimated financial savings, if any, under such a system.

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

Page 2, after the word "state", strike the balance of the line.

Strike lines 4, 5, 6, 7, 8, 9, up to and including the word "Utah" on line 10.

On motion of Senator Fowles the rules were suspended and *S. B. No. 156* was read the third time and placed on its final passage.

S. B. No. 156 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook,

Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart. Wallace, Woodward, Mr. President.

S. B. No. 156 was transmitted to the House.

SPECIAL ORDER

On motion of Senator Huggins *S. B. No. 96* was made a special order of business for tomorrow, March 1st, at 2:30 p. m.

Consideration of House amendments to *S. B. No. 88.*

Senator Fowles moved that the Senate do not concur in the House amendments.

Senator Holbrook moved to amend the motion so that the Senate do concur in the House amendments.

Senator Fowles, with the aid of four Senators, requested a roll call on the motion.

The amendment to the motion was lost on the following roll call:

Yeas, 7; Nays, 16; Absent, 0.

Those voting in the affirmative were: Senators Calder, Frischknecht, Holbrook, Holmgren, Hopkin, Miller, Woodward.

Those voting in the negative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Griffin, Hammond, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

The original motion carried.

REPORT OF SPECIAL COMMITTEE

February 28, 1935.

President of the Senate and Speaker of the House:

Your Conference Committees, to whom was referred *H. B. No. 5,* by Mr. Peterson, begs leave to report that they were unable to agree.

Respectfully,

HYRUM B. CALDER,
Chairman Senate Committee.

STANLEY N. CHILD,
Chairman House Committee.

Communication filed.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll call. All Senators present.

REPORTS OF STANDING COMMITTEES

February 28, 1935

Mr. President:

We, your Committee on Appropriations and Claims, to whom was referred *S. B. No. 144*, by Mr. Miller, begs leave to report the same back without recommendation, and request that the same be put at the head of the calendar.

Respectfully,
WARD C. HOLBROOK,
Chairman.

Report filed.

The rules were suspended and *S. B. No. 144* was placed at the head of the Second Reading Calendar.

February 28, 1935.

Mr. President:

Your Committee on Highways has considered *S. B. No. 158*, by Mr. Huggins, and in view of the many amendments which the committee desires to recommend in connection with this bill, requests authority to have said bill reprinted with the amendments as approved by the committee.

Respectfully,
HYRUM B. CALDER,
Chairman.

Report adopted and filed.

Senator Huggins moved that the President appoint a Conference Committee to meet with a like committee from the House to consider amendments to *H. B. No. 5*.

Senator Miller, with the aid of four Senators, requested a roll call on the motion.

The motion carried on the following roll call:

Yeas, 17; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Calder, Fennell, Fowles, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Wallace (explained vote), Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Day, Griffin, Ray, Stewart.

The President appointed a Conference Committee consisting of Senators Ray, Huggins and Hopkin to meet with a like Committee from the House to consider amendments to *H. B. No. 5*.

Senator Fowles moved that when we adjourn Friday, March 1st, it be until Monday, March 4th, at 10:00 a. m.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 28, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to whom was referred *S. B. No. 132*, by Mrs. Musser, by request, begs leave to report the same out favorably with the following amendments:

On page 1, lines 7 and 8, strike the words "a representative descendant of a Utah volunteer from the Ladies of the Grand Army of the Republic" and insert in lieu thereof "an attendant to be selected by him, subject to the approval of the adjutant-general of the National Guard of Utah,".

In line 13, strike the last two words. Strike all of line 14 and all of the words in line 15. Insert, after word "and" in line 13, the following words: "the attendant chosen by him".

In line 15 change "$600" to "$400".

In line 16 change "$100" to "$25".

In line 18 change "$200" to "$50".

On page 2, line 2, change "$100" to "$25".

Strike the word "their" in line 4, page 2.

After the word "sums" in line 5, page 2, insert "herein provided, or such portion of such sums as are needed for the purposes specified."

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

The rules were suspended and *S. B. No. 132* was placed at the head of the Second Reading Calendar.

February 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 220*, by Mr. Royle, Mr. Woodward, by request, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 220 was ordered printed and referred to the Sifting Committee.

February 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 222*, by Mr. Huggins, 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. 222 was ordered printed and referred to the Sifting Committee.

February 28, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 17*, by Mr. Bamberger, 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. J. R. No. 17 was ordered printed and referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

February 28, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for Second Reading Calendar: S. B. No. 68, S. J. M. No. 1, S. B. No. 99, 144, 153, 203, 193, 137, 102, 125, 126, 29, 74, 172, 93, 106, 3, 27, 95, 184, 185, 84, 180.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 132 was read the second time.

Committee report read and adopted.

On motion of Senator Musser the rules were suspended and *S. B. No. 132* was read the third time and placed on its final passage.

S. B. No. 132 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fowles, Hammond, Hopkin, Woodward.

S. B. No. 132 was transmitted to the House.

On motion of Senator Miller *S. B. No. 144* was made a special order of business for tomorrow, March 1st, at 10:15 A. M.

S. B. No. 68 was read the second time.

Committee report read and adopted.

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

Page 3, after the word "statutes" insert "of the".

SPECIAL ORDER

S. B. No. 92 on third reading.

On motion of Senator Woodward *S. B. No. 92* was made a special order of business for tomorrow, March 1st, at 2:30 P. M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 68 on second reading.

S. B. No. 68 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, Bowman (explained vote), Calder, Day (explained vote), Fennell, Fowles, Frischknecht, Griffin, Holbrook, Miller, Musser, Parratt, Ray, Royle, Stewart, Wallace, Woodward (explained vote), Mr. President.

Those voting in the negative were: Senators Hammond (explained vote), Holmgren, Hopkin, Stevens.

Absent and not voting: Senator Huggins.

S. J. M. No. 1 was read the second time.

Committee report read and adopted.

On motion of Senator Stevens the rules were suspended and *S. J. M. No. 1* was read the third time and placed on its final passage.

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

Yeas, 19; Nays, 0; Absent, 3; Excused from voting, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Hopkin, Huggins, Parratt.

Excused from voting: Senator Frischknecht.

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

Senator Holbrook moved that the Senate do now consider *S. B. No. 96*.

Motion carried.

S. B. No. 96 was read the third time and placed on its final passage.

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

After the word "association" in line 4 insert the word "hereafter".

After the word "permit" in line 8 insert a period and strike the remaining part of Section 1 and insert in lieu thereof the following:

"The provisions of this section shall also apply to any irrigation company, canal company, ditch company, reservoir company or water users' association heretofore organized the articles of incorporation of which now expressly so permit assessments to be made on other than a pro rata basis or to any irrigation company, canal company, ditch company, reservoir company, or water users' association heretofore or hereafter organized when required to make assessments on other than a pro rata basis under existing or future contract or contracts between the United States and any such company or water users' association or between the United States and stockholders of any such company or water users' association or between any such company or water users' association and its stockholders or when required by any contract of subscription for shares of stock to any such company or water users' association so contracting with the United States or under present or future laws or regulations of the United States."

S. B. No. 96 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

S. B. No. 96 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 99 was read the second time.

Committee report read and adopted.

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

Page 2, line 14, strike the word "That" and change the letter "a" in the word "all" to a capital letter.

S. B. No. 99 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Musser, Woodward.

On motion of Senator Wallace the Senate adjourned.

FORTY-SEVENTH DAY

MORNING SESSION

March 1, 1935.

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

Roll call—All Senators present.

Prayer by the Chaplain.

March 1, 1935.

Mr. President:

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

Respectfully,

PAUL H. RAY,
PATRICK J. FENNELL.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 28, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 205,* by the State and Municipal Affairs Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 205 was referred to the Committee on Revision and Enrolling to be engrossed.

February 28, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 88,* by Committee on Revenue and Taxation, and has appointed a conference committee consisting of Messrs. Holbrook, Doty, and Bennion to act with a like committee of conference from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Musser, Wallace and Parratt to meet with a like committee from the House to consider amendments to *S. B. No. 88.*

February 28, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *H. B. No. 5,* by Paul M. Peterson, and has appointed a Conference Committee consisting of Representatives Winder, Lindstrom and Gibson, to act with a like committee of conference from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

February 28, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 138,* by Mr. Farr, Mr. Holmes, Mr. Slaugh, Mr. Larson and Mr. P. M. Peterson, entitled: AN ACT TO AMEND SECTION 36-2-1, REVISED STATUTES OF UTAH, 1933, RELATING TO THE MEMBERS OF THE STATE ROAD COMMISSION, FIXING THEIR NUMBER, PROVIDING FOR THEIR

APPOINTMENT, SALARY AND OFFICIAL BONDS, and the same is transmitted herewith for your action

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 138 was read the first time and referred to the Sifting Committee.

Senator Fennell moved that the rules be suspended and that *S. J. R. No. 14* and *S. B. No. 187* be taken from the Sifting Committee and placed at the head of the Second Reading Calendar.

Motion carried.

SPECIAL ORDER

S. B. No. 144 was read the second time.

S. B. No. 144 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Fowles, Hammond, Holbrook, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman, Day, Griffin, Holmgren.

Absent and not voting: Senators Frischknecht, Huggins.

On motion of Senator Holbrook the President rescinded his action on the appointment of Conference Committees to consider House amendments to *S. B. No. 1* and *88*, and appointed a new Conference Committee consisting of Senators Musser, Fowles and Parratt, to act with a like committee from the House to consider House amendments made to said bills.

Upon unanimous consent of the Senate, the rules were suspended and the following bill was introduced:

S. J. R. No. 18 By Mr. Holbrook

A JOINT RESOLUTION RELATING TO WORLD'S FAIRS AND TO A UTAH TRAIL CENTENNIAL EXPOSITION IN THE YEAR 1947, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 68 was read the third time and placed on its final passage.

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

Page 2, at the end of line 23, insert the following: "and the director of the bureau shall act as executive secretary of any such committee or commission".

Page 6, at the end of line 27, insert "or at any time previous thereto by proclamation of the governor.".

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

Page 1, line 1, strike the word "five" and insert "six".

Line 3, strike the word "two" and insert "three", and after the word "senators" insert "only two of whom shall be of the same political party".

S. B. No. 68 failed to pass on the following roll call:

Yeas, 5; Nays, 17; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Calder, Holbrook, Huggins, Miller.

Those voting in the negative were: Senators Bowman, Day (explained vote), Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Parratt.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll call—All Senators present.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 99 was read the third time and placed on its final passage.

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

Strike the period and insert a comma after "OTHERWISE" in the title, and insert: "PERMITTING THE STATE LAND BOARD TO MAKE SETTLEMENT OF DEFICIENCY JUDGMENTS AS WILL BEST SUBSERVE THE INTERESTS OF THE STATE."

On page 2, between line 13 and 14, insert "Section 4. The state land board is hereby authorized to make such settlement of all deficiency judgments that the state land board now holds as will best subserve the interests of the state."

Following Section 4, insert "Section 5. If any part or parts of this act shall be held to be unconstitutional, such decisions shall not affect the validity of the remaining parts of this act. The legislature hereby declares that it would have passed the remaining parts of this act even if it had known that such part or parts thereof would be declared unconstitutional."

Line 14, page 2, strike the numeral "4" and insert "6". In line 15, strike the numeral "5" and insert "7".

S. B. No. 99 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 3; Excused from voting, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Miller, Musser, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Ray (explained vote).

Absent and not voting: Senators Hopkin, Huggins, Parratt.

Excused from voting: Senator Stewart.

S. B. No. 99 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 14 was read the second time.

S. J. R. No. 14 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Frischknecht.

Absent and not voting: Senators Huggins, Miller, Royle.

COMMUNICATIONS FROM THE HOUSE

March 1, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 16*, by Mrs. Bosone, entitled, AN ACT IMPOSING A LICENSE TAX UPON GAS CORPORATIONS, FIRMS, INDIVIDUALS, PARTNERSHIPS, ASSOCIA-

TIONS, AND OTHER ORGANIZATIONS ENGAGING IN THE SELLING AND DISTRIBUTING OF NATURAL GAS FOR LIGHTING, HEATING AND POWER PRODUCTION PURPOSES IN THE STATE OF UTAH, IN AN AMOUNT OF FOUR CENTS PER THOUSAND CUBIC FEET ON ALL SUCH GAS SOLD OR DELIVERED FOR USE IN THIS STATE; PROVIDING FOR THE COLLECTION AND ALLOCATION OF SAID TAX; REQUIRING REPORTS FROM GAS CORPORATIONS, FIRMS, INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS OR OTHER ORGANIZATIONS ENGAGED IN THE BUSINESS OF THE SELLING OR DELIVERING FOR USE OF NATURAL GAS FOR LIGHTING, HEATING AND POWER PURPOSES TO BE FURNISHED THE STATE TAX COMMISSION; PRESCRIBING PENALTIES FOR VIOLATION OF THE ACT; APPROPRIATION FOR CARRYING OUT PROVISIONS OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 16 was read the first time and referred to the Sifting Committee.

February 28, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 77,* by Mr. Kiefer, 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 TO COMMON MOTOR CARRIERS BY THE PUBLIC UTILITIES COMMISSION AND PROVIDING FOR THE ISSUANCE OF SPECIAL LICENSE PLATES TO CONTRACT MOTOR CARRIERS BY THE STATE TAX COMMISSION; PROVIDING FOR THE PAYMENT OF A TAX FOR THE USE OF THE HIGHWAYS; PROVIDING FOR FURNISHING OF INSURANCE BY MOTOR CARRIERS; AND REPEALING CHAPTER 53, LAWS OF UTAH, 1933, RELATING TO TRANSPORTATION BY MOTOR VEHICLES; AND ALSO REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 77 was read the first time and referred to the Sifting Committee.

REPORT OF STANDING COMMITTEE

March 1, 1935.

Mr. President:

Your Committee on Revision and Enrolling, reports back *S. B. No. 223,* substitute for *S. B. No. 10,* by Mr. Bamberger, 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. 223 was ordered printed and referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

March 1, 1935.

President of the Senate and Speaker of the House:

Your Conference Committees, to whom was referred *H. B. No. 5*, by Mr. Peterson, begs leave to report that they were unable to agree.

Respectfully,

PAUL H. RAY,
Chairman Senate Committee.
GEORGE WINDER,
Chairman House Committee.

Report filed.

SPECIAL ORDER

S. B. No. 92 on third reading.

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

Page 1, on line 13, after the word "budget" insert the words: "or for such other purposes as the governor may direct".

On line 17, after the word "preceding" insert the words "or current".

On line 19, after the word "allocated" insert the words: "as follows: the first $150,000 to the general fund of the treasury to be used as the governor may direct, the balance to be allocated".

Line 19, after the word "shall" insert "together with any other available funds".

On motion of Senator Bamberger, the bill was amended as follows:

Page 1, line 11, after the word "of" strike the balance of the line. Strike line 12. Strike to and including the word "legislature" on line 13 and insert the following: ", and to cooperate with the national government in a social and work relief program for the aid of, the needy and destitute of this state and to administer and carry out the provisions of chapters 21 and 22, Laws of Utah, 1933, second special session."

On line 13, after the word "purposes" in the Senate amendment strike the balance of the amendments up to and including the word "budget" and insert in lieu thereof the following: "shall be appropriated to the governor for use as required when other revenues to the general

fund of the state treasury are insufficient to meet appropriations therefrom authorized by the legislature;"

In the Senate amendment on line 19, after the word "allocated", strike beginning with the word "to" down to and including the word "direct" and insert the following: "shall be appropriated to the governor for use as required when other revenues to the general fund of the state treasury are insufficient to meet appropriations therefrom authorized by the legislature;"

In the Senate amendment at the bottom of page 1, before the words "shall be appropriated", insert "or so much thereof as he shall find necessary"

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

After the last word in the title insert "AND THE GENERAL FUND AND THE REDUCTION OF PROPERTY TAX.".

S. B. No. 92 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, (explained vote), Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Holmgren.

On motion of Senator Calder, *S. B. No. 78* was recommitted to the Sifting Committee.

Senator Parratt moved that beginning Monday, March 4th, we convene at 9:00 a. m., recess at 12:00 noon, resume session again at 1:00 p. m., and adjourn at 5:00 p. m.

Motion carried.

On motion of Senator Fennell *S. B. No. 187* was placed at the foot of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 114 was read the second time.

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

Page 2, strike lines 12, 13 and 14, and insert the following: "There is hereby annually appropriated to the state land board from the state land's maintenance fund all necessary moneys with which to pay the expenses of the state land board."

S. B. No. 114 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Musser.

Upon unanimous consent of the Senate the following bills were introduced.

S. J. M. No. 3 By Mr. Parratt

A MEMORIAL RELATING TO JUNIOR COLLEGES WITHIN THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 224 By Mr. Huggins

AN ACT TO AMEND SECTIONS 4, 5 AND 8, CHAPTER 23, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO PUBLIC WORKS PROGRAMS FOR PARTICIPATION UNDER THE NATIONAL INDUSTRIAL RECOVERY ACT AND ANY OTHER ACT OF THE CONGRESS OF THE UNITED STATES; AND TO CHANGE THE DATE OF TERMINATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 225 By Mr. Huggins

AN ACT AMENDING SECTIONS 1, 13 AND 23, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE PURCHASE, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT, EXTENSION AND REPAIR BY ANY COUNTY, CITY, OR INCORPORATED TOWN, OF PUBLIC PROJECTS AND SERVICES AND THE ISSUANCE OF REVENUE BONDS TO COVER THE COST THEREOF; PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE OF THE ENACTMENT AUTHORIZING THE ISSUANCE OF SUCH REVENUE BONDS; AND PROVIDING A MEANS FOR REQUIRING BOND ELECTIONS TO BE HELD IN CONNECTION THEREWITH; AND CHANGING THE DATE OF TERMINATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Huggins moved that the rules be suspended and that after the new bills introduced have been corrected by the Revision and Enrolling Committee, they be printed and referred to the Sifting Committee.

Motion carried.

COMMUNICATION FROM THE GOVERNOR

February 28, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State S. B. No. 159, by Mr. Holbrook, entitled: "AN ACT PROVIDING FOR THE ISSUANCE, DISPOSAL AND PAYMENT OF STATE RE-

FUNDING BONDS AND AUTHORIZING THE STATE BOARD OF LOAN COMMISSIONERS TO ISSUE SUCH BONDS."

Respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORTS OF STANDING COMMITTEE

March 1, 1935.

Mr. President:

Your Committee on Revision and Enrolling, and a like committee from the House, to which was referred *S. B. No. 205*, by State and Municipal Affairs Committee, entitled: "AN ACT AMENDING SECTION 1, CHAPTER 81, LAWS OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE VALIDITY OF CONTRACTS BETWEEN WATER USERS' ASSOCIATIONS, IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES OR RESERVOIR COMPANIES AND THE UNITED STATES FOR THE CONSTRUCTION OF RECLAMATION PROJECTS." have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 205 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 1, 1935.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 18*, by Mr. Holbrook, and recommends that the same be printed.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 18 was ordered printed and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 153 was read the second time.

Committee report read and adopted.

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

Page 2, line 8, strike the word "six" and insert "four".

S. B. No. 153 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

On motion of Senator Fowles the rules were suspended and *S. B. No. 153* was read the third time and placed on its final passage.

S. B. No. 153 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

S. B. No. 153 was transmitted to the House.

S. B. No. 203 was read the second time.

On motion of Senator Royle the rules were suspended and *S. B. No. 203* was read third time and placed on its final passage.

S. B. No. 203 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senator Woodward.

S. B. No. 203 was transmitted to the House.

On motion of Senator Griffin the Senate adjourned.

FIFTIETH DAY

MORNING SESSION

March 4, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call. All Senators present.

Prayer by the Sergeant-at-Arms.

March 4, 1935.

Mr. President:

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

Respectfully,

PAUL H. RAY,
P. J. FENNELL.

Report adopted and filed.

Senator Woodward moved that the rules be suspended and that the Senate reconsider its action on S. B. No. 92.

Motion carried.

RECONSIDERATION OF S. B. NO. 92

On motion of Senator Woodward the new printed bill was substituted for the old S. B. No. 92.

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

Page 1, line 13, place a comma after the numerals "21".

Line 14, strike the word "and", and after the numerals "22" insert "and 23".

Line 15, strike the words "shall be" and insert "is hereby".

Page 2, line 7, after the word "allocated", insert "and paid".

Line 10, strike the words "shall be" and insert "is hereby".

Line 13, after the word "legislature", strike the semi-colon and insert ", or for such other purposes as the governor may direct,".

Line 16, strike the words "and general fund"

Line 9, strike the numerals "150", and insert "300".

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

Page 2, line 10, strike the word "shall" and change the word "find" to "finds".

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

Page 2, line 3, strike the comma after the word "funds" and after the next to the last word "year", insert a comma.

Line 7, preceding the word "shall", insert "such funds".

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

In the title, line 6, preceding the word "The", insert "Relating To".

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

Page 1, line 7, after the word "fund", insert "( )".

Line 10, after the word "administration", insert "and enforcement of the provisions of this act".

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

Page 2, line 7, strike the words "such funds".

Line 4, after the word "which", insert "amounts necessary to pay".

Line 5, change the word "levey" to "levies".

S. B. No. 92 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Hammond (explained vote), Holbrook (explained vote), Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Griffin, Royle, Stevens.

S. B. No. 92 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 144 was read the third time and placed on its final passage.

On motion of Senator Fowles *S. B. No. 144* was made a special order of business for Wednesday, March 6th, at 2:30 p. m.

S. J. R. No. 14 was read the third time and placed on its final passage.

S. J. R. No. 14 passed on the following roll call:

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

Those voting in the affirmative were: Senators Bowman, Calder, Fennell, Fowles, Griffin, Hammond, Hopkin, Huggins, Parratt, Ray, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Day (explained vote), Frischknecht, Holbrook, Holmgren, Musser, Stevens.

Absent and not voting: Senators Miller, Royle.

S. J. R. No. 14 was transmitted to the House.

S. B. No. 114 was read the third time and placed on its final passage.

S. B. No. 114 passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward.

Those voting in the negative were: Senators Huggins (explained vote), Ray, Mr. President.

Absent and not voting: Senator Royle.

S. B. No. 114 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 193 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 193* was read the third time and placed on its final passage.

S. B. No. 193 passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Royle.

S. B. No. 193 was transmitted to the House:

S. B. No. 137 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 137* was read the third time and placed on its final passage.

S. B. No. 137 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Holmgren, Stewart.

S. B. No. 137 was transmitted to the House.

S. B. No. 102 was read the second time.

Committee report read and adopted.

On motion of Senator Musser *S. B. No. 102* was made a special order of business for this afternoon at 2:30.

S. B. No. 125 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, after the word "is", insert "hereby".

Line 2, after the word "is", insert "hereby".

Page 2, line 4, strike the word "book", and insert after the word "said" the words "persons or" and strike the word "located", and insert therefore "doing business."

Line 5, strike the words "recorded in the records of" and insert therefore "determined by" and after the word "Utah", insert "upon which they are entitled to earn a fair return."

Line 9, strike the word "book".

Line 11, strike the words "upon approval", and insert "January 1, 1936."

On motion of Senator Royle the Senate recessed.

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present except Senator Fennell, excused.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 125 on second reading.

SPECIAL ORDER

S. B. No. 102 on second reading.

On motion of Senator Woodward the rules were suspended and *S. B. No. 102* was read the third time and placed on its final passage.

S. B. No. 102 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Griffin, Royle.

S. B. No. 102 was transmitted to the House.

Upon unanimous consent of the Senate the following memorial was introduced:

S. J. M. No. 4 By Mrs. Musser and Mr. Holbrook

A MEMORIAL RELATING TO THE STATE PRISON," was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 125 on second reading.

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

Page 2, line 7, after the word "shall", insert "use such information and tangible property values at the time it".

Line 8, after the word "companies", strike the balance of the line.

Strike lines 9 and 10 and insert the following: "and such assessments shall be in the same proportion to its true value in money as that of all other tangible property in the State of Utah.".

S. B. No. 125 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 Frischknecht (explained vote), Hammond (explained vote), Holbrook, Holmgren (explained vote), Hopkin, Huggins (explained vote), Miller, Musser, Parratt, Royle (explained vote), Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Bowman (explained vote), Calder, Day (explained vote), Fowles, Griffin (explained vote), Ray, Stewart, Wallace.

Absent and not voting: Senator Fennell.

S. B. No. 126 was read the second time.

Committee report read and adopted.

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

Line 8, strike the last three words and insert "when entering".

On motion of Senator Huggins the rules were suspended and *S. B. No. 126* was read the third time and placed on its final passage.

S. B. No. 126 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Fowles.

Absent and not voting: Senators Fennell, Frischknecht, Griffin, Parratt.

S. B. No. 126 was transmitted to the House.

S. B. No. 74 was read the second time.

Senator Bamberger moved that *S. B. No. 74*, as amended and reprinted, be substituted for the original printed bill.

Motion carried.

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

Line 11 of the tite, correct the spelling of the word "Administration".

Page 16, line 11, after the word "vehicle", insert ", or with respect to the operation of a vehicle, delivery of which is to be taken at the factory".

Page 18, line 26, strike the numeral "6" and insert "1".

Page 34, line 4, strike the words "municipal corporations" and insert in lieu thereof "the United States Government, or by the State of Utah, or any of its political subdivisions".

Line 23, after the first numeral "9", insert "3" and after the second numeral "9" insert "4".

Line 29, after the word "capacity", insert "and all motorcycles".

Lines 27, 28, 29 and 30 to be transferred to page 32, between lines 20 and 21.

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

Page 32, new material inserted between lines 20 and 21, after the word "effects" strike "on pleasure trips", and strike the following appearing after the first word "fees": "and that trailers of 500 pounds or less capacity".

S. B. No. 74 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, Day, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Hammond, Parratt, Woodward.

S. B. No. 172 was read the second time.

On motion of Senator Ray the rules were suspended and *S. B. No. 172* was read the third time and placed on its final passage.

S. B. No. 172 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Huggins, Woodward.

S. B. No. 172 was transmitted to the House.

Senator Holbrook moved that *S. B. No. 93* retain its place at the head of the Second Reading Calendar.

Motion carried.

On motion of Senator Frischknecht *S. B. No. 27* was made a special order of business for Wednesday, March 6th, at 10:00 a. m.

S. B. No. 95 was read the second time.

Committee report read and adopted.

On motion of Senator Bowman the rules were suspended and *S. B. No. 95* was read the third time and placed on its final passage.

S. B. No. 95 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Frischknecht, Huggins, Musser, Woodward.

S. B. No. 95 was transmitted to the House.

S. B. No. 184 was read the second time.

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

Page 2, line 4, after "Section 2.", strike the balance of the paragraph and insert "This act shall take effect upon approval.".

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

Last line of the title place a period after the word "Acceptance" and strike the balance of the title.

On motion of Senator Parratt the rules were suspended and *S. B. No. 184* was read the third time and placed on its final passage.

S. B. No. 184 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Frischknecht, Woodward.

S. B. No. 184 was transmitted to the House.

S. B. No. 185 was read the second time.

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

Line 4 of the title, insert a period after the word "Offices" and strike the balance of the title.

Line 1, after "Section 1", strike the balance of the paragraph.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 185* was read the third time and placed on its final passage.

S. B. No. 185 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Frischknecht, Holmgren, Musser, Royle, Woodward.

S. B. No. 185 was transmitted to the House.

On motion of Senator Fowles the Senate adjourned.

FIFTY-FIRST DAY

MORNING SESSION

March 5, 1935

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call—All Senators present except Senator Fennell, excused.

Prayer by the Chaplain.

March 5, 1935

Mr. President:

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

Respectfully,

PAUL H. RAY.

Report adopted and filed.

The President appointed Senators Wallace and Musser to revise the Journal for the week ending Saturday, March 9th.

COMMUNICATIONS FROM THE HOUSE

March 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 2nd day of March, 1935, approve and transmit to the Secretary of State, *H. B. No. 170,* by Mr. Romney, entitled, AN ACT AUTHORIZING CORPORATIONS UNDER THE SUPERVISION OF THE BANKING OR INSURANCE DEPARTMENT TO MAKE LOANS, ADVANCES OR CREDIT AND PURCHASES OF MORTGAGES IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF CONGRESS, ENTITLED "NATIONAL HOUSING ACT," APPROVED BY THE PRESIDENT, AND ALL AMENDMENTS THERETO, EXEMPTING SUCH LOANS AND ADVANCES OF CREDIT AND PURCHASES FROM THE APPLICATION OF GENERAL STATUTES.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 4, 1935.

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. 182,* by Mr. Macfarlane, entitled, AN ACT AMENDING SECTION 100-1-4, REVISED STATUTES OF UTAH, 1933, RELATING TO THE REVERSION OF WATER TO THE PUBLIC BY ABANDONMENT OR FAILURE TO USE WITHIN FIVE YEARS UNLESS

THE TIME IS EXTENDED BY THE STATE ENGINEER AS HEREIN PROVIDED, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 182 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, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 4*, as amended, by Order of the House to the Rules Committee, entitled, AN ACT AMENDIN SECTIONS 42-1-12, 42-1-14, 42-1-15, 42-1-25, 42-1-39, 42-1-40, 42-1-41, 42-1-42, 42-1-43, 42-1-44, 42-1-48, 42-1-50, 42-1-52, 42-1-53, 42-1-55, 42-1-57, 42-1-58, 42-1-59, 42-1-61, 42-1-62, 42-1-63, 42-1-67, 42-1-72, 42-1-73, 42-1-75, 42-1-84, 42-1-89, 42-2-3, 42-2-5, 42-2-6, 42-2-7, 42-2-8, 42-2-9, AND 42-2-17 OF THE REVISED STATUTES OF UTAH, 1933; AND FURTHER AMENDING CHAPTER 1 OF TITLE 42 OF THE REVISED STATUTES OF UTAH, 1933, BY ADDING TWO SECTIONS TO BE KNOWN AS 42-1-98 AND 42-1-99, AND REPEALING SECTIONS 42-1-45, 42-1-46, 42-1-51, 42-1-68, 42-2-16, 43-3-36, 43-3-37, AND 43-3-38 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO INDUSTRIAL COMMISSION, WORKMEN'S COMPENSATION AND THE STATE INSURANCE FUND, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 4 was read the first time and referred to the Sifting Committee.

March 4, 1935.

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 205*, by State and Municipal Affairs Committee, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 205 was transmitted to the Governor.

REPORT OF STANDING COMMITTEE

March 4, 1935.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred *S. B. No. 224*, by Mr. Huggins, *S. B. No. 225*, by Mr. Huggins, and *S. J.*

M. No. 3 by Mr. Parratt, begs leave to report the same have been printed and referred to the Sifting Committee

Respectfully,

GEO. M. MILLER,
Chairman

Report filed.

REPORT OF SPECIAL COMMITTEE

March 4, 1935

Mr. President:

We, your Sifting Committee, report out the following bills for Second Reading Calendar: S. B. No. 126, 74, 172, 93, 27, 95, 184, 185, 84, 180, 187, 224, 225, S. J. M. No. 3, S. B. No. 222, 152, 183, 65, 66, 58, 29, 127, 62, 171, 63, H. B. No. 62, S. B. No. 202, S. J. R. No. 16, H. B. No. 77, S. B. No. 158, H. B. No. 63, S. B. No. 91, 160, 141, 143.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 125 was read the third time and placed on its final passage.

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

Page 1, line 17, after the word "of" strike the balance of the line and insert in lieu thereof "Utility".

Page 2, line 1, after the word "in" strike the balance of the line and insert in lieu thereof "any utility business". Strike the whole of line 2. Line 3, strike the word "telephone" and insert "its".

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

Line 2 of the title after the numerals "1933" insert "PROVIDING FOR A RECORD ASSESSMENT OF PUBLIC UTILITIES". Line 5 of the title strike "CERTAIN TYPES OF". Line 6 of the title strike "NAMED THEREIN".

Page 1, line 8, strike "( )" and insert "telephone" and after the word "lines" insert "and of all public utilities". Line 12, preceding the word "railroad" insert "( )".

Page 2, line 7, change the word "assess" to read "assesses".

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

Page 2, line 3, after the word "service" insert "and/or merchandise".

S. B. No. 125 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Day (explained vote), Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller (explained vote), Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative: Senator Bamberger (explained vote).

Absent and not voting: Senator Fennell.

S. B. No. 125 was transmitted to the House.

Senator Bamberger moved that *S. B. No. 74* be retained at the head of the Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 93 was read the second time.

Committee report read and adopted.

Senator Hammond moved that *S. B. No. 93* be retained at the head of the Second Reading Calendar.

Motion carried.

S. B. No. 84 was read the second time.

Committee report read and adopted.

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

Page 5, line 14, after the numerals "10,000" insert "in counties having cities in the first or second class, and in all other counties in the sum of $5,000". Lines 21 and 22 strike "of $10,000".

On motion of Senator Fowles the rules were suspended and *S. B. No. 84* was read the third time and placed on its final passage.

S. B. No. 84 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bowman, Calder, Fowles, Griffin, Hammond, Holbrook, Holmgren, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Day, Fennell, Frischknecht, Hopkin, Huggins, Miller, Parratt.

S. B. No. 84 was transmitted to the House.

S. B. No. 152 was read the second time.

On motion of Senator Maw the rules were suspended and *S. B. No. 152* was read the third time and placed on its final passage.

S. B. No. 152 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Calder, Fowles, Griffin, Hammond, Holbrook, Holmgren, Musser, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Day, Fennell, Frischknecht, Hopkin, Huggins, Miller, Parratt, Royle.

S. B. No. 152 was transmitted to the House.

S. B. No. 183 was read the second time.

Senator Ray moved to amend the bill as follows:

Page 2, line 15, in the blank space insert "$4,000".

Senator Woodward moved to amend the motion by inserting "$3,600".

Motion as amended carried.

S. B. No. 183 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 Calder, Day, Griffin, Hammond, Holbrook, Holmgren, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Fennell, Fowles, Frischknecht, Hopkin, Huggins, Miller, Parratt.

S. B. No. 65 was read the second time.

Committee report read and adopted.

On motion of Senator Woodward the rules were suspended and *S. B. No. 65* was read the third time and placed on its final passage.

S. B. No. 65 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Calder, Day, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Bowman, Fennell, Fowles, Frischknecht, Huggins, Miller, Musser, Parratt, Stewart.

S. B. No. 65 was transmitted to the House.

S. B. No. 66 was read the second time.

Committee report read and adopted.

S. B. No. 66 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, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Miller, Parratt, Stewart.

Senator Huggins moved that the rules be suspended and that we now consider *S. B. No. 222* on the Second Reading Calendar.

Motion carried.

S. B. No. 222 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 222* was read the third time and placed on its final passage.

On motion of Senator Huggins, the bill was amended as follows:

Page 2, insert a new section as follows: "Section 2. This act shall take effect upon approval."

S. B. No. 222 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Musser, Parratt Stewart.

S. B. No. 222 was transmitted to the House.

S. B. No. 180 was read the second time.

President and Mrs. Maw extended an invitation to the Senators and Partners and employees of the Senate and their partners to an in-

formal reception at their home Friday evening, March 8th, from 8:30 to 11:00 P. M.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 226 By Mr. Holbrook

AN ACT AUTHORIZING THE STATE LAND BOARD OR THE INDUSTRIAL COMMISSION OF UTAH TO LOAN NOT EXCEEDING $30,000 TO THE UTAH STATE AGRICULTURAL COLLEGE WITH WHICH TO PURCHASE STATE OWNED LANDS AND PROVIDING FOR THE PAYMENT OF SAID LOAN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 227 By Mr. Woodward

AN ACT AUTHORIZING THE GOVERNOR TO CREATE A PUBLIC CORPORATION KNOWN AS THE "GREAT SALT LAKE CORPORATION", TO SUPERVISE AND CONTROL THE GREAT SALT LAKE; DEFINING ITS PURPOSES AND POWERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 228 (Substitute for S. B. No. 223) By Mr. Woodward and Mr. Bamberger

AN ACT CREATING A STATE PLANNING BOARD; PROVIDING FOR THE APPOINTMENT OF OFFICERS AND EMPLOYES OF SAID BOARD; DELEGATING TO SUCH BOARD THE DUTY OF PREPARING STATE PLANS AND PLANS IN COOPERATION WITH THE UNITED STATES FOR THE MATERIAL, SOCIAL AND ECONOMIC DEVELOPMENT OF THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Bamberger the Senate recessed.

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present except Senator Fennell, excused.

COMMUNICATIONS FROM THE HOUSE

March 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No.* 212, by Mr. Bletzacker, Mrs. Bosone, Mr. Holbrook and Mr. Whiting, entitled, AN ACT RELATING TO MUNICIPAL CORPORATIONS, GRANTING TO CITIES AND TOWNS CERTAIN POWERS; AUTHORIZING CITIES AND TOWNS TO USE, PURCHASE, SELL AND DISPOSE OF ELECTRIC ENERGY INSIDE OR OUTSIDE THEIR CORPORATE LIMITS; TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE INTERTIE LINES, TRANSMISSION LINES AND DISTRIBUTION SYSTEM; AND TO EXERCISE THE RIGHT OF EMINENT DOMAIN IN AID OF THE ACQUISITION, CONSTRUCTION, REPAIR, OPER-

ATION, EXTENSION OR BETTERMENT OF ANY PLANT OR SYSTEM FOR TRANSMITTING OR DISTRIBUTING ELECTRICITY, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 212 was read the first time and referred to the Sifting Committee.

March 4, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. M. No. 6,* by Mr. Luke, Mr. Twitchell, Mr. Low, and Mr. Larsen, entitled, MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO USE ITS FACILITIES AND TO APPROPRIATE SUFFICIENT MONIES WITH WHICH TO DETERMINE THE MOST ECONOMICAL MEANS FOR TREATING ALUNITE ORES, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. M. No. 6 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 55,* by Mr. Lamoreaux, entitled, AN ACT TO PROVIDE FOR THE RAISING OF MONEY FOR THE SUPPORT AND MAINTENANCE OF THE UTILITIES COMMISSION BY IMPOSING A REGULATION FEE UPON PUBLIC UTILITIES DOING BUSINESS IN THIS STATE, BASED UPON GROSS REVENUES DERIVED FROM INTRASTATE BUSINESS; DEFINING GROSS INCOME, DUTIES OF THE STATE TAX COMMISSION AND STATE TREASURER; LIABILITIES AND PENALTIES FOR FAILURE TO COMPLY WITH THE TERMS OF THE ACT, AND MAKING ANY APPROPRIATION, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 55 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 156,* by Mr. Lindstrom, entitled, AN ACT PROVIDING FOR THE SAFETY OF PERSONS EMPLOYED IN AND ABOUT COAL MINES; PROVIDING FOR "MINERS' EXAMINING BOARDS"; PROVIDING THE DUTIES OF, AND FOR THE EXAMINATION BY SUCH BOARDS, OF PERSONS SEEKING EMPLOYMENT AS COAL MINERS; FIXING FEES

TO BE PAID BY SUCH APPLICANTS AND COMPENSATION OF MEMBERS OF SUCH BOARDS; AND PROVIDING A PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 156 was read the first time and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 180 on second reading.

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

Page 2, line 17, strike the first four words and insert "road fund".

S. B. No. 180 failed to pass on the following roll call:

Yeas, 6; Nays, 14; Absent, 3.

Those voting in the affirmative were: Senators Frischknecht, Huggins, Miller, Musser, Royle, Woodward.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Griffin, Hammond, Holmgren, Hopkin, Ray, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Holbrook, Parratt.

On motion of Senator Huggins the Senate resolved itself into Executive Session.

On motion of Senator Huggins the Executive Session dissolved.

REPORTS OF SPECIAL COMMITTEE

March 4, 1935.

Mr. President:

We, your Committee on Appointments, to which was referred the report of his Excellency, the Governor, Henry H. Blood, concerning the report of remission of fines, reprieves and commutations granted by State Board of Pardons since last regular session of the State Legislature, beg leave to report that after careful consideration of the same, they recommend that the senate approve the report as submitted.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report adopted and filed.

March 4, 1935.

Mr. President:

We, your committee on Appointments, beg leave to report and recommend that the Senate confirm the following appointments made by his Excellency, the Governor, Henry H. Blood, to-wit:

Mrs. Mary Johnson, Member State Board of Education, to fill the vacancy caused by the resignation of George S. Glen, and to serve for the unexpired term ending April 1, 1937.

For Members of the Board of Trustees of the Utah State Hospital:

William H. Boyle, Provo, to serve for a term ending March 31, 1934.

Dr. John R. Llewellyn, Salt Lake City, to serve for a term ending March 31, 1935.

Mrs. Minnie Wattis Harris, Ogden, to serve for a term ending March 31, 1936.

John E. Jones, Salt Lake City, to serve for a term ending March 31, 1937.

Mrs. Frances G. Callahan, Provo, to serve for a term ending March 31, 1938.

E. A. Britsch, Manti, to serve for a term ending March 31, 1939.

Dr. W. R. Calderwood, Salt Lake City, to serve for a term ending March 31, 1940.

For Member of the State Building Commission, to fill the vacancy caused by the resignation of O. P. Cherdron and to serve for the unexpired term ending April 1, 1937.

W. E. Ryberg, Salt Lake City.

For Member of the Utah Water Storage Commission, to fill the vacancy caused by the death of A. F. Doremus, and to serve for the unexpired term ending April 1, 1935, Dr. John A. Widtsoe, Salt Lake City.

For members of the Board of Control of the Utah State Historical Society, to fill the vacancy caused by the death of Albert F. Philips, and to serve for the unexpired term ending April 1, 1937, Herbert S. Auerbach, Salt Lake City.

To fill the vacancy caused by the resignation of Parley L. Williams, and to serve for the unexpired term ending April 1, 1937, D. P. Felt, Salt Lake City.

To fill the vacancy caused by the resignation of Hugh Ryan, and to serve for the unexpired term ending April 1, 1935, W. R. Holmes, Brigham City.

For Member of the State Board of Agriculture, to fill the vacancy

caused by the death of Henry Moss, to serve for the unexpired term ending April 1, 1935, Henry Erlingson, Payson.

For Member of the State Text Book Commission, to fill the vacancy caused by the resignation of W. W. Christensen, to serve for the unexpired term ending June 31, 1937, Ralph Nilsson, Heber City.

For Member of the Utah Geological and Mineralogical Survey Board, to fill the vacancy caused by the resignation of M. H. Dailey, Thomas Lyon, Salt Lake City.

For State Chemist, to fill the vacancy caused by the death of Herman Harms, and to serve for the unexpired term ending March 15, 1935, M. Elmer Christensen, Salt Lake City.

Respectfully submitted,
IRA A. HUGGINS,
Chairman.

Report filed.

On motion of Senator Huggins the Senate confirmed the above appointments of the Governor.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 93 on second reading.

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

Page 1, line 6, strike the semicolon and balance of line 6, and all of lines 7, 8, 9 and 10, and insert: ", ( ) except as hereinafter provided. In cases where application is made by any person interested therein to the board of county commissioners for an adjustment of taxes levied against property assessed by the county assessor, a sum less than the full amount due may be accepted, where, in the judgment of the board of county commissioners, the best human interests and the interests of the state and the county are thereby subserved. In cases where application is made by any person interested therein to the state tax commission for an adjustment of taxes levied against property assessed by it, a sum less than the full amount due may be accepted, where, in the judgment of the state tax commission, the best human interests and the interests of the state and the county are thereby subserved.

"Where such application is made, the applicant shall submit a statement, under oath, setting forth the following: (a) Description of the property; (b) assessed valuation thereof for the current year; (c) the amount of delinquent taxes, interest and penalties; (d) the amount proposed to be paid in settlement; and (e) the reasons why the human interests and the interest of the state and the county will be best subserved by such settlement. Blank forms for such application shall be prepared by the state tax commission.

"Within ten days after the consummation of any adjustment, the board of county commissioners or the state tax commission, as the case may be, shall cause the same to be published in a newspaper having general circulation in the county where the property involved is situated. Such publication shall contain the name of the applicant; the book, page and line of the assessment book for the current year wherein the proper-

ty involved is described; the assessed valuation of the property for the current year; the sum of the delinquent taxes, interest and penalty due, and the adjusted amount paid. A record of the action taken by the board of county commissioners shall be sent to the state tax commission at the end of each month for all actions taken during the preceding month on forms to be provided by the state tax commission. A record of the action taken by the state tax commission shall be sent to the boards of county commissioners of the counties affected by such action."

On motion of Senator Parratt the rules were suspended and *S. B. No. 93* was read the third time and placed on its final passage.

S. B. No. 93 then passed on the following roll call:

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Huggins, Miller, Musser, Parratt, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Holmgren (explained vote), Ray, Stewart.

Absent and not voting: Senators Day, Fennell, Hopkin, Royle.

S. B. No. 93 was transmitted to the House.

S. B. No. 224 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 224* was read the third time and placed on its final passage.

S. B. No. 224 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Day, Fennell, Royle, Woodward.

S. B. No. 224 was transmitted to the House.

S. B. No. 225 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 225* was read the third time and placed on its final passage.

S. B. No. 225 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Hug-

gins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senator Holmgren.

Absent and not voting: Senators Day, Fennell, Royle, Woodward.

S. B. No. 225 was transmitted to the House.

S. J. M. No. 3 was read the second time.

Committee report read and adopted.

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

Page 1, strike the whole of lines 5, 6 and 7.

S. J. M. No. 3 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, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Royle.

S. B. No. 58 was read the second time.

Committee report read and adopted.

S. B. No. 58 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, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Frischknecht, Parratt.

S. B. No. 29 was read the second time.

Committee report read and adopted.

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

Throughout the bill wherever the numerals "80-5-65" appear strike them and insert "80-5-66".

S. B. No. 29 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, Bowman, Calder, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Frischknecht, Parratt, Stewart.

On motion of Senator Ray the Senate adjourned.

FIFTY-SECOND DAY

MORNING SESSION

March 6, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call—All Senators present except Senators Holmgren and Fennell. Senator Fennell, excused.

Prayer by the Chaplain.

March 6, 1935.

Mr. President:

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

Respectfully,

JOHN M. WALLACE,
MRS. BURTON W. MUSSER.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 197*, by Mr. Bletzacker, entitled, AN ACT AMENDING CHAPTER 12, TITLE 15, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 15-12-26, PERTAINING TO THE POWERS OF TOWNS TO ESTABLISH AND MAINTAIN PUBLIC PLAY GROUNDS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

H. B. No. 197 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 75*, by Mr. Hendricks, entitled, "AN ACT AMENDING SECTION 43-2-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE STATE COMMISSIONER OF INSURANCE AND HIS ASSISTANTS, THEIR OATH, BOND AND SALARIES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

H. B. No. 75 was read the first time and referred to the Sifting Committee.

March 5, 1935

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 16*, by Mr. P. M. Peterson, entitled, A JOINT RESOLUTION PROPOSING TO REPEAL SECTION 6, ARTICLE 16 OF THE CONSTITUTION OF UTAH, RELATING TO HOURS OF WORK ON ALL PUBLIC WORKS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

H. J. R. No. 16 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 122*, by Mr. J. W. Jensen, entitled, AN ACT AMENDING SECTION 2, CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE ACT KNOWN AS THE "EMERGENCY REVENUE ACT OF 1933"; DEFINITIONS USED THEREIN AND EXEMPTING FROM TAXATION UNDER THE TERMS OF SAID ACT, SALES OF POULTRY, DAIRY AND OTHER LIVESTOCK FEED AND OF ALL SEEDS AND/OR SEEDINGS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 122 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 30*, by Mr. Lamoreaux, entitled, AN ACT CREATING THE GREAT BASIN AUTHORITY OF THE STATE OF UTAH, AND DEFINING ITS FUNCTION; SETTING UP A BOARD TO ADMINISTER THE DEVELOPMENT OF THE NATURAL RESOURCES WITHIN THE BASIN, AND PRESCRIBING ITS POWERS; PROVIDING FOR THE CONSERVATION OF RUN-OFF WATERS IN THE DRAINAGE AREA OF THE GREAT BASIN; PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE OF POWER PLANTS, COAL PROCESSING PLANTS, DYKES, CANALS AND OTHER WORKS INCIDENT TO THE GOVERNMENTAL, AGRICULTURAL, INDUSTRIAL, RECREATIONAL AND SOCIAL UTILIZATION OF BENEFITS TO BE DERIVED FROM THE FUNCTIONING OF THE AUTHORITY; DESIGNATING THE USE OF MONIES TO BE REALIZED FROM THE OPERATIONS OF THE AUTHORITY; AND MAKING AN APPROPRIATION TO COVER THE EXPENSES OF THE CORPORATION, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 30 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 71*, by Mr. Romney, entitled, AN ACT AMENDING SECTION 104-57-11, REVISED STATUTES OF UTAH, 1933, RELATING TO SERVICE OF SUMMONS ON UNKNOWN PARTIES; CONCLUSIVENESS OF JUDGMENT, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 71 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 70*, by Mr. Romney, entitled, AN ACT REPEALING SECTION 104-5-14, REVISED STATUTES OF UTAH, 1933, RELATING TO SERVICE ON UNKNOWN DEFENDANTS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 70 was read the first time and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

Senator Bamberger moved that *S. B. No. 74* be considered after *S. B. No. 158.*

Motion carried.

S. B. No. 183 was read the third time and placed on its final passage.

On motion of Senator Royle *S. B. No. 183* was made a special order of business to follow *S. B. No. 144.*

S. B. No. 66 was read the third time and placed on its final passage.

On motion of Senator Bamberger the bill was amended as follows.

After the word "Claims" insert a period and strike the balance of the title.

Page 1, line 1, after "Section 1.", strike the balance of the paragraph

Line 2 strike "80-5-65".

S. B. No. 66 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Holbrook, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Griffin, Hammond, Holmgren, Hopkin, Huggins, Musser, Royle.

S. B. No. 66 was transmitted to the House.

S. J. M. No. 3 was read the third time and placed on its final passage.

S. J. M. No. 3 failed to pass on the following roll call:

Yeas, 9; Nays, 11; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder (explained vote), Holbrook, Hopkin, Huggins (explained vote), Parratt, Ray, Stevens, Wallace.

Those voting in the negative were: Senators Day, Fowles, Frischknecht (explained vote), Griffin (explained vote), Hammond, Miller (explained vote), Musser, Royle, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Holmgren.

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, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Frischknecht, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Fowles, Griffin, Holmgren, Stewart.

S. B. No. 58 was transmitted to the House.

On motion of Senator Frischknecht *S. B. No. 27* was made a special order of business for Friday, March 8th, at 10:00 a. m.

S. B. No. 29 was read the third time and placed on its final passage.

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

Line 2 of the title, after the word "Depletion", strike the balance of the title.

Page 1, line 1, after "Section 1.", strike the balance of the paragraph.

Line 4 strike "80-5-65."

S. B. No. 29 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Bamberger, Calder, Day (explained vote), Frischknecht, Hammond (explained vote), Holbrook, Hopkin, Huggins, Miller, Musser, Ray, Stevens, Wallace, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Fowles, Griffin, Holmgren, Parratt, Royle, Stewart, Woodward.

S. B. No. 29 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

Senator Bamberger moved that *S. B .No. 187* retain its place at the head of the Second Reading Calendar.

Motion carried.

S. B. No. 127 was read the second time.

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

Line 8 strike the numerals "15" and insert "25".

Line 9 strike "( )".

Line 10 strike the numerals "15" and insert "25", also strike the numerals "25" at the end of the line and insert "100".

Line 11 strike the word "Ten" and insert "Eight", also strike the numerals "25" and insert "100".

Line 12 strike the numerals "60" and insert "200".

Line 13 strike the word "Fifteen" and insert "Ten".

Line 14 strike the numerals "60" and insert "200".

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

Line 2 of the title, change the word "An" to read "A", and strike the words "Increase of the"

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

At the end of line 14 change the period to a comma and insert "provided the taxpayer may choose to pay in kind on an estate or any portion thereof which is not liquid."

S. B. No. 127 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 (explained vote), Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Holmgren, Musser.

On motion of Senator Royle the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p. m.

Roll call—All Senators present except Senators Holmgren and Fennell. Senator Fennell, excused.

COMMUNICATION

TO THE SENATE:

Gentlemen:

I have the honor to transmit to you herewith the notice of appeal and appeal of Joseph Hodges from the decision of the State Board of

Examiners in a State road accident claim originating April 9th, 1933, near Wellsville, Utah, denied by the Board in their letter of December 20, 1934, according to law.

Very respectfully yours,
M. H. WELLING,
Secretary, State Board of Examiners.

Claim referred to the Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 225,* by Mr. Huggins, and the same is returned herewith for your further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 225 was referred to the Committee on Revision and Enrolling to be engrossed.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 161,* by Mr. Romney, entitled, AN ACT PROVIDING FOR THE CONVERSION OF BUILDING AND LOAN ASSOCIATIONS AND OTHER HOME FINANCING ORGANIZATIONS INTO FEDERAL SAVINGS AND LOAN ASSOCIATIONS, PRESCRIBING THE PROCEDURE THEREFOR, DEFINING THE RESULTS THEREOF AND PROVIDING FOR THE INDEBTEDNESS OF SUCH ASSOCIATIONS, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 161 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 162,* by Mr. Romney, entitled, AN ACT AUTHORIZING ACCEPTANCE BY BUILDING AND LOAN CORPORATIONS OF MEMBERSHIP CERTIFICATES OR SHARES IN PAYMENT FOR LOANS OR FOR PROPERTY, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 162 was read the first time and referred to the Sifting Committee.

March 5, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 163*, by Mr. Romney, entitled, AN ACT TO AMEND SECTION 7-5-23, REVISED STATUTES OF UTAH, 1933, RELATING TO IMPROPER OPERATIONS TO BE REMEDIED ON ORDER OF COMMISSIONER, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 163 was read the first time and referred to the Sifting Committee.

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 204*, by State and Municipal Affairs Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 204 was referred to the Committee on Revision and Enrolling to be engrossed.

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 164*, by Mr. Romney, entitled, AN ACT RELATING TO THE REDUCTION OF LIABILITY IN BUILDING AND LOAN COMPANIES, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 164 was read the first time and referred to the Sifting Committee.

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 166*, by Mr. Romney, entitled, AN ACT TO AMEND SECTION 1, CHAPTER 8, LAWS OF UTAH, 1933, RELATING TO REORGANIZATION OF BUILDING AND LOAN ASSOCIATIONS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 166 was read the first time and referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 6, 1935.

Mr. President:

We, your Sifting Committee, report the following bills out to take their place at the bottom of the present Second Reading Calendar: S. B. No. 200, H. B. No. 137, 138, S. B. No. 60, 176, S. J. R. No. 11, S. C. M. No. 3, S. B. No. 69, H. B. No. 10, 12, S. B. No. 174, 129, H. B. No. 33, S. B. No. 151, S. B. No. 111, 98, 110, 105, 162, 148, 199, H. B. No. 41, S. B. No. 121.

H. B. No. 55 to take the place of S. B. No. 202 on the Calendar.

H. B. No. 41 reported in its order on the Calendar with Committee recommendations that it be made a special order for Monday, March 11, at 9:15 A. M.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 62 was read the second time.

Committee report read, and on motion of Senator Holbrook, the report was tabled.

Senator Royle moved to substitute *S. B. No. 109* for *S. B. No. 62.*

Senator Royle with the aid of four Senators requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 11; Nays, 7; Absent, 4; Excused from voting, 1.

Those voting in the affirmative were: Senators Bamberger, Fowles, Hammond, Huggins, Miller, Parratt, Ray, Royle, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Day, Holbrook, Hopkin, Stevens, Woodward.

Absent and not voting: Senators Fennell, Frischknecht, Griffin, Holmgren.

Excused from voting: Senator Musser.

S. B. No. 109 was read the second time.

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

In the title after "80-5-56" strike the word "And" and insert a comma, and after the numerals "80-5-57" insert "And 80-5-58".

Page 1, line 1, strike the word "and" between "80-5-56 and 80-5-57," strike the comma after "80-5-57" and add "and 80-5-58,".

Page 1, line 11, insert the word "twice" between the words "to" and "the".

Page 1, line 12, strike the words "aggregate of the". Insert the word *"calendar"* between the words "the" and "year". Strike the period after "1935", insert a comma in lieu thereof, and add the following: *"plus the net annual proceeds for the calendar year 1934."*

Page 2, line 21, after the word "cost" insert *"not exceeding the reasonable cost,"*.

Page 2, line 31, after the word "taxes" insert the words *"in Utah"*.

On page 3, line 3, add "Section 80-5-58".

"80-5-58. No deductions shall be allowed for:

(1) Money expended during any year except the year ( ) *during which the sale or conversion into money or its equivalent of ores extracted from the mine was made.*

(2) Salaries, or any portion thereof, of any corporate officer, as such, of the mining company, or of any officer or employee not residing in this state or of the owner or owners of any unincorporated mining property.

(3) Legal expenses.

(4) ( ) Taxes ( ) *other than state and local taxes in Utah.*

(5) Any payment for the construction of boarding houses, bunk houses, mess houses or dwellings.

(6) Any payment for any improvement or structure from which a revenue might be derived directly or indirectly, other than those mentioned in the next preceding section."

Page 2, line 28, after the word "shall" insert "not exceed an amount to".

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

In the new Section "80-5-58", subsection "2", strike the words "as such,", and at the end after the word "property" change the period to a comma and insert the following: "or that portion of the salary in excess of $5,000 per year of any official or employee of the mining company."

SPECIAL ORDER

S. B. No. 144 on third reading.

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

Line 1, strike the numerals "37,762.84" and insert "25,000.00".

S. B. No. 144 then passed on the following roll call:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Fowles (explained vote), Frischknecht, Griffin (explained vote), Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray (explained vote), Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman (explained vote), Calder, Day (explained vote), Stewart.

Absent and not voting: Senators Fennell, Holmgren, Royle.

S. B. No. 144 was transmitted to the House.

Senator Bamberger moved that *S. B. No. 183* be considered after *S. B. No. 200* and *H. B. No. 137* and *138*.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Holbrook *S. B. No. 109* was made a special order of business for tomorrow at 9:15 A. M.

S. B. No. 171 was read the second time.

Committee report read and adopted.

On motion of Senator Woodward the rules were suspended and *S. B. No. 171* was read the third time and placed on its final passage.

S. B. No. 171 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Holmgren, Royle.

S. B. No. 171 was transmitted to the House.

On motion of Senator Huggins *S. B. No. 63* was tabled.

H. B. No. 62 was read the second time.

Senator Fowles moved to strike the numeral "3" on line 5 and insert "2". Also strike the House amendment on line 12.

Senator Huggins moved to amend the motion by striking the numeral "3" and insert "2½". Also strike the House amendment on line 12.

Motion as amended carried.

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

Line 1, strike the last word.

Line 2, strike the first three words. After the word "hereby" strike the comma.

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

Line 1, strike the word "That" and capitalize the following letter "s".

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

Line 4, strike the word "first" and insert "thirty-first".

Page 2 in the House amendment, wherever the numerals "30th" appear insert "31st".

H. B. No. 62 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, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Stewart.

Absent and not voting: Senators Fennell, Holmgren, Musser.

H. B. No. 55 was read the second time.

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

Page 2, line 28, strike the word "laid" and insert "imposed".

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

Page 3, strike the whole of Section 5.

Upon unanimous consent of the Senate the following bills were introduced.

S. B. No. 229 By Mr. Holbrook

AN ACT TO EXTEND THE PERIOD OF REDEMPTION FROM TAX SALES FOR TAXES OF THE YEARS 1928, 1929 AND 1930 AND TO REDUCE THE AMOUNT REQUIRED FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES FOR SAID YEARS AND THE YEARS 1931 AND 1932, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 230 By Mr. Woodward

AN ACT FIXING A MINIMUM ANNUAL REGISTRATION FEE FOR ALL NON-RESIDENT STUDENTS IN INSTITUTIONS OF COLLEGE GRADE, AND AMENDING TITLE 75, CHAPTER 2, SECTION 75-2-1, OF THE REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Bamberger moved that after the bills are corrected by the Revision and Enrolling Committee the rules be suspended and they be printed and referred to the Sifting Committee.

Motion carried.

On motion of Senator Fowles the Senate adjourned.

FIFTY-THIRD DAY

MORNING SESSION

March 7, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair

Roll call—All Senators present.

Prayer by the Chaplain.

March 7, 1935.

Mr. President:

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

Respectfully,

JOHN M. WALLACE,
MRS. BURTON W. MUSSER.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 167*, by Mr. Romney, entitled, AN ACT PROVIDING FOR THE PROTECTION OF THE RIGHTS AND INTERESTS OF CREDITORS AND INVESTORS IN BUILDING AND LOAN COMPANIES, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 167 was read the first time and referred to the Sifting Committee.

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 168,* by Mr. Romney, entitled, AN ACT TO AMEND SECTION 7-2-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 4, LAWS OF UTAH, 1933, RELATING TO POWERS AND DUTIES OF THE BANK COMMISSIONER, STOCKHOLDERS' LIABILITY, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 168 was read the first time and referred to the Sifting Committee.

March 6, 1935.

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. 96,* by Mr. Huggins, and the same is returned herewith for your further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 96 was referred to the Committee on Revision and Enrolling to be engrossed.

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 98,* by Mr. Child, Mr. Holdaway, Mr. Paul M. Peterson, Mr. Romney, Mrs. Gibson, Mr. Winder, Mr. Murdoch, Mr. Low, Mr. Jones, Mr. Bletzacker, Mr. Selvin, and Mrs. Maeser, entitled, AN ACT TO ENCOURAGE AND AID STATE INDUSTRIAL RECOVERY IN CONJUNCTION WITH NATIONAL INDUSTRIAL RECOVERY AND TO AID IN THE ESTABLISHMENT OF INDUSTRY IN THE STATE OF UTAH AND TO EFFECTUATE ITS CONTROL BY LICENSE AND OTHERWISE; DECLARING UNFAIR METHODS OF COMPETITION TO BE UNLAWFUL; TO FOSTER FAIR COMPETITION TO THE END THAT FAIR WAGES WILL BE PAID TO WORKERS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT AND TO GIVE TO THE GOVERNOR THE NECESSARY AUTHORITY FULLY TO COOPERATE WITH THE PRESIDENT OF THE UNITED STATES AND AGENCIES SET UP BY HIM UNDER THE PROVISIONS OF THE ACT KNOWN OF AS THE NATIONAL INDUSTRIAL RECOVERY ACT, OR ANY AMENDATORY OR SUPPLEMENTARY ACT THERETO, INCLUDING AUTHORITY TO APPOINT A BOARD TO CARRY OUT THE PROVISIONS OF THIS ACT; PROVIDING FOR THE CONTINUATION OF THE PURPOSES OF CHAPTER 21, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, TOGETHER WITH CODES OF FAIR

COMPETITION ADOPTED THEREUNDER; CONTAINING PROVISIONS RELATING TO THE LETTING OF PUBLIC CONTRACTS AND PROVIDING A MEANS TO DEFRAY THE EXPENSES OF THE ADMINISTRATION OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 98 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEE

March 6, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 225*, by Mr. Huggins, entitled: "AN ACT AMENDING SECTIONS 1, 13 AND 23, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE PURCHASE, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT, EXTENSION AND REPAIR BY ANY COUNTY, CITY OR INCORPORATED TOWN, OF PUBLIC PROJECTS AND SERVICES AND THE ISSUANCE OF REVENUE BONDS TO COVER THE COST THEREOF; PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE OF THE ENACTMENT AUTHORIZING THE ISSUANCE OF SUCH REVENUE BONDS; AND PROVIDING A MEANS FOR REQUIRING BOND ELECTIONS TO BE HELD IN CONNECTION THEREWITH; AND CHANGING THE DATE OF TERMINATION THEREOF", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 225 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 6, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 204*, by State and Municipal Affairs Committee, entitled: "AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY OR GRANT TO THE UNITED STATES OF AMERICA CERTAIN LANDS OR INTERESTS IN SAID LANDS IN THE BED OF OR ON THE MARGIN OF UTAH LAKE", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 204 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 Bowman the President appointed a committee consisting of Senators Day, Bowman and Stewart to draft a resolution of condolence to the City of St. George.

SPECIAL ORDER

S. B. No. 109 on second reading.

On motion of Senator Woodward *S. B. No. 109* was made a special order of business for this morning at ten o'clock.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 127 was read the third time and placed on its final passage.

Senator Wallace moved that *S. B. No. 127* retain its place at the head of the Third Reading Calendar.

Motion carried.

Senator Huggins moved that *H. B. No. 62* retain its position on the Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 187 was read the second time.

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

Strike the last sentence in Section 1.

S. B. No. 187 was placed on the Third Reading Calendar on the following roll call.

Yeas, 12; Nays, 7; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Hammond, Hopkin, Miller, Ray, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senators Day, Frischknecht, Holbrook (explained vote), Holmgren (explained vote), Huggins (explained vote), Musser (explained vote), Woodward (explained vote).

Absent and not voting: Senators Fowles, Griffin, Parratt, Royle.

On motion of Senator Fennell the rules were suspended and *S. B. No. 187* was read the third time and placed on its final passage.

S. B. No. 187 then passed on the following roll call:

Yeas, 12; Nays, 6; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Hammond, Hopkin, Miller, Ray, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senators Day, Frischknecht, Holbrook, Holmgren, Huggins, Woodward.

Absent and not voting: Senators Fowles, Griffin, Musser, Parratt, Royle.

S. B. No. 187 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 127 on third reading.

S. B. No. 127 passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht, Griffin, Musser, Parratt, Royle.

S. B. No. 127 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 55 on second reading.

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

In the House amendment on line 2, strike the words "public revenues" and insert "general fund of the state treasury".

H. B. No. 55 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Hammond.

Absent and not voting: Senator Parratt.

SPECIAL ORDER

S. B. No. 109 on second reading.

On motion of Senator Holmgren the Senate recessed until one o'clock.

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present.

COMMUNICATION FROM THE GOVERNOR

March 7, 1935.

TO THE SENATE:

I have this day nominated the following persons for the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE STATE BUILDING COMMISSION:
To serve for a term of four years, pursuant to
Sec. 10-0-1, Revised Statutes of Utah, 1933.
W. J. Halloran.....Salt Lake City
James W. Funk.....Richmond

FOR STATE CHEMIST:
To serve for a term of four years, pursuant to
Sec. 87-7-1, Revised Statutes of Utah, 1933.
M. Elmer Christensen.....Salt Lake City

FOR MEMBERS OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND INVESIGATION:
To serve for a term of two years, pursuant to
Sec. 22-0-1, Revised Statutes of Utah, 1933.
S. Grant Young.....Salt Lake City
Rial C. Moore.....Ogden

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE SCHOOL FOR THE DEAF AND THE BLIND:
To serve for a term of six years, pursuant to
Sec. 85-3-4, Revised Statutes of Utah, 1933.
Dr. L. L. Daines.....Salt Lake City

FOR MEMBER OF THE STATE DEPOSITORY BOARD:
To serve for a term of two years, pursuant to
Sec. 2, Chapter 47, Laws of Utah, 1933.
James E. Halverson.....Brigham City

FOR STATE FISH AND GAME COMMISSIONER:
To serve for a term of four years, pursuant to
Sec. 30-0-1, Revised Statutes of Utah, 1933.
Newell B. Cook.....Morgan

FOR MEMBER OF THE STATE GEOLOGICAL AND MINERALOGICAL SURVEY BOARD:

Pursuant to Section 34-0-1, Revised Statutes of Utah, 1933.

L. F. Paddison.....Salt Lake City

Respectfully submitted,
HENRY H. BLOOD,
Governor.

Communication referred to the Special Committee on the Governor's appointments.

COMMUNICATIONS FROM THE HOUSE

March 6, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. M. No. 1*, by Mr. T. W. Jensen, entitled, MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA FOR THE PURPOSE OF OPPOSING PASSAGE OF (1) H. B. NO. H. R. 3263 WHICH BILL HAS FOR ITS OBJECTIVE THE REPEAL OF THE LONG AND SHORT HAUL PROVISIONS OF SECTION 4 OF THE INTERSTATE COMMERCE ACT; OR (2) ANY OTHER BILLS THAT MAY BE INTRODUCED IN THE CONGRESS HAVING FOR THEIR OBJECTIVE THE REPEALING OR MODIFICATION OF THE SAID LONG AND SHORT HAUL PROVISIONS OF SECTION 4 OF THE INTERSTATE COMMERCE ACT, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. M. No. 1 was read the first time and referred to the Sifting Committee.

March 7, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 165*, by Mr. Romney, entitled, AN ACT PROVIDING FOR THE CONSOLIDATION, MERGER, SALE AND TRANSFER OF ASSETS OF BUILDING AND LOAN COMPANIES, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 165 was read the first time and referred to the Sifting Committee.

March 7, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 178*, by Mr. Richards, entitled, AN ACT AMENDING SECTION 7, ARTICLE 2, CHAP-

TER 53, LAWS OF UTAH, 1933, RELATING TO CERTIFICATES OF CONVENIENCE AND NECESSITY FOR COMMON MOTOR CARRIERS OPERATING IN INTRASTATE COMMERCE, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 178 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 7, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 96*, by Mr. Huggins, entitled: "AN ACT TO PROVIDE FOR UNEQUAL ASSESSMENTS AGAINST SHARES OF STOCK OF IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, RESERVOIR COMPANIES AND WATER USERS' ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE; AND AMENDING CHAPTER 4, TITLE 18, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 18-4-24, REVISED STATUTES OF UTAH, 1933", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 96 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

FURTHER CONSIDERATION OF S. B. No. 109

S. B. No. 109, on second reading.

Senator Holbrook moved to amend the bill as follows:

On page 1, strike the underlined material and insert the following: "four times the net annual proceeds thereof and 25 per cent of the gross proceeds thereof for the calendar year next preceding".

Senator Maw moved that the motion be divided and consider "25 per cent of the gross proceeds thereof" first.

Motion carried.

Senator Holbrook moved to amend the motion by striking "25" and inserting "10".

Senator Miller with, the aid of four Senators, requested a roll call on the motion.

The motion to amend was lost on the following roll call:

Yeas, 8; Nays, 15; Absent, 0.

Those voting in the affirmative were: Senators Calder, Friśchknecht, Hammond, Holbrook, Musser, Stevens (explained vote), Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Griffin, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stewart, Wallace.

Senator Wallace with the aid of four Senators, requested a roll call on the motion as to whether the following will be inserted in the bill: "and 25 per cent of the gross proceeds thereof".

The motion was lost on the following roll call:

Yeas, 1; Nays, 22; Absent, 0.

Those voting in the affirmative were: Senator Holbrook.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht (explained vote), Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt (explained vote), Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Senator Bowman, with the aid of four Senators, requested a roll call on the motion as to whether the following will be inserted in the bill: "four times the net annual proceeds thereof for the calendar year next preceding".

The motion was lost on the following roll call:

Yeas, 9; Nays, 14; Absent, 0.

Those voting in the affirmative were: Senators Calder,, Frischknecht, Holbrook, Holmgren, Hopkin, Huggins, Musser (explained vote), Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Griffin, Hammond, Miller, Parratt, Ray, Royle, Stevens (explained vote), Stewart, Wallace.

Upon unanimous consent of the Senate the following memorial was introduced:

S. C. M. No. 5 By Mr. Day, Mrs. Stewart, Mr. Bowman

A CONCURRENT MEMORIAL OF CONDOLENCE, was read the first time.

On motion of Senator Day the rules were suspended and *S. C. M. No. 5* was read the second and third times and placed on its final passage.

S. C. M. No. 5 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Holbrook, Hopkin.

S. C. M. No. 5 was transmitted to the House.

On motion of Senator Stevens *S. B. No. 109* was made a special order of business for tomorrow at 9:15 a. m.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 62 was read the third time and placed on its final passage.

Senator Fowles moved to amend the bill on page 1, line 5, by striking the numerals "2½" and inserting "2".

Senator Fowles, with the aid of four Senators, requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Griffin, Hammond, Holmgren, Miller, Musser, Parratt, Ray, Royle, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senators Frischknecht, Huggins, Stevens.

Absent and not voting: Senators Fennell, Holbrook, Hopkin. Woodward.

H. B. No. 62 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Holbrook, Hopkin, Woodward.

H. B. No. 62 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 16 was read the second time.

By order of the President *S. J. R. No. 16* retained its place at the head of the Second Reading Calendar.

On motion of Senator Huggins *S. B. No. 74, H. B. No. 77,* and *S. B. No. 158* were made a special order of business for tomorrow to follow *S. B. No. 27.*

H. B. No. 63 was read the second time.

On motion of Senator Huggins *H. B. No. 63* was made a special order of business for tomorrow to follow *S. B. No. 158.*

S. B. No. 91 was read the second time.

Committee report read and adopted.

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

Line 1, strike the word "that" and the last two words in the line.

Line 2, strike the first two words.

On motion of Senator Bowman the rules were suspended and *S. B. No. 91* was read the third time and placed on its final passage.

S. B. No. 91 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Holbrook, Hopkin.

S. B. No. 91 was transmitted to the House.

S. B. No. 160 was read the second time.

On motion of Senator Musser the rules were suspended and *S. B. No. 160* was read the third time and placed on its final passage.

S. B. No. 160 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day (explained vote), Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Fowles, Holbrook.

S. B. No. 160 was transmitted to the House.

COMMUNICATION FROM THE GOVERNOR

March 6, 1935.

TO THE LEGISLATURE:

In my biennial message to the Legislature, I expressed the hope that during the progress of this session we would receive from the Federal Government a clearly outlined policy and plan for public welfare legislation. At that time it appeared that Congress would have acted before now, so that we would know what the responsibilities of the State were to be. But, as you have observed, no specific legislation has been passed, nor has a definite policy as yet been formulated by Congress.

With the end of this legislative session approaching I feel I cannot further delay the presentation to you of a proposed social welfare bill. In the preparation of this measure I have had the assistance not only of men skilled in the law, but also of experts in social service. Much time has been devoted to the subject by members of the Governor's Advisory Committee on Public Welfare and Emergency Relief. The bill in approximately its present form has been reviewed and approved by the Utah State Conference of Social Work, and by the officials of the Federal Emergency Relief Administration in Washington, D. C. It is my thought that with the passage of this measure it will be possible to take advantage of the provisions of any Federal enactment having to do with social welfare.

It is expected that the means for carrying out any program initiated under this legislation will be provided as heretofore from the emergency relief fund. In this connection some amendments may be necessary to Senate Bill No 92, now in the House. These would change the technical language but not the purpose of that measure.

A second and short bill submitted herewith places with the proposed department of public welfare certain duties now assigned to the Governor. Its passage is essential to the operation of the department.

Under this plan, it is believed the State can take care of those urgently in need of assistance and that the fears may be allayed of those who have foreseen a heavy draft on the resources of the State to effectuate social welfare plans. In a word, economy and effectiveness which I have constantly advocated, I hope can be obtained without increase in the tax burden.

As has been pointed out, it is now late in the session. I present this matter to you with the request that you give it immediate consideration. I am keenly desirous that adequate provision be made by legislative action for a basic program of social welfare. Admittedly the bill presented to you confers broad powers on the governor and on the Department of Public Welfare; but in no other way can proper provision be made to meet the situation that will arise when the several phases of social welfare activity are covered by Federal enactment. A bill for an act creating a State Department of Public Welfare, therefore, is presented to you with my approval.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 231 (Substitute for S. B. No. 227) By Mr. Woodward

AN ACT CREATING GREAT SALT LAKE IMPROVEMENT BOARD CONSISTING OF THE GOVERNOR AND TWO OTHER MEMBERS TO BE APPOINTED BY HIM, DEFINING THE POWERS AND DUTIES OF SAID BOARD, AUTHORIZING SAID BOARD TO BORROW AND OBTAIN GRANTS OF MONEY FROM THE FEDERAL GOVERNMENT OR ANY FEDERAL AGENCY FOR THE PURPOSE OF CONSTRUCTING DIKES IN GREAT SALT LAKE, ROADS TO AND ALONG SAME, PARKS, RESTING AND NESTING PLACES FOR WILD FOWL, CHANNELS AND PONDS FOR FISH AND MUSKRATS AND OTHER IMPROVEMENTS INCIDENTAL TO THE CREATION OF A FRESH WATER LAKE BETWEEN SAID DIKES AND THE DIVERSION AND USE OF WATER TO BE IMPOUNDED BETWEEN SAID DIKES AND FOR THE PURPOSE OF BUYING LAND AND EASEMENTS, AUTHORIZING SUCH CONSTRUCTION AND THE ACQUIRING OF ALL LAND AND EASEMENTS NECESSARY TO ACCOMPLISH SUCH PURPOSES AND THE PURCHASE OF ADJOINING LAND AND LAND UPON WHICH WATER FROM SAID FRESH WATER LAKE MAY BE USED, AUTHORIZING SAID BOARD TO ASSUME CONTROL AND SUPERVISION OVER ALL IMPROVEMENTS CONTEMPLATED IN THIS ACT AND OVER ALL LAND AND WATER WITHIN THE MEANDER LINE OF GREAT SALT LAKE, AUTHORIZING THE SALE OF SUCH WATER AND EXACTION OF RENTALS AND TOLLS, AUTHORIZING CONTRACTS FOR EXTRACTION OF MINERALS UPON A ROYALTY BASIS FROM LAND AND WATER WITHIN MEANDER LINE OF GREAT SALT LAKE, AUTHORIZING BOARD TO ORGANIZE OR CAUSE TO BE ORGANIZED A CORPORATION OR CORPORATIONS FOR THE PURPOSE OF CARRYING ON WORK AND PERFORMING DUTIES THERETOFORE IMPOSED ON BOARD WITH AUTHORITY IN BOARD TO DELEGATE ITS RIGHTS AND POWERS UNDER THIS ACT TO SUCH CORPORATION OR CORPORATIONS, WITHDRAWING FROM ENTRY, APPROPRIATION OR SALE ALL WATER IMPOUNDED OR TO BE IMPOUNDED BY SAID DIKES AND ALL WATER AND LAND WITHIN MEANDER LINE OF GREAT SALT LAKE INCLUDING MINERALS CONTAINED THEREIN EXCEPT AS PROVIDED IN THIS ACT, AND REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THIS ACT IN SO FAR AS SUCH OTHER ACTS AFFECT THE SPECIFIC PROPERTY MENTIONED OR THE OPERATIONS CONTEMPLATED BY THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 232 By Committee on Social Relations and Relief

AN ACT AMENDING SECTION 1, CHAPTER 88, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 233 By Committee on Social Relations and Relief

AN ACT CREATING A STATE DEPARTMENT OF PUBLIC WELFARE; PROVIDING FOR THE APPOINTMENT OF A STATE BOARD OF PUBLIC WELFARE; AUTHORIZING THE APPOINTMENT OF A DIRECTOR AND OTHER ASSISTANTS AND EMPLOYEES OF THE DEPARTMENT AND PROVIDING FOR THEIR COMPENSATIONS; DEFINING THE POWERS AND DUTIES OF SUCH

BOARD AND SUCH DIRECTOR; AUTHORIZING THE BOARD TO ACT AS THE OFFICIAL AGENCY OF THE STATE IN THE ADMINISTRATION OF ANY STATE OR FEDERAL FUNDS MADE AVAILABLE FOR SOCIAL, ECONOMIC, RELIEF AND OTHER MEASURES AFFECTING THE PUBLIC WELFARE, INCLUDING SUCH MATTERS AS FINANCIAL RELIEF AND ASSISTANCE TO THE UNEMPLOYED AND INDIGENT; TO THE AGED; TO THE BLIND; TO DEPENDENT, HOMELESS AND NEGLECTED CHILDREN; TO CHILDREN IN DANGER OF BECOMING DELINQUENT; OLD-AGE INSURANCE, HEALTH INSURANCE; UNEMPLOYMENT COMPENSATION; OLD - AGE ANNUITIES; MATERNAL AND CHILD HEALTH; MATERNITY NURSING SERVICES; THE CARE OF CRIPPLED CHILDREN; AND ANY OTHER SUBJECTS RELATED TO THE FOREGOING, OR EITHER OF THEM, OR TO ANY OTHER MATTERS AFFECTING THE PUBLIC WELFARE; PROVIDING FOR THE CREATION OF COUNTY OR DISTRICT DEPARTMENTS OF PUBLIC WELFARE AND DEFINING THEIR POWERS AND DUTIES; 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.

Senator Bamberger moved that after *S. B. No. 231* has been corrected by the Committee on Revision and Enrolling the rules be suspended and that said bill be printed and referred to the Sifting Committee.

Motion carried.

Senator Bamberger moved that the Revision and Enrolling Committee ascertain if bills similar to *S. B. No. 232* and *233* have been introduced in the House and determine where said bills are to be printed, and order the same printed and referred to the Sifting Committee.

Motion carried.

Upon unanimous consent of the Senate *S. B. No. 223* and *227* were withdrawn.

On motion of Senator Fowles the Senate adjourned.

FIFTY-FOURTH DAY

MORNING SESSION

March 8, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call—All Senators present.

Prayer by the Chaplain.

March 8, 1935.

Mr. President:

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

Respectfully,
JOHN M. WALLACE,
MRS. BURTON W. MUSSER.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 7, 1935.

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. 4*, by Mrs. Gibson, entitled, A CONCURRENT RESOLUTION OF CONDOLENCE TO THE PEOPLE OF ST. GEORGE, AND AN EXPRESSION OF SYMPATHY OF THE ENTIRE STATE OF UTAH FOR THE DISASTER THAT HAS OCCURRED, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. R. No. 4 was read the first time and referred to the Sifting Committee.

March 7, 1935.

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 and House, *S. B. No. 93*, by Mr. Hammond, and the same is returned herewith for your further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk

Communication filed.

Senator Holbrook moved that we do not concur in the House amendments.

Motion carried.

March 7, 1935

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 242*, by Mrs. Bosone, entitled, AN ACT AUTHORIZING THE STATE LAND BOARD TO ISSUE PROSPECTING PERMITS AND PROVIDING THE TERMS AND CONDITIONS THEREOF, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 242 was read the first time and referred to the Sifting Committee.

March 7, 1935.

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. 225*, by Mr. Huggins, entitled, AN ACT AMENDING SECTIONS 1, 13 AND 23, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE PURCHASE, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT, EXTENSION AND REPAIR BY ANY COUNTY, CITY OR INCORPORATED TOWN, OF PUBLIC PROJECTS AND SERVICES AND THE ISSUANCE OF REVENUE BONDS TO COVER THE COST THEREOF; PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE OF THE ENACTMENT AUTHORIZING THE ISSUANCE OF SUCH REVENUE BONDS; AND PROVIDING A MEANS FOR REQUIRING BOND ELECTIONS TO BE HELD IN CONNECTION THEREWITH; AND CHANGING THE DATE OF TERMINATION THEREOF, and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,

Chief Clerk.

Communication filed.

S. B. No. 225 was transmitted to the Governor.

March 7, 1935.

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. 204*, by State and Municipal Affairs Committee, entitled, AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY OR GRANT TO THE UNITED STATES OF AMERICA CERTAIN LANDS OR INTERESTS IN SAID LANDS IN THE BED OF OR ON THE MARGIN OF UTAH LAKE, and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,

Chief Clerk.

Communication filed.

S. B. No. 204 was transmitted to the Governor.

March 7, 1935.

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. 96*, by Mr. Huggins, entitled, AN ACT TO PROVIDE FOR UNEQUAL ASSESSMENTS AGAINST SHARES OF STOCK OF IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, RESERVOIR COMPANIES AND WATER USERS' ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE;

AND AMENDING CHAPTER 4, TITLE 18, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 18-4-24, REVISED STATUTES OF UTAH, 1933, and the same is returned herewith for transmission to the Governor.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 96 was transmitted to the Governor.

March 7, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 223*, by Mr. Macfarlane, entitled, AN ACT IN RELATION TO RELIEF FROM SPECIAL ASSESSMENTS AND IN RELATION TO FINANCIAL RELIEF THEREFROM OF TAXING DISTRICTS, AS DEFINED IN CHAPTER IX OF THE ACT OF CONGRESS ENTITLED "AN ACT TO ESTABLISH A UNIFORM SYSTEM OF BANKRUPTCY THROUGHOUT THE UNITED STATES," APPROVED JULY 1, 1898, AS AMENDED, VALIDATING PETITIONS AND PROCEEDINGS UNDER, OR IN CONTEMPLATION OF PROCEEDINGS UNDER, SAID CHAPTER IX, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 223 was read the first time and referred to the Sifting Committee.

SPECIAL ORDER

S. B. No. 109 on second reading.

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

Line 1 of the title, strike "80-5-56".

Page 1, line 1, strike "80-5-56".

Strike the whole of line 3 to 21, inclusive, on page 1.

On motion of Senator Wallace the rules were suspended and *S. B. No. 109* was read the third time and placed on its final passage.

S. B. No. 109 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Hammond.

S. B. No. 109 was transmitted to the House:

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 55 was read the third time and placed on its final passage.

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

Strike the House amendment inserted on line 11, and insert in lieu thereof, the following: "The legislature at each regular session shall determine the amount to be appropriated for the support and maintenance of the public utilities commission for the succeeding biennium. Of the amount so determined there shall be provided from the general fund of the state treasury one-fourth of such total amount; the remaining three-fourths shall be raised by assessing all utilities such fees as shall yield annually an aggregate amounting to one-half of said remaining three-fourths and all of the said fees are hereby appropriated to such support and maintenance, it being the purpose and intent of this act that for each dollar provided by the state for such support and maintenance the public utility companies shall, in the aggregate, provide three dollars for such support and maintenance, one-half thereof to be provided annually."

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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Miller, Musser, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Hammond, Hopkin, Huggins, Parratt, Royle.

H. B. No. 55 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. C. M. No. 5*, by Mr. Day, Mrs. Stewart and Mr. Bowman, and the same is returned herewith for your further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. C. M. No. 5 was referred to the Committee on Revision and Enrolling to be engrossed.

March 8, 1935

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 62*, by Mr. Farr, and requests the Senate to recede from its amendments.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

Senator Fowles moved that the Senate do not recede from its position.

Motion carried.

The President appointed a Conference Committee consisting of Senators Fowles, Stevens and Griffin to meet with a like committee from the House to consider amendments to *H. B. No. 62*.

Upon unanimous consent of the Senate the following bill was introduced:

S. B. No. 234 By Mr. Fowles

AN ACT AUTHORIZING CITIES AND TOWNS, TO CONSTRUCT, ACQUIRE, IMPROVE, EXTEND, OPERATE AND MAINTAIN PUBLIC WORKS, UNDERTAKINGS AND PROJECTS; PRESCRIBING THE MODE OF PROCEDURE FOR AND REGULATING THE ISSUANCE AND SALE OF BONDS AND OTHER OBLIGATIONS BY CITIES, TOWNS, COUNTIES, AND SCHOOL DISTRICTS TO FINANCE PUBLIC WORKS, UNDERTAKINGS AND PROJECTS; PROVIDING FOR THE PAYMENT OF SUCH BONDS AND OTHER OBLIGATIONS; AUTHORIZING AGREEMENTS WITH THE HOLDERS OF SUCH BONDS AND OTHER OBLIGATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Bamberger moved that after *S. B. No. 234* has been corrected by the Revision and Enrolling Committee the rules be suspended and that the bill be printed and referred to the Sifting Committee.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 16 on second reading.

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

Line 3, insert the word "Section" before the numeral "3", and capitalize the letter "l" in the word "legislature".

SPECIAL ORDER

S. B. No. 27 was read the second time.

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

Page 1, line 3, strike the word "unless".

Lines 6 and 8, strike "( )".

Strike lines 9, 10, 11, up to and including the word "assessed" in line 12.

S. B. No. 27 failed to pass on the following roll call:

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

Those voting in the affirmative were: Senators Frischknect, Holbrook, Ray.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holmgren, Hopkin, Huggins (explained vote), Miller (explained vote), Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Royle.

REPORT OF STANDING COMMITTEE

March 8, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. C. M. No. 5*, by Mr. Day, Mrs. Stewart, Mr. Bowman, entitled: "A CONCURRENT MEMORIAL OF CONDOLENCE", have examined same and have compared it as passed with the enrolled and engrossed copy and find it correct and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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.

Senator Bamberger moved that we consider *S. B. No. 74* after *S. B. No. 158*.

Motion carried.

SPECIAL ORDER

H. B. No. 77 was read the second time.

COMMUNICATIONS FROM THE HOUSE

March 8, 1935

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. Day, Mrs. Stewart and Mr. Bowman, entitled, A CONCURRENT MEMORIAL OF CONDOLENCE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. C. M. No. 5 was transmitted to the Governor.

On motion of Senator Bowman the Senate recessed until 1 o'clock.

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present except Senator Fennell, excused.

Upon unanimous consent of the Senate the following bill was introduced:

S. B. No. 235 By Mr. Griffin and Mr. Woodward

AN ACT AMENDING SECTION 54-2-4 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWER OF THE ARMORY BOARD TO PROCURE MONEY, was read the first time and referred to the Committee on Revision and Enrolling, and after corrections have been made, ordered printed and referred to the Sifting Committee.

COMMUNICATION FROM THE HOUSE

March 8, 1935.

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. 132*, by Mrs. Musser, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 132 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORT OF STANDING COMMITTEE

March 6, 1935.

Mr. President:

We, your Committee on Trade Regulations, to which was referred *H. B. No. 41*, by Mr. Holbrook and Mr. Edman, beg leave to report the same out favorably with the following amendments:

Page 2, strike the House Amendment on line 13 to 21 inclusive and reinsert the printed matter.

Page 3, strike the House Amendment in lines 1 to 6 inclusive and reinsert the printed matter.

Page 3, strike the House Amendment on lines 20 to 23 inclusive and reinsert the printed matter.

Page 4, strike the House Amendments from line 18 to 24 inclusive and reinsert the printed matter.

Page 6, strike lines 24, 25, 26 and substitute therefor the following:

(d) The commission shall designate certain warehouses within the state as state warehouses to be used for storing alcoholic bev-

erages and shall establish rules and requirements for the storage of alcohol and other liquors and wines therein. Any broker or wholesaler of alcoholic beverages who for more than five years immediately preceding has been a citizen of the United States and a bona fide resident of the state of Utah, or in case of a corporation, has been in good standing and doing business in the state of Utah for more than 3 years next preceding, is hereby granted the right to store his alcoholic product in whatsoever quantities he chooses and at his own expense and risk, and subject to a reasonable storage fee in any or all of said state warehouses. This shall give said broker or wholesaler the right to have a supply of said alcoholic beverages, liquors, wines and hard ciders so stored, placed on display and offered for sale in all state liquor stores and package agencies within the state in the same manner as all other liquors and alcoholic beverages are offered for sale. The commission shall purchase from said producers and/or wholesalers, from time to time, a large enough supply of said alcoholic beverages and liquors to continuously keep a reasonable stock of each brand thereof in every state store or package agency within the state and it shall replenish said stock of each broker and/or wholesaler referred to above as fast as the same is sold. It shall furthermore place on the 'Bill of Sale' and on all other displays of liquor in each of said liquor stores and package agencies, the name and sale price of every brand and variety of liquor in stock for sale in each of said stores and agency.

All liquors sold in restaurants, clubs and hotels under the terms of this act shall be purchased either from a state store or package agency or from a state warehouse under such terms and in such manner as the commission may prescribe.

Page 7, line 15 after the word "sold" insert "in all stores and package agencies".

Page 8, line 18. Strike the word "brands" and substitute in lieu thereof the word "qualities".

Page 9, line 30. Strike whole House Amendment.

Page 10, line 19. Strike the words "shall transmit the same to the state board of education, which".

Page 10, line 29. Strike "board of education" and insert in lieu thereof "commission".

Page 10, line 32. Strike "board of education" and insert in lieu thereof "commission".

Page 11, line 10. Strike House Amendment on lines 10, 11, and 12, and reinsert the printed matter.

Page 11, line 6. Strike "board of education" and insert in lieu thereof "commission" then strike the balance of line 6 and all of line 7.

Page 11, line 13. Strike "board of education" and insert in lieu thereof "commission" then strike balance of paragraph.

Page 11, line 5. Strike the word "one" and substitute the word "three".

Page 12, line 14. After the word "annually" insert the following words, "before October 1".

Page 13, line 7. Strike "$100,000" and insert therefor "$50,000" and line 8, beginning with the word "for" strike the remainder of the line and on line 9, strike "sion, and" and also strike "other" after the word "for" and insert therefor the word "the".

Page 13, line 19 and line 22. Strike House Amendment and insert in lieu thereof "$150,000".

Page 16, line 19. Place a period after word "beverages" and strike the balance of the line and line 20 to and including the word "brands." Page 16, line 22, after the word "the" strike the remainder of line 22 and the first 3 words on line 23.

Page 16, line 23. Strike "alcoholic beverages" and insert in lieu thereof, "liquor".

Page 17, strike the House Amendment on lines 11 to 16 inclusive and reinsert the printed matter.

Page 20, at the end of line 4, add: "Except any person who is or appears to be under the influence of liquor and any person under the age of 21 years; provided that he shall not suggest any particular brand or brands of liquor to any purchaser and that he shall not make out the purchase order of any purchaser."

Page 29, strike lines 18 to 29 inclusive and insert in lieu thereof the following.

> All alcoholic beverages, liquors, wines and hard ales, taken from state warehouses for any purpose whatsoever shall be done under the direction of the Commission and as said Commission shall direct. Before they are removed, however, there is hereby imposed and there shall be collected by and paid to the State Tax Commission, upon the sales of each bottle or container thereof, an excise tax of 5c per pint or fraction thereof on each bottle or container of alcoholic beverages or liquors (but not wines or hard ciders), and a tax of 3c per pint or fraction thereof on each bottle or container of wine and hard cider.
>
> The tax imposed by this Chapter shall be paid by affixing stamps in such manner and at such times as may be determined by the State Tax Commission and under such regulations as are outlined in Chapter I, Title 93, Revised Statutes of Utah, 1933, as amended by Chapter 17, Laws of Utah, 1933, Second Special Session, which may apply hereto, and the proceeds therefrom shall be turned over to the state treasurer for the credit of the general fund; provided that this tax shall be imposed on all alcoholic beverages, liquors, wines and hard ciders before they leave the state warehouses, regardless of whether they are sold in state stores, package agencies, hotels, clubs, or restaurants or are disposed of in any other manner.

Page 29. Strike House Amendment of Section 78 and reinsert printed matter.

Page 30, strike all House Amendments and reinsert the printed matter. Page 30, between lines 6 and 7. Insert the following:

The board or commission which is empowered to levy taxes of the county, city, town or municipality in which the club, hotel or restaurant of the applicant is located, shall determine the amount of the license fee to be charged to clubs, hotels and restaurants authorized to sell liquor under the terms of this act, and no license shall be issued to said applicant until he shall have paid to the proper authority of said taxing unit, the amount of said license fee so determined, provided no license fees shall be less than $25.00 per year, which $25.00 shall go to the State.

Page 31, strike all House Amendments in lines 1 to 18 inclusive and re-insert the printed matter.

Page 32, strike all House Amendments in lines 3 to 7 inclusive and in lines 14 and 15 and reinsert printed matter.

Page 33, strike the House Amendment in lines 27, 28, and 29 and re-insert printed matter.

Page 34, strike House Amendments in lines 20, 21, and 30 and re-insert printed matter.

Page 35. Strike House Amendments in lines 2, 3, 4 and 5 and reinsert printed matter.

Page 36, Section 94, strike House Amendment on lines 4, 5 and 6 and reinsert printed matter.

Page 37, end of line 17. Strike period and insert comma, then add: provided that a licensed brewer or wholesaler upon receiving a bona fide order, may sell not less than a case of 24-11 oz. bottles or 12-24 oz. bottles or one-eighth barrel of light beer to a customer for his own use and not for resale.

Page 37, line 28. Strike the following words "or other place of amusement."

Page 38. Strike lines 19 to 30 inclusive and insert in lieu thereof:

The number of licenses for the sale of light beer on draught which may be outstanding at one time within any city or town or within the territory of a county not within the boundaries of a city or town, shall be fixed as follows:

Immediately after the effective date of this act, commissions and councils of cities and town boards of towns, for their respective cities and towns and boards of county commissioners for the territory of counties not within the boundaries of a city or town, shall adopt resolutions which shall specify the number of licenses for the sale of light beer in the respective cities and towns and in those portions of the respective counties lying outside the boundaries of cities or towns. A certified copy of each such resolution shall, forthwith be delivered to the commission together with a brief of the reasons of the local municipal government for adopting the numbers set forth in the resolution. Such resolutions shall be sufficient prima facie to establish the number of such licenses to be issued by the commission to sell light beer within the jurisdiction for which the resolution was adopted. If the commission does not follow such resolution with respect to the number of licenses to

be issued within any such jurisdiction, it shall make a brief of its reasons for not so doing and the commission shall, itself, fix the number of licenses to be issued within that jurisdiction and the resolution of the commission shall be controlling.

Page 42, line 10. After the word bottles, strike everything to and including the word "gallons" on line 14 and insert in lieu thereof the words "kegs and barrels".

Page 53, strike the House Amendment in lines 32 and 33, and reinsert printed matter.

Page 53, line 33. Strike period and add comma and insert:
"and provided further that advertising of light beer shall be permitted under such regulation as the Commission may make."

Page 54, line 7, strike "the commission" and insert in lieu thereof "any one authorized to sell by drink under this act".

Page 59, line 7, strike House amendment.

Respectfully submitted,

J. FRANCIS FOWLES,
Chairman.

Report filed.

SPECIAL ORDER

H. B. No. 77 on second reading.

Senator Maw moved that we go on record as favoring some sort of regulation of all carriers of property and passengers in the State of Utah.

Motion carried.

Senator Maw moved that we agree, that as a matter of policy, we favor some sort of an equitable tax on carriers of property and passengers in the State of Utah.

Motion carried.

On motion of Senator Maw *S. B. No. 74, H. B. No. 77* and *S. B. No. 158* was made a special order of business for tomorrow at 3:00 p. m.

On motion of Senator Stewart *H. B. No. 63* was made a special order of business for Monday, March 11th to follow *H. B. No. 41.*

REPORT OF SPECIAL COMMITTEE

March 8, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for Second Reading Calendar:

S. B. No. 113 to head Present Second Reading Calendar.

To go to the foot of the present Second Reading Calendar in order named: S. J. M. No. 2, S. B. No. 134, S. B. No. 232, S. B. No 233, S. B. No. 234, S. B. No. 188, S. B. No. 189, S. B. No. 226, S. B. No. 229.

Respectfully submitted,

E. M. ROYLE
Chairman.

Report filed.

Senator Holbrook moved that *S. B. No. 113 be* considered after *S. J. R. No. 16.*

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 16 on second reading.

S. J. R. No. 16 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Bowman, Calder, Fowles (explained vote), Frischknecht, Griffin, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Day, Hammond, Ray, Royle, Stewart (explained vote), Wallace.

Absent and not voting: Senators Fennell, Holmgren.

S. B. No. 113 was read the second time.

Committee report read and adopted.

On motion of Senator Woodward the rules were suspended and *S. B. No. 113* was read the third time and placed on its final passage.

S. B. No. 113 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward.

Those voting in the negative were: Senator Day (explained vote).

Absent and not voting: Senators Fennell, Holbrook, Stewart, Mr. President.

S. B. No. 113 was transmitted to the House.

S. B. No. 141 was read the second time.

Committee report read and adopted.

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

Page 13, line 21, strike the word "westerly" and insert "southerly".

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

Page 10, line 19, after "Meadowville" insert "and Round Valley".

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

Page 6, strike lines 30 and 31.

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

Page 12, line 24, strike the last two words.

Line 25, strike "route 1 at", and after the word "street" insert "thence east to thirteenth east street thence south to junction with route 186".

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

Page 7, strike lines 14 and 15.

S. B. No. 141 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, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Hammond, Hopkin, Huggins, Royle, Woodward.

S. B. No. 143 was read the second time.

Committee report read and adopted.

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

Page 1, lines 3 and 7, after the word "distributor" insert "or importer".

On motion of Senator Bamberger the rules were suspended and *S. B. No. 143* was read the third time and placed on its final passage.

S. B. No. 143 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Holmgren, Musser, Parratt, Royle, Stewart.

S. B. No. 143 was transmitted to the House.

S. B. No. 200 was read the second time.

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

Page 2, line 24, strike the words "his entire" and insert "substantially all his working".

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

Page 2, line 15, strike the words "be interested in the" and insert "own any", after the word "mortgages" strike the comma and insert the word "or", also strike the comma after the word "securities" and insert the word "of". Strike the words "contracts or" and insert "or be interested in the".

Line 16, strike the comma after the word "of".

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

Page 2, line 20, strike the word "before". Strike the whole of lines 21, 22 and 23.

On motion of Senator Huggins the rules were suspended and *S. B No. 200* was read the third time and placed on its final passage.

S. B. No. 200 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Griffin, Hammond (explained vote), Holmgren (explained vote), Hopkin, Huggins (explained vote), Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Frischknecht, Holbrook, Royle.

S. B. No. 200 was transmitted to the House.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State Senate Concurrent Memorial No. 5, by Mr. Day, Mrs. Stewart, and Mr. Bowman, entitled: "A CONCURRENT MEMORIAL OF CONDOLENCE."

Respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate Amendments to *H. B. No. 55*, by Mr. Lamoreaux.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Mr. Child, Mr. Nicholes and Mr. T. W. Jensen to act with a like committee from the Senate to consider *H. B. No. 62*, by Mr. Farr.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendment to *S. B. No. 93* by Mr. Hammond, and has appointed a conference committee consisting of Messrs. Theobald, Bennion and Macfarlane to act with a like committee of conference from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Hammond, Holbrook and Holmgren to meet with a like committee from the House to consider amendments to *S. B. No. 93*.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 156*, by Mr. Maw, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 119*, by Mr. J. W. Jensen, entitled, "AN ACT AMENDING SECTION 75-13-12 OF THE REVISED STATUTES OF UTAH, 1933, RELATING TO ELECTIONS IN SCHOOL DISTRICTS FOR PURPOSE OF ISSUING BONDS TO PURCHASE SITES AND BUILDINGS; RELATING TO THE CANVASS, AND LIMIT OF AMOUNT OF BONDS ISSUED", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 119 was read the first time and referred to the Sifting Committee.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 51*, by Mr. Lamoreaux, entitled, AN ACT RELATING TO FOREIGN CORPORATIONS PERFORMING SUPERVISION, MANAGEMENT, GENERAL OR SPECIAL SERVICES IN THIS STATE; DECLARING THE RENDERING OF SUCH SERVICES TO CONSTITUTE THE DOING OF BUSINESS WITHIN THIS STATE; EXCEPTIONS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 51 was read the first time and referred to the Sifting Committee.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 52*, by Mr. Lamoreaux, entitled, AN ACT REGULATING PUBLIC UTILITY CORPORATIONS OF THIS STATE, PROHIBITING FOREIGN CORPORATIONS FROM ENGAGING IN INTRASTATE UTILITY BUSINESS, PREVENTING ASSIGNMENT AND TRANSFER OF FRANCHISE, RIGHTS TO FOREIGN CORPORATIONS, WITH CERTAIN EXCEPTIONS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 52 was read the first time and referred to the Sifting Committee.

March 8, 1935.

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. 272*, by Mr. Bryan, entitled, AN ACT TO EMPOWER THE INVESTIGATING COMMITTEE APPOINTED TO INVESTIGATE CHARGES MADE AGAINST HONORABLE MILTON H. WELLING, SECRETARY OF STATE, TO ADMINISTER OATHS, ISSUE SUBPOENAES AND MAKE INSPECTION OF PUBLIC RECORDS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 272 was read the first time.

March 8, 1935.

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. 273*, by Mr. Bryan, entitled, AN ACT APPROPRIATING $250 OR SO MUCH THEREOF AS MAY BE NECESSARY TO DEFRAY THE EXPENSES OF THE INVESTIGATING COMMITTEE APPOINTED TO INVESTIGATE CHARGES MADE AGAINST HONORABLE MILTON H. WELLING, SECRETARY OF STATE, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 273 was read the first time.

On motion of Senator Griffin, the Senate adjourned.

FIFTY-FIFTH DAY

MORNING SESSION

March 9, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call—All Senators present except Senator Fennell, excused.

Prayer by the Chaplain.

March 9, 1935.

Mr. President:

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

Respectfully,

JOHN M. WALLACE,
MRS. BURTON W. MUSSER.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 54*, by Mr. Lamoreaux, entitled, "AN ACT PROVIDING FOR THE REGULATION OF GAS, ELECTRIC AND TELEPHONE PUBLIC UTILITY CORPORATIONS, PROHIBITING WITH CERTAIN EXCEPTIONS THE PURCHASING OF GENERAL AND SPECIAL SERVICES FOR UTILITIES FROM AFFILIATED FOREIGN CORPORATIONS NOT QUALIFIED TO DO BUSINESS IN THIS STATE, PRESCRIBING LIABILITIES AND PENALTIES FOR VIOLATION OF THE PROVISION OF THE ACT," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 54 was read the first time and referred to the Sifting Committee.

REPORT OF STANDING COMMITTEE

March 8, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 132*, by Mrs. Musser, by request, entitled: "AN ACT AMENDING SECTION 98-3-1 AND SECTION 98-3-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE G. A. R., THE ENCAMPMENT FUND AND THE APPROPRIATIONS THEREFOR, AND REPEALING SECTION 98-3-3, REVISED STATUTES OF UTAH, 1933", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 132 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. J. R. No. 16* was made a special order of business for this morning at ten o'clock.

S. B. No. 141 was read the third time and placed on its final passage.

On motion of Senator Calder *S. B. No. 141* was made a special order of business for this morning to follow *S. J. R. No. 16*.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 137 was read the second time.

On motion of Senator Bowman the rules were suspended and *H. B. No. 137* was read the third time and placed on its final passage.

H. B. No. 137 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Huggins.

H. B. No. 137 was returned to the House.

H. B. No. 138 was read the second time.

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

Make one word out of the word "ex-officio" on line 13.

On motion of Senator Miller the rules were suspended and *H. B. No 138* was read the third time and placed on its final passage.

H. B. No. 138 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Bowman, Calder, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Day, Hopkin.

Absent and not voting: Senators Fennell, Fowles.

H. B. No. 138 was returned to the House.

SPECIAL ORDER

S. B. No. 183 on third reading.

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

Page 2, between lines 4 and 5, insert a new section as follows: "80-5-38. The persons to be appointed as members of the state tax commission shall be such as are known to possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person appointed as

a member of the state tax commission shall hold any other office under the laws of this state, nor any office under the government of the United States or any other state. Each fulltime member shall devote all his time to the duties of the office and shall not hold any other position of trust or profit, nor engage in any other occupation ( ) *while acting* as tax commissioner.."

In line 3 of the Title, between the words "COMMISSIONER" and "THEIR", strike the word "AND" and insert a comma.

In line 4 of the title between "TION" and the word "AND" insert ", QUALIFICATIONS AND DEFINING THEIR DUTIES", also after "80-5-37" insert "80-5-38".

Page 1, line 1, after "80-5-37" insert "80-5-38".

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

Page 2, line 15, strike "$3,600" and insert "$4,000".

S. B. No. 183 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Huggins.

S. B. No. 183 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 60 was read the second time.

On motion of Senator Woodward the rules were suspended and *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, 14; Nays, 7; Absent, 2.

Those voting in the affirmative were: Senators Bamberger (explained vote), Calder, Frischknecht, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman, Fowles, Griffin, Hammond, Holbrook, Holmgren, Musser (explained vote).

Absent and not voting: Senators Day, Fennell.

S. B. No. 60 was transmitted to the House.

SPECIAL ORDER

S. J. R. No. 16 was read the third time and placed on its final passage.

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

Strike the last sentence in Section 1.

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

Line 3, strike the last two words.

Line 4, strike the first eight words and insert "enact such laws relating to", at the end of the line strike the word "most" and insert "proper".

Line 5, strike the first three words, also strike the words "supply the" and insert "provided"

S. J. R. No. 16 failed to pass on the following roll call:

Yeas, 13; Nays, 9; Absent, 1

Those voting in the affirmative were: Senators Bowman, Calder, Fowles, Frischknecht, Holbrook, Holmgren (explained vote), Hopkin Huggins, Miller, Musser, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Day, Griffin, Hammond, Parratt, Ray, Royle, Stewart, Wallace.

Absent and not voting: Senator Fennell.

COMMUNICATIONS FROM THE HOUSE

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 153*, by Mrs. Gibson, entitled, 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 UTAH-OWNED INDUSTRIES TO RELIEVE UNEMPLOYMENT AND TO REDUCE AMOUNT OF MONEY LEAVING STATE, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 153 was read the first time and referred to the Sifting Committee.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 128*, by Mr. J. W. Jensen, entitled, AN ACT AMENDING SECTION 75-15-11 RELATING TO THE SELECTION OF TEXT BOOKS IN CITY DISTRICTS AND REPEALING SECTIONS 75-15-12, 75-15-13, 75-15-14, 75-15-15, 75-15-16, REVISED STATUTES OF UTAH, 1933, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 128 was read the first time and referred to the Sifting Committee.

On motion of Senator Miller the Senate concurred in the House amendments to *S. B. No. 156*.

S. B. No. 156 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Holbrook.

S. B. No. 156 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Wallace the President appointed a committee consisting of Senators Wallace, Parratt and Hopkin to confer with a committee appointed by the House in regard to the impeachment of the Honorable Milton H. Welling, Secretary of State, in relation to *H. B. No. 272* and *273*, which bills were referred to said appointed Committee.

SPECIAL ORDER

S. B. No. 141 on third reading.

Senator Holmgren moved to reinstate lines 14 and 15 on page 7.

Senator Huggins, with the aid of four Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 4; Nays, 16; Absent, 3.

Those voting in the affirmative were: Senators Griffin, Holmgren, Musser, Parratt (explained vote).

Those voting in the negative were: Senators Bamberger (explained vote), Calder (explained vote), Day (explained vote), Fowles, Frischknecht (explained vote), Hammond, Hopkin, Huggins, Miller, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Holbrook.

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

Page 8, line 5, after the word "northerly" insert "and westerly".

S. B. No. 141 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fowles, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr President.

Absent and not voting: Senators Bowman, Fennell, Griffin, Holbrook, Royle.

S. B. No. 141 was transmitted to the House.

Upon unanimous consent of the Senate the following bills were introduced.

S. B. No. 236 By Mr. Ray

AN ACT PROVIDING FOR THE REGULATION OF THE MUNICIPALLY OWNED UTILITIES, FOR THE DISTRIBUTION OF THE REVENUE THEREOF, AND FOR THE DEVELOPMENT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 237 By Mr. Ray

AN ACT GIVING THE RIGHT OF EMINENT DOMAIN TO ALL PUBLIC WORK PROJECTS AND DEFINING PUBLIC WORK PROJECTS AND PROVIDING THAT ANY FEDERAL AGENCY, STATE PUBLIC BODY, OR AUTHORIZED CORPORATION AS DEFINED IN THE ACT MAY INSTITUTE PROCEEDINGS FOR EMINENT DOMAIN AND SETTING OUT THE FORMS AND PROCEDURE TO BE FOLLOWED IN ORDER TO ACQUIRE PROPERTY BY EMINENT DOMAIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 238 By Mr. Royle by request

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH TO GIVE, GRANT, AND CONVEY A PART OF THE CAMPUS OF THE UNIVERSITY OF UTAH TO THE UNITED STATES OF AMERICA, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Bamberger moved that after S. B. No. 236, 237 and 238 have been corrected by the Revision and Enrolling Committee, the rules

be suspended and that the bills be printed at the earliest moment and referred to the Sifting Committee.

Motion carried.

On motion of Senator Bamberger the Senate recessed until one o'clock

---

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present except Senator Fennell, excused.

COMMUNICATIONS FROM THE HOUSE

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 8, 1935, and passed *S. B. No. 1,* by Mr. Holbrook, and is transmitted herewith for further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 8, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 8, 1935, and passed *S. B. No. 88,* by Committee on Revenue and Taxation, and is transmitted herewith for further action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 8, 1935.

Mr. President:

We, your Conference Committee, to whom were referred *S. B. No. 1,* by Mr. Holbrook, and *S. B. No. 88,* by Committee on Revenue and Taxation, by request, beg leave to report as follows:

In *S. B. No. 1,* that the House amendment deleting the Senate amendment between lines 1 and 2, on page 2, relating to offset, and the amendments changing the word "fifteenth" to "twentieth" on line 15, page 1, and line 17, page 2, respectively, be accepted.

Due to the fact that offsets and rates cannot be altered or dealt with separately, the Committee recommends that the rate of 4% on lines 4 and 13, page 1; and line 16, page 2; and line 24, page 3; be changed to 3%.

These changes would necessitate the following changes in the title: Strike the Senate amendment in line 5 and reinstate the word "REPEAL". Strike the Senate amendment inserting "80-13-4" in line 7 and reinstate the stricken words at the end of line 7 and in line 8, and line 1, page 1, strike "80-13-4".

That the House amendment in *S. B. No. 88*, deleting the Senate amendment between lines 13 and 14, on page 1, be accepted.

That the House amendment deleting the Senate amendment between lines 12 and 13, on page 3, be accepted.

That the House amendment amending the Senate amendment on line 17, page 1; line 23, page 2; line 19, page 3 and line 24, page 3, from $500 to $750, be changed to read $600.

That the House amendment amending the Senate amendment on line 1, 3, 26 and 30, page 2, and line 22, page 3, from $1,000 to $1,500 be changed to read $1,200.

That the House amendment amending the Senate amendment on line 6, page 2, be accepted.

That due to the reason mentioned above, the rates beginning on line 6, page 1, be made to read as follows: In line 6, the rate be changed back to one per cent; in line 8, to two per cent; in line 9, to three per cent; in line 10, to four per cent; and in line 11, to five per cent for the remainder of excess amount.

These changes would necessitate the following changes in the title: On lines 2 and 3, reinstate the words "AND EXEMPTIONS FOR DEPENDENTS". Strike the Senate amendment on line 3, and insert the word "OFFSET" at the end of the line, and the word "AND" at the beginning of line 4.

Respectfully submitted,

MRS. BURTON W. MUSSER,
Chairman Senate Committee.

MOSES L. HOLBROOK,
Chairman House Committee.

Senator Musser moved that the committee report be adopted.

Senator Hammond called the chair's attention to the fact that the adoption of the commitee report would be in violation of Joint Rule No. 29 as follows: "But no committee of conference shall consider or report on any matter except those directly at issue between the two houses."

The chair ruled that the adoption of the report would not violate this rule.

Senator Huggins appealed from the decision of the chair.

Senator Huggins, with the aid of four Senators, requested a roll call on the decision.

The decision of the chair was sustained on the following roll call:

Yeas, 12; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Fowles, Frischknecht, Griffin, Holbrook, Miller, Musser, Parratt, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Day, Hammond (explained vote), Holmgren, Hopkin, Huggins (explained vote), Ray (explained vote), Royle, Stewart, Wallace.

Absent and not voting: Senator Fennell.

Senator Musser, with the aid of four Senators, requested a roll call on the motion as to whether the committee report would be adopted.

The Committee report was adopted on the following roll call:

Yeas, 14; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Day (explained vote), Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Hammond, Huggins, Ray, Royle, Stevens, Stewart, Wallace.

Absent and not voting: Senator Fennell.

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

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Huggins, Stewart.

Absent and not voting: Senator Fennell.

S. B. No. 88 then passed on the following roll call:

Yeas 18; Nays, 4; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray (explained vote), Royle (explained vote), Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Hammond (explained vote), Huggins, Stewart.

Absent and not voting: Senator Fennell.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 176 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 176* was read the third time and placed on its final passage.

S. B. No. 176 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Griffin, Holbrook, Royle.

S. B. No. 176 was transmitted to the House.

S. J. R. No. 11 was read the second time.

Committee report read and adopted.

On motion of Senator Musser the rules were suspended and *S. J. R. No. 11* was read the third time and placed on its final passage.

S. J. R. No. 11 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 7; Excused from voting, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Fowles, Frischknecht, Hammond, Hopkin, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Griffin, Holbrook, Holmgren, Huggins, Royle.

Excused from voting: Senator Bamberger.

S. J. R. No. 11 was transmitted to the House.

S. C. M. No. 3 was read the second time.

On motion of Senator Stevens 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, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Hammond, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Frischknecht, Griffin, Holbrook, Holmgren, Royle.

S. C. M. No. 3 was transmitted to the House.

S. B. No. 69 was read the second time.

Committee report read and adopted.

On motion of Senator Bowman the rules were suspended and *S. B. No. 69* was read the third time and placed on its final passage.

S. B. No. 69 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Ray.

Absent and not voting: Senators Fennell, Griffin, Hammond, Holbrook, Royle.

S. B. No. 69 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 9, 1935.

Mr. President:

We, your Sifting Committee, report the following bills out for Second Reading Calendar to be added to the foot of the present Second Reading Calendar: S. C. M. No. 4, S. B. No. 217, 228, 235, 236, 237, 238, 231, S. J. R. No. 6, S. B. No. 86, 195.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

Senator Bamberger moved that the rules be suspended and that we now consider *S. B. No. 129*.

Motion carried.

S. B. No. 129 was read the second time.

Committee report read and adopted.

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

Line 9, strike the word "shall" and insert "may".

On motion of Senator Bowman the rules were suspended and *S. B. No. 129* was read the third time and placed on its final passage.

S. B. No. 129 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Hammond, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Griffin, Holbrook, Holmgren.

S. B. No. 129 was transmitted to the House.

Senator Royle moved that we recess at 5:00 P. M. until 7:00 P. M. and that when we adjourn at the conclusion of today's session it be until tomorrow at 9:00 A. M.

Motion carried.

S. B. No. 151 was read the second time.

Committee report read and adopted.

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

Page 9, line 15, after the word "necessary" insert the following: "Except the records and other information furnished in connection with filing of application for registration which shall be a matter of public record."

Page 16, line 20, at the end of the line, insert: "If an application for a renewal of registration is filed before the expiration of an existing registration and a renewal registration is ultimately approved, pursuant to said application, the new registration shall be effective as of the date of expiration of the previous registration.

Page 20, line 14, after the word "year", insert: "and if an application, is so filed and a license is issued pursuant to said application, the new license shall be effective as of the date of expiration of the previous license.

On motion of Senator Parratt the rules were suspended and *S. B. No. 151* was read the third time and placed on its final passage.

S. B. No. 151 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Miller, Musser, Royle.

S. B. No. 151 was transmitted to the House.

SPECIAL ORDER

H. B. No. 77 on second reading.

Senator Miller moved that the record show the following:

That the opponents and proponents of *H. B. No. 77, S. B. No. 74* and *158* have now agreed to consider *H. B. No. 77* first and that it does not contain any controversial matters, except the matter of contract motor carriers throughout the state and matters of private motor carriers be determined by *S. B. No. 74*.

Motion carried.

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

Amend title to read as follows:

AN ACT RELATING TO TRANSPORTATION BY MOTOR VEHICLES OVER THE PUBLIC HIGHWAYS OF UTAH, PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF CONVENIENCE AND NECESSITY TO COMMON MOTOR CARRIERS BY THE PUBLIC UTILITIES COMMISSION AND PROVIDING FOR THE ISSUANCE OF SPECIAL LICENSE PLATES TO COMMON MOTOR CARRIERS, PROVIDING FOR THE FURNISHING OF INSURANCE FOR COMMON MOTOR CARRIERS; AND REPEALING CHAPTER 53, LAWS OF UTAH, 1933, RELATING TO TRANSPORTATION BY MOTOR VEHICLES; AND ALSO REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH.

Page 4, line 33. Strike the whole of Section 9 on pages 4 and 5.

Page 5, line 8. Strike the whole of Section 10.

Page 5, line 17. Strike the whole of Section 11.

Page 5, line 21. Strike the whole of Section 12.

Page 6, line 1. Strike the whole of Section 13.

Page 6, line 3. Strike the whole of Section 14, and insert in lieu thereof the following:

Section 9. Every motor vehicle to which this act applies shall have firmly fixed upon the front and rear of such vehicle an identification plate to be furnished by the Commission. The Commission shall collect from the applicant a fee of twenty-five cents for each pair of plates as issued.

Page 6, line 9. Strike the whole of Section 15.

Page 6, line 11. Strike the figure "16" and insert in lieu thereof "10".

Page 6, line 11. Strike the word "or".

Page 6, line 12. Strike the words "contract motor carrier".

Page 6, line 15. Strike the figure "17" and insert the figure "11".

Page 6, line 18. Strike the figure "18" and insert the figure "12".

Page 6, line 21. Strike the word "insurance", as it first appears, and insert the word "damage".

Page 7, line 1. Strike the whole of Section 19.

Page 7, line 19. Strike the figure "20" and insert the figure "13".

Page 7, line 25. Strike the figure "21" and insert the figure "14".

Page 7, line 28. Strike the figure "22" and insert the figure "15".

Page 7, line 31. Strike the figure "23" and insert the figure "16".

Page 8, line 2. Strike the figure "24" and insert the figure "17".

Page 8, line 6. Strike the figure "25" and insert the figure "18".

Page 8, line 9. Strike the figure "26" and insert the figure "19".

Page 8, line 14. Strike the figure "27" and insert the figure "20".

Page 8, line 16. Strike the figure "28" and insert the figure "21".

Senator Holbrook moved that we reconsider our action with reference to holding session tomorrow.

Motion carried.

Senator Holbrook moved that we recess until 7:00 P. M. and hold session until 9:00 P. M. and that we adjourn at that time until Monday at 9:00 A. M.

Motion carried.

EVENING SESSION

The Senate reconvened at 7:00 P. M.

Roll Call—All Senators present except Senators Fennell and Griffin. Senator Fennell excused.

Senator Wallace moved that we now consider *H. B. No. 272* and *273*.

Motion carried.

H. B. No. 272 was read the second time.

H. B. No. 272 failed to pass on the following roll call:

Yeas, 6; Nays, 15; Absent, 2.

Those voting in the affirmative were: Senators Bowman, Hammond

(explained vote), Miller (explained vote), Parratt (explained vote), Ray, Royle.

Those voting in the negative were: Senators Bamberger, Calder, Day (explained vote), Fowles, Frischknecht, Holbrook, Holmgren (explained vote), Hopkin, Huggins, Musser, Stevens, Stewart, Wallace, Woodward (explained vote), Mr. President.

Absent and not voting: Senators Fennell, Griffin.

H. B. No. 272 was returned to the House.

H. B. No. 273 was read the second time.

H. B. No. 273 failed to pass on the following roll call:

Yeas, 9; Nays, 12; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Hammond, Miller, Parratt, Wallace.

Those voting in the negative were: Senators Day, Holbrook, Holmgren, Hopkin, Huggins (explained vote), Musser, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Griffin.

H. B. No. 273 was returned to the House.

Further consideration of *H. B. No. 77.*

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

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

H. B. No. 77 on second reading.

Senator Huggins moved to amend the bill as follows:

Amend the title to read as follows:

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 FURNISHING OF INSURANCE BY MOTOR CARRIERS, AND REPEALING CHAPTER 53, LAWS OF UTAH, 1933, AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

Page 1, line 1—Strike the word "title" and insert the word "act".

Page 1—Strike line 13.

Page 2—Strike line 1.

Page 2, line 4—Strike the words "over the regular route and between fixed termini" and insert the words "from place to place".

Page 2, line 8—Strike the words "over a regular route and between fixed termini" and insert the words "from place to place".

Page 2—following line 9, add two new paragraphs, to read as follows:

"Contract motor carrier of property means any person engaged in the transportation by motor vehicle of property for hire and not included in the term common motor carrier of property as hereinbefore defined."

"Contract motor carrier of passengers means any person engaged in the transportation by motor vehicle of persons for hire and not included in the term common motor carrier of passengers as hereinbefore defined."

Page 2, line 19—After the word "common" add the words "or contract".

On page 4—At the end of line 32 add the following seven sections:

"Section 9. It shall be unlawful for any contract motor carrier to operate as carrier in intrastate commerce without first having obtained from the commission a permit therefor. The commission, upon the filing of an application for such permit, shall fix a time and place for hearing thereon and shall give the same notice as provided for in section 6 hereof. Before granting a permit to a contract motor carrier, the commission shall take into consideration the character of the highway over which said contract motor carrier proposes to operate, and the effect thereon, and upon the traveling public using the same and also other existing transportation facilities and whether or not there is any real necessity for the service proposed to be rendered, and if it appears from the evidence that the highway is, in the opinion of the commission, already unduly burdened with traffic and that additional traffic will unduly interfere with the traveling public, or that the granting of the permit applied for will be detrimental to the best interests of the people of the State of Utah, the commission shall not grant such permit.

Section 10. It shall be unlawful for any contract motor carrier to operate as a carrier in interstate commerce within this state without first having obtained from the commission a license therefor. An application shall be made to the commission in writing giving full information concerning:

(a) The ownership, financial condition, equipment to be used and physical property of the applicant;

(b) The complete route over which the applicant desires to operate;

(c) Such other information as the commission may request covering observance of state police regulations and payment of

fees. Upon receipt of such application and the furnishing of such information and on compliance with the regulations set forth in this act and the payment of fees, the commission shall issue such carrier a license therefor, with or without a hearing, as the commission may determine.

Section 11. The commission shall have power, without a hearing, to issue temporary, seasonal or emergency permits to contract motor carriers in intrastate commerce, and temporary, seasonal or emergency licenses to contract motor carriers in interstate commerce. Such permits and licenses may be issued upon such information, application or request therefor, as the commission may prescribe. Temporary, seasonal or emergency permits and licenses shall specify the commodity or number of passengers to be transported thereunder, together with the point of origin and point of destination; but in no event shall any temporary, seasonal or emergency permit or license be issued for a period of time greater than sixty days in length. No fee shall be required by the commission for the issuance of a temporary, seasonal or emergency permit or license under the provisions of this section.

Section 12. The commission is hereby vested with power and authority and it shall be its duty to supervise and regulate every contract motor carrier in this state and to fix and approve reasonable maximum or minimum rates, fares, charges, classifications, and to adopt reasonable rules and regulations pertaining to all such motor carriers.

Section 13. No person other than a common or contract motor carrier of property, operating under a certificate, license or permit granted by the commission shall transport by motor vehicle the property of any other person, and the taking of a bill of sale or title to property for the period of transportation shall be prima facie evidence of violation of this section.

Section 14. No portion of this act shall apply:

(a) To contract motor carriers of property when operating wholly within the limits of an incorporated city or town and for a distance of not exceeding fifteen road miles beyond the corporate limits of the city or town in Utah in which the point of origin of any property or passenger movement is located or when operated within a radius of 15 miles from any point of origin outside of an incorporated city or town in Utah, and which movement either alone or in conjunction with another vehicle or vehicles is not a part of any journey or haul beyond said fifteen mile limit; or

(b) To motor vehicles when engaged exclusively in transporting students or their instructors to or from school or to or from school activities, the word "school" to be construed to mean a place or structure in which the annual winter and/or summer elementary, collegiate, university, or religious instruction is carried on; or

(c) To motor vehicles when used exclusively in carrying the United States mail under contract with the federal government; or

(d) To motor vehicles when the cargo consists exclusively of livestock and farm, orchard and dairy products which are being transported between farm, orchard or dairy and a market, warehouse, creamery or processing plant; or exclusively of farm or dairy supplies used in or about the farm or dairy; or exclusively of lumber or logs which are being transported from forest to shipping point or market; or

(e) To motor vehicles when owned and/or operated by any duly organized agricultural cooperative association and used exclusively in the carrying on of its legally authorized non-profit activities; or

(f) To motor vehicles when owned and operated by the United States, the state of Utah, or any county, city, town or municipality in this state, or by any department of any of them, when used in the transportation of property owned by such governmental agencies; or to locomotives, cars, coaches, and/or trains operated upon rails along or across any street or highway; or

(g) To motor vehicles when used exclusively in the distribution of newspapers from the publisher to subscribers or distributors; or

(h) To motor vehicles when especially constructed for towing, wrecking, maintenance or repair purposes, and not otherwise used in transporting goods and merchandise for compensation; or when constructed as armored cars and used for the safe conveyance or delivery of money or other valuables, or when used as hearses, ambulances, or licensed taxicabs, operating within a fifteen mile radius of the limits of any city or town.

It shall be unlawful for any vehicle which is operated under any of said exempt classes to be operated for any uses or purposes not falling within said exempt classes, except in accordance with the provisions of this act.

Section 15. It is hereby made the duty of the attorney-general of the state, the district attorneys of the state, and of all state, county and city police officers upon the request of the commission to assist in the administration and enforcement of this act and they and each of them, as well as the commission, its inspectors and employees shall inform against and diligently prosecute any and all persons whom they have reasonable cause to believe guilty of violation of the provisions of this act or the rules, regulations, orders, decisions or requirements of the commission made pursuant thereto."

Page 6, line 3—Strike the figure "9" and insert the figure "16".

Page 6, line 11—Strike the figure "10" and insert the figure "17".

Page 6, line 11—After the word "common" add the words "or contract".

Page 6, line 15—Strike the figure "11" and insert the figure "18".

Page 6, line 18—Strike the figure "12" and insert the figure "19".

Page 6, line 19—After the word "common" add the words "or contract".

Page 6, line 29—After the figure "$5000" add the following:

"Provided, however, that a common motor carrier of property or a contract motor carrier of property, operating wholly within this state shall file with the commission cargo insurance in an amount to be fixed by the commission; provided further, that the commission may, upon proper showing by the applicant and consent of the shipper, grant a permit, as provided for in sections 9 and 11, waiving the requirements of filing a cargo insurance policy or bond. Such policy or policies shall cover all motor vehicles used or to be used, and shall provide that any person having a right of action against such motor carriers for injuries to persons, loss of or damage to property, or loss of or damage to cargo, when service cannot be obtained on the motor carrier within this state may bring action for recovery directly upon such insurance policy or policies and against the insurance company or association."

Page 6, line 31—After the word "with" insert words "a sufficient corporate surety or".

Page 6, line 33—After the word "for" add the following:

"No other or additional insurance or bonds than those prescribed in this act shall be required of any motor carrier by any city or town or other agency of this state. Provided, however, that this section shall not apply in instances where, nor to carriers with respect to which, because of the type of service rendered or commodity transported, insurance is not obtainable in companies qualified to do business in this state; nor in such cases shall any personal bond or other insurance coverage be required."

Page 7, line 19—Strike the figure "13" and insert the figure "20".

Page 7, line 25—Strike the figure "14" and insert the figure "21"; after the word "certificates" add a comma and the word "permits"; and after the word "common" add the words "or contract".

Page 7, line 28—Strike the figure "15" and insert the figure "22".

Page 7, line 31—Strike the figure "16" and insert the figure "23".

Page 7, line 33—Strike the words "state road".

Page 8, line 2—Strike the figure "17" and insert the figure "24".

Page 8, line 4—Strike the words "state road".

Page 8, line 5—Strike the words "state road".

Page 8, line 6—Strike the figure "18" and insert the figure "25".

Page 8, line 9—Strike the figure "19" and insert the figure "26".

Page 8, line 14—Strike the figure "20" and insert the figure "27".

Page 8, line 16—Strike the figure "21" and insert the figure "28".

Senator Hammond moved to amend the motion by striking in Section 9, after the first sentence, the balance of the Section.

Senator Huggins with the aid of four senators requested a roll call on the motion.

The motion was lost on the following roll call:

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

Those voting in the affirmative were: Senators Bowman, Calder, Frischknecht, Griffin, Hammond, Hopkin, Stevens.

Those voting in the negative were: Senators Bamberger, Day, Holbrook, Holmgren, Huggins, Miller, Musser (explained vote), Parratt, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles.

Senator Hammond moved to amend Section 9 to read as follows:

"Section 9. It shall be unlawful for any contract motor carrier to operate as carrier in intrastate commerce without first having obtained from the commission a permit therefor. The commission, upon the filing of an application for such permit, shall fix a time and place for hearing thereon and shall give notice to the applicant and the state road commission. Before granting a permit to a contract motor carrier, the commission shall consider the evidence of the state road commission as to the character of the highway over which said contract motor carrier proposes to operate, and the effect thereon, and upon the traveling public using the same and also other existing transportation facilities and if it appears from the evidence furnished by the state road commission that the highway is already unduly burdened with traffic and that additional traffic will unduly interfere with the traveling public, or will be detrimental to the best interests of the people of the State of Utah, the commission shall not grant such permit."

Senator Huggins with the aid of four senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Hammond, Holmgren, Hopkin, Musser (explained vote), Royle, Stevens, Mr. President.

Those voting in the negative were: Senators Bamberger, Fowles, Frischknecht, Holbrook, Huggins, Miller, Parratt, Ray, Stewart, Wallace, Woodward.

Absent and not voting: Senators Fennell, Griffin.

Senator Hammond moved to amend the motion by adding in Section 9, after the words "Section 6 hereof", "and to the state road commission." After the words "transportation facilities" strike the words "and whether there is any real necessity for the service proposed to be rendered." Preceding the words "already unduly burdened" strike the words "in the opinion of the commission."

Motion carried.

Senator Huggins with the aid of four Senators requested a roll call on the original motion as amended:

The original motion as amended was lost on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Bamberger (explained vote), Day, Fowles, Hammond, Huggins, Miller, Ray, Royle, Stewart, Wallace.

Those voting in the negative were: Senators Bowman (explained vote), Calder, Frischknecht, Holbrook (explained vote), Holmgren, Hopkin, Musser, Parratt, Stevens, Woodward, Mr. President (explained vote).

Absent and not voting: Senators Fennell, Griffin.

Senator Royle moved that the rules be suspended and that *S. B. No. 186* be placed at the head of the Second Reading Calendar and that it be considered the first thing Monday morning.

Motion carried.

On motion of Senator Stevens the Senate adjourned.

FIFTY-SEVENTH DAY

MORNING SESSION

March 11, 1935.

The Senate was called to order at 9:00 A. M. President Maw in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 11, 1935.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report

that we have read the Journal for the fifty-fifth day and found it correct with minor amendments noted on the final copy.

Respectfully,

JOHN M. WALLACE,

MRS. BURTON W. MUSSER.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 230,* by Mr. Nicholes, entitled "AN ACT REGULATING COMPETITION IN THE FINANCING OF AUTOMOBILE DEALERS AND TIME PURCHASERS OF MOTOR VEHICLES, AND PROHIBITING MONOPOLIES IN THE HANDLING AND THE DISCOUNTING OF COMMERCIAL PAPER OF AUTOMOBILE DEALERS AND TIME PURCHASERS; AND PROVIDING FOR PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 230 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 271,* by Mr. Maw, entitled, "AN ACT APPROPRIATING $10,000 OR SO MUCH THEREOF AS MAY BE NECESSARY TO DEFRAY THE REGULAR AND CONTINGENT EXPENSES OF THE TWENTY-FIRST SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 271 was read the first time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 271* was read the second and third times and placed on its final passage.

H. B. No. 271 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Hopkin, Parratt, Royle.

H. B. No. 271 was returned to the House.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 144*, by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-1-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE FEES TO BE CHARGED FOR EXAMINATION BY THE BANK COMMISSIONER OF THE STATE OF UTAH, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 144 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 148*, by Mr. Monson, entitled, "AN ACT TO AMEND SECTION 7-3-33, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RIGHT OF BANKS TO PURCHASE, OWN AND HOLD, AND SELL OR OTHERWISE DISPOSE OF STOCK IN OTHER BANKS AND CORPORATIONS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 148 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 149*, by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-3-37, REVISED STATUTES OF UTAH, 1933, RELATING TO RESERVES REQUIRED TO BE CARRIED BY SAVINGS BANKS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 149 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 150,* by Mr. Monson, entitled, AN ACT TO AMEND SECTION 8 OF CHAPTER 47, LAWS OF UTAH, 1933, RELATING TO THE DEPOSIT OF PUBLIC FUNDS, THE INTEREST TO BE PAID THEREON, AND THE LIABILITY OF PUBLIC TREASURERS DEPOSITING SUCH FUNDS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 150 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 151,* by Mr. Monson, entitled, AN ACT AUTHORIZING THE ISSUANCE BY BANKS OF CAPITAL NOTES OR DEBENTURES AND VALIDATING AND CONFIRMING CAPITAL NOTES AND DEBENTURES HERETOFORE ISSUED, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 151 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 46,* by Mr. Lamoreaux, entitled, "AN ACT FOR THE REGULATION OF GAS, ELECTRIC AND TELEPHONE PUBLIC UTILITY CORPORATIONS AND THEIR RELATIONSHIPS WITH AFFILIATED INTERESTS; DEFINITIONS; CONTRACTS WITH AFFILIATES TO BE FILED AND SUBJECT TO COMMISSION'S CONTROL, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 46 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1935, approve and transmit to the Secretary of State, *H. B. No. 182,* by Mr. Macfarlane, entitled, AN ACT AMENDING SECTION 100-1-4, REVISED STATUTES OF UTAH, 1933, RELATING TO THE REVERSION OF WATER TO THE PUBLIC BY ABANDONMENT OR FAILURE TO USE WITHIN FIVE YEARS UNLESS THE TIME IS EXTENDED BY THE STATE ENGINEER AS HEREIN PROVIDED.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 9, 1935

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. 132,* by Mrs. Musser, entitled, AN ACT AMENDING SECTION 98-3-1 AND SECTION 98-3-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE G. A. R., THE ENCAMPMENT FUND AND THE APPROPRIATIONS THEREFOR, AND REPEALING SECTION 98-3-3, REVISED STATUTES OF UTAH, 1933, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 132 was transmitted to the Governor.

March 9, 1935.

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. Lamoreaux, entitled, "AN ACT TO PROVIDE FOR THE RAISING OF MONEY FOR THE SUPPORT AND MAINTENANCE OF THE UTILITIES COMMISSION BY IMPOSING A REGULATION FEE UPON PUBLIC UTILITIES DOING BUSINESS IN THIS STATE, BASED UPON GROSS REVENUES DERIVED FROM INTRASTATE BUSINESS; DEFINING GROSS INCOME, DUTIES OF THE STATE TAX COMMISSION AND STATE TREASURER; LIABILITIES AND PENALTIES FOR FAILURE TO COMPLY WITH THE TERMS OF THE ACT AND MAKING AN APPROPRIATION," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 243,* by Mr. Spence, entitled, "AN ACT TO AMEND SECTION 49-3-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PERIOD OF EMPLOYMENT OF WORKING MEN IN UNDERGROUND MINES OR WORKINGS AND IN SMELTERS AND ALL OTHER INSTITUTIONS FOR THE REDUCTION OR REFINING OF ORES OR METALS, BY PROVIDING THAT THE PERIOD OF EMPLOYMENT FOR UNDERGROUND MINES OR WORKINGS SHALL BE SEVEN HOURS PER DAY," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 243 was read the first time and referred to the Sifting Committee.

March 9, 1935

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 143,* by Mr. Monson, entitled, "AN ACT TO AMEND SECTION 7-1-9, REVISED STATUTES OF UTAH, 1933, RELATING TO VISITATION AND EXAMINATION BY THE BANK COMMISSIONER," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 143 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 145,* by Mr. Monson, entitled, "AN ACT AMENDING SECTION 7-1-17, REVISED STATUTES OF UTAH, 1933, RELATING TO NUMBER OF CALL REPORTS FOR BANKS PER YEAR, PUBLICATION AND FEES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 145 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 146*, by Mr. Monson, entitled, AN ACT TO REPEAL SECTION 7-3-30, REVISED STATUTES OF UTAH, 1933, RELATING TO QUARTERLY REPORTS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

H. B. No. 146 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 147*, by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-3-31, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RIGHT OF BANKS TO HOLD AND CONVEY REAL ESTATE, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 147 was read the first time and referred to the Sifting Committee.

COMMUNICATION FROM THE GOVERNOR

March 8, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State *Senate Bill No. 205*, by the State and Municipal Affairs Committee, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 81, LAWS OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE VALIDITY OF CONTRACTS BETWEEN WATER USERS' ASSOCIATIONS, IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, OR RESERVOIR COMPANIES AND THE UNITED STATES FOR THE CONSTRUCTION OF RECLAMATION PROJECTS."

Yours respectfully,

HENRY H. BLOOD,
Governor

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 9, 1935.

Mr. President and Mr. Speaker:

Your conference committees to which was referred *H. B. No. 62*, by Mr. Farr beg leave to report that we recommend the above bill with the Senate amendments, except, that on line 5 the figure "2", be made to read "2¼".

Respectfully,
J. FRANCIS FOWLES,
Chairman Senate Committee.
STANLEY N. CHILD,
Chairman House Committee

Report adopted and filed.

H. B. No. 62 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Musser, Parratt.

H. B. No. 62 was returned to the House.

REPORT OF STANDING COMMITTEE

March 9, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 156*, by Mr. Maw, entitled, "AN ACT AMENDING SECTIONS 1, 3, 4 AND 5, CHAPTER 86, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 24; LAWS OF UTAH, SECOND SPECIAL SESSION, 1933, EXTENDING THE POWERS OF THE COMMITTEE TO INVESTIGATE AND STUDY THE OPERATION OF GOVERNMENT AND PROVIDING FOR AN APPROPRIATION THEREFOR," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,
GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 156 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 Hopkin moved to table *H. B. No. 63*.

Senator Huggins with the aid of four Senators requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 14; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Ray, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Huggins, Miller, Royle, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Musser, Parratt.

SPECIAL ORDER

H. B. No. 41 was read the second time.

Upon unanimous consent of the Senate *S. B. No. 234* was withdrawn.

On motion of Senator Huggins the Senate recessed until 1:00 P. M.

AFTERNOON SESSION

The Senate reconvened at 1:00 P. M.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 9, 1935, on *H. B. No. 62,* by Mr. Farr.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 25,* by Mr. Holbrook, entitled, AN ACT TO AMEND SECTIONS 3-10-14, 3-10-15, 3-10-16, 3-10-17, 3-10-19, 3-10-20, 3-10-22, 3-10-23, 3-10-24 AND 3-10-26, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DAIRY AND FOOD PRODUCTS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 25 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 189,* by Mr. Twitchell and Mr. Luke, entitled, AN ACT AMENDING SECTION 80-10-28, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PUBLICATION OF DELINQUENT TAXES, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 189 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 135,* by Mr. Monson, entitled, AN ACT AMENDING SECTION 75-9-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ELECTION OF CITY BOARDS OF EDUCATION, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 135 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 109*, by Mr. Monson, entitled, AN ACT TO AMEND SECTION 15-9-1, REVISED STATUTES OF UTAH, 1933, RELATING TO DIVISION OF CITIES OF THE FIRST AND SECOND CLASS INTO MUNICIPAL WARDS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 109 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 134*, by Mr. Monson, entitled, AN ACT AMENDING SECTION 75-10-2, REVISED STATUTES OF UTAH, 1933, RELATING TO ELECTION OF SCHOOL BOARD MEMBERS IN CITIES OF THE FIRST CLASS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 134 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day, passed, as amended by the House, *H. B. No. 68*, by Mr. Lamoreaux, entitled, AN ACT FOR THE REGULATION OF GAS AND ELECTRIC PUBLIC UTILITY CORPORATIONS DOING BUSINESS IN THIS STATE; PAYMENT OF COMMON STOCK DIVIDENDS; NOTICE TO BE GIVEN COMMISSION OF THE DECLARATION OF SUCH DIVIDENDS, THE AMOUNT AND DATE OF PAYMENT OF SAME; PUBLICATION OF SAID NOTICE; COMMISSION TO HAVE THE RIGHT TO RESTRAIN SUCH PAYMENT WHEN CAPITAL OR SERVICE OF SUCH UTILITY CORPORATION IS IN DANGER OF IMPAIRMENT; DISTRICT COURT JURISDICTION, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 68 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 48,* by Mr. Lamoreaux, entitled, AN ACT TO REGULATE GAS, ELECTRIC AND TELEPHONE CORPORATIONS AND TRANSPORTATION COMPANIES DOING BUSINESS IN THIS STATE, PROHIBITING THE CONSOLIDATION, MERGER, OR COMBINATION OF SUCH UTILITY CORPORATIONS EXCEPT WITH THE CONSENT AND APPROVAL OF THE UTILITIES COMMISSIONS; PREVENTING THE ACQUISITION BY ONE UTILITY CORPORATION OF THE VOTING OR OTHER SECURITIES OF ANY OTHER UTILITY CORPORATION ENGAGED IN THE SAME GENERAL BUSINESS IN THIS STATE WITHOUT THE CONSENT AND APPROVAL OF THE UTILITIES COMMISSION; PREVENTING THE ACQUIRING, OWNING AND HOLDING BY PURCHASE, LEASE, OR OTHERWISE THE PLANTS, EQUIPMENT, FACILITIES AND PROPERTIES OF ONE OF SUCH UTILITY CORPORATIONS BY ANOTHER, WITHOUT THE CONSENT AND APPROVAL OF THE PUBLIC UTILITIES COMMISSION; WHEN SUCH CONSENT TO BE GIVEN, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 48 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. C. M. No. 7,* by Mr. J. W. Jensen, entitled, A MEMORIAL TO THE SECRETARY OF AGRICULTURE OF THE UNITED STATES REQUESTING INFORMATION AND AID RELATIVE TO THE SUGAR-BEET INDUSTRY, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. M. No. 7 was read the first time and referred to the Sifting Committee.

March 9, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 64,* by Mr. Cook, entitled, AN ACT TO AMEND SECTION 75-10-1 OF THE REVISED STATUTES OF UTAH, 1933, PERTAINING TO ELECTION OF BOARDS OF EDUCATION IN COUNTY DISTRICTS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 64 was read the first time and referred to the Sifting Committee.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 192,* by Mrs. Bosone and Mr. Bletzacker, entitled, AN ACT PROVIDING FOR THE NOMINATION OF PUBLIC OFFICERS BY PRIMARY ELECTION AND REPEALING ALL PROVISIONS OF LAW IN CONFLICT HEREWITH, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 192 was read the first time and referred to the Sifting Committee.

March 11, 1935.

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. 156,* by Mr. Maw, entitled, AN ACT AMENDING SECTIONS 1, 3, 4 AND 5, CHAPTER 86, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 24, LAWS OF UTAH, SECOND SPECIAL SESSION 1933, EXTENDING THE POWERS OF THE COMMITTEE TO INVESTIGATE AND STUDY THE OPERATION OF GOVERNMENT AND PROVIDING FOR AN APPROPRIATION THEREFOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 156 was transmitted to the Governor.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 19,* by Mr. Sorenson, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 19 was read the first time and referred to the Sifting Committee.

Senator Parratt moved that action on all House bills now on the Calendar be deferred until tomorrow, and that *H. B. No. 41* be made a special order of business for tomorrow at 9:15 a. m., to be followed by *H. B. No. 77*, and that all rules to the contrary be suspended so that the remainder of today's session be devoted to considering Senate bills.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 186 was read the second time.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 186* was read the third time and placed on its final passage.

S. B. No. 186 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

S. B. No. 186 was transmitted to the House.

S. B. No. 174 was read the second time.

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

Line 3 of the title, change "TERMS" to "'TERM".

Line 4, strike "DEALER AND", and following "CARAVANS" strike to and including "LICENSES" in line 5.

Line 7, after "SION;" strike to the end of line 9.

Line 11, after the word "MEANOR", strike the period and add "AND GIVING STATE TAX COMMISSION AUTHORITY TO ADMINISTER AND ENFORCE."

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

Strike the whole of Section 1, and change the ensuing Section numbers accordingly.

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

Page 3, line 8, after "tion", insert "of the state tax commission". Strike line 9, and insert: "Section 8. Authority is hereby given the state tax commission to issue such rules and regulations as are necessary for the administration and enforcement of this act."

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

Page 2, line 32, strike the numerals "15" and insert "10".

Page 3, line 1, strike the numerals "10" and insert "7.50".

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

In the title strike all Senate amendments and restore the title to its original printed form.

On motion of Senator Huggins the rules were suspended and *S. B. No. 174* was read third time and placed on its final passage.

S. B. No. 174 then passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Calder, Miller.

Absent and not voting: Senator Frischknecht.

S. B. No. 174 was transmitted to the House.

S. B. No. 111 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 111* was read the third time and placed on its final passage.

S. B. No. 111 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

S. B. No. 111 was transmitted to the House.

Senator Holbrook moved that when we recess at 5:00 p. m. it be until 7:00 p. m.

Motion carried.

S. B. No. 98 was read the second time.

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

Strike the underlined material on page 2, line 33.

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, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Frischknecht, Hammond, Holbrook.

Absent and not voting: Senators Fowles, Parratt.

S. B. No. 98 was transmitted to the House.

S. B. No. 110 was read the second time.

Committee report read and adopted.

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

Line 10, strike the numerals "1930" and insert "1933".

Line 11, strike the word "oral".

Line 14, after the numerals "1935" strike the balance of the paragraph.

On motion of Senator Ray the rules were suspended and *S. B. No. 110* was read the third time and placed on its final passage.

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

Line 10, strike the numerals "1933" and insert "1935".

S. B. No. 110 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Musser (explained vote), Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Holmgren.

Absent and not voting: Senators Day, Miller.

S. B. No. 110 was transmitted to the House.

S. B. No. 105 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 105* was read the third time and placed on its final passage.

S. B. No. 105 then passed on the following roll call:

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Parratt, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Frischknecht, Hammond, Miller, Stevens.

Absent and not voting: Senators Day, Musser.

S. B. No. 105 was transmitted to the House.

S. B. No. 162 was read the second time.

S. B. No. 162 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, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Frischknecht, Musser.

On motion of Senator Huggins the Senate resolved itself into Executive Session.

On motion of Senator Bamberger the Executive Session dissolved.

REPORT OF SPECIAL COMMITTEE

March 11, 1935.

Mr. President:

We, your Committee on Appointments, beg leave to report and recommend that the Senate confirm the following appointments made by his Excellency, the Governor, Henry H. Blood, to-wit:

For Members of the State Building Commission:
W. J. Halloran, Salt Lake City, to serve for a term of four years.
James W. Funk, Richmond, to serve for a term of four years.

For State Chemist:
M. Elmer Christensen, Salt Lake City, to serve for a term of four years.

For Members of the Board of Managers of the State Bureau of Criminal Identification and Investigation:
S. Grant Young, Salt Lake City, to serve for a term of two years.
Rial C. Moore, Ogden, to serve for a term of two years.

For Member of the Board of Trustees of the Utah State School for the Deaf and the Blind:
Dr. L. L. Daines, Salt Lake City, to serve for a term of six years.

For Member of the State Depository Board:
James E. Halverson, Brigham City, to serve for a term of two years.

For State Fish and Game Commissioner:
Newell B. Cook, Morgan, to serve for a term of four years.

For Member of the State Geological and Mineralogical Survey Board:
L. F. Paddison, Salt Lake City, Utah.

For Member of the Board of Managers of the State Bureau of Criminal Identification and Investigation, to fill the vacancy caused by the termination of the services of A. E. Wilfong as Chief of Police of Ogden City, Utah, and to serve for the unexpired term ending April 1, 1935:
George Finn, Ogden.

For Member of the Board of Trustees of the Utah State Hospital, to serve for a term of seven years, ending March 31, 1941.
William H. Boyle, Provo.

For Member of the Board of Managers of the State Bureau of Criminal Identification and Investigation, to fill the vacancy occasioned by the termination of the services of George Finn as Chief of Police of Ogden City, Utah, and to serve for the unexpired term ending April 1, 1935.
M. L. Hilton, Ogden.

For Member of the State Road Commission, to serve for a term of six years from December 1, 1933.
Preston G. Peterson, Provo.

For Full-time Commissioner and Chairman of the Utah State Tax Commission, to fill the vacancy caused by the resignation of George A. Critchlow, and to serve for the unexpired term ending March 31, 1937.
Irwin Arnovitz, Salt Lake City.

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

On motion of Senator Huggins the Senate confirmed the Governor's appointments approved by the committee's report.

REPORT OF SPECIAL COMMITTEE

March 11, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for Second Reading Calendar:

To be added to the Calendar following S. B. No. 231, insert S. B. No. 155.

S. B. No. 82 and S. B. No. 220 to be added at foot of the present Second Reading Calendar.

S. B. No. 134 to be withdrawn from the Second Reading Calendar.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

COMMUNICATION FROM THE HOUSE

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 24*, by Mrs. Gibson, entitled, A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE REVA BECK BOSONE UPON THE DEATH OF HER MOTHER, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 24 was read the first time.

On motion of Senator Bamberger the rules were suspended and *H. J. R. No. 24* was read the second and third times and placed on its final passage.

H. J. R. No. 24 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Musser, Royle.

H. J. R. No. 24 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 148 was read the second time.

Committee report read and adopted.

S. B. No. 148 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, Bowman,

Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles.

Senator Wallace moved that all bills advanced to the Third Reading Calendar this afternoon be considered tonight under suspension of the rules.

Motion carried.

S. B. No. 199 was read the second time.

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

Page 1, line 4, after the word "may" insert ", in the absence of a dispute in good faith as to the amount of tax due,".

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

Page 1, line 17, strike the word "in" and insert "is".

On motion of Senator Woodward the rules were suspended and *S. B. No. 199* was read the third time and placed on its final passage.

S. B. No. 199 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Frischknecht.

S. B. No. 199 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 11, 1935.

Mr. President:

We, your Conference Committees, to whom were referred *S. B. No. 1*, by Mr. Holbrook, and *S. B. No. 88*, by Committee on Revenue and Taxation, by request, beg leave to report as follows:

In *S. B. No. 1*, that the House amendment deleting the Senate amendment between lines 1 and 2, on page 2, relating to offset, and the amendments changing the word "fifteenth" to "twentieth" on line 15, page 1, and line 17, page 2, respectively, be accepted.

Due to the fact that offsets and rates cannot be altered or dealt with separately, the Committee recommends that the rate of 4% on lines 4 and 13, page 1; and line 16, page 2; and line 24, page 3, be changed to 3%.

These changes would necessitate the following changes in the title: Strike the Senate amendment in line 5 and reinstate the word "REPEAL". Strike the Senate amendment inserting "80-13-4" in line 7 and reinstate the stricken words at the end of line 7 and line 8.

In line 1, page 1, strike "80-13-4". On page 4, in lines 3, 4 and 5, strike Senate amendment and re-insert printed matter.

In line 2 of the title in *S. B. No. 88,* accept the House amendment re-inserting "AND EXEMPTIONS FOR DEPENDENTS", as stricken by the Senate.

Strike the Senate amendment in line 2 of the title, as follows: "PROVIDE FOR INSTALLMENT PAYMENTS".

Accept the House amendment in the third line of the title striking "CHANGE THE OFFSET AND", and inserting the word "OFFSET" after the word "AND".

Accept the House amendment striking the Senate amendment in line 4 of the title, striking the figures "18-14-19", and the House recede from its amendment on line 5 of the title, striking the word "AND", and re-insert the printed matter.

On page 1, line 6, that the Senate concur in the House amendment to change "Two per cent" to "One per cent"; reinserting line 8 as printed; also reinserting lines 9 and 10 as printed; and reinserting line 11 as printed with the exception of striking the words "next $1,000" and inserting "remainder" in lieu thereof.

Accept the House amendment striking lines 12 and 13 on page 1.

That we concur in the House amendment deleting the Senate amendment between lines 13 and 14 on page 1.

That we concur in the House amendment striking the Senate amendment on line 17, page 1, and inserting in lieu thereof $600; and similarly on page 2, line 23; page 3, lines 19 and 24.

That we concur in the House amendment on line 1, page 2, and insert in lieu thereof $1,200; and similarly on lines 3, 26 and 30; and on line 22 of page 3.

Page 2, line 6, that we concur in the House amendment striking the Senate amendment "Two" and restoring the printed matter.

Page 2, line 28, that the Senate concur in the House amendment striking "$1,500" and inserting the printed matter, and the same on line 31.

Page 3, between lines 12 and 13, that the Senate accept the House amendment deleting Section 80-14-19 and the whole thereof.

Respectfully submitted,

MRS. BURTON W. MUSSER,
Chairman Senate Committee.

MOSES L. HOLBROOK,
Chairman House Committee.

Report adopted and filed.

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

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President:

Absent and not voting: Senator Bowman.

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

S. B. No. 88 then passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 0.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting the negative were: Senators Hammond (explained vote), Huggins, Stewart.

S. B. No. 88 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 121 was read the second time.

Committee report read and adopted.

On motion of Senator Hammond the rules were suspended and *S. B. No. 121* was read the third time and placed on its final passage.

S. B. No. 121 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Miller, Royle.

S. B. No. 121 was transmitted to the House.

S. J. M. No. 2 was read the second time.

On motion of Senator Hammond the rules were suspended and *S. J. M. No. 2* was read the third time and placed on its final passage.

S. J. M. No. 2 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Royle.

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

The President appointed Senators Bamberger and Hopkin to revise the Journal for the remainder of the session.

On motion of Senator Parratt the Senate recessed.

EVENING SESSION

The Senate reconvened at 7:00 p. m.

Roll call—All Senators present except Senator Day.

COMMUNICATION FROM THE GOVERNOR

March 11, 1935.

TO THE SENATE:

I have this day nominated the following persons for the offices designated, and hereby respectfully submit their names for your advice and consent:

FOR MEMBERS OF THE STATE BOARD OF AGRICULTURE:

To serve for a term of four years, pursuant to Sec. 3-1-1, Revised Statutes of Utah, 1933.

Henry Erlandson ..... Payson
Thomas W. Jensen ..... Mt. Pleasant
James G. Widdison ..... Hooper

FOR MEMBERS OF THE BOARD OF CONTROL OF THE UTAH STATE HISTORICAL SOCIETY:

To serve for a term of four years, pursuant to Sec. 85-5-5, Revised Statutes of Utah, 1933.

Professor Levi Edgar Young ..... Salt Lake
Dr. George Emory Fellows ..... Salt Lake
Frank K. Seegmiller ..... Salt Lake
William J. Snow ..... Provo
A. B. Gibson ..... Nephi

FOR MEMBER OF THE INDUSTRIAL COMMISSION OF UTAH:

To serve for a term of six years, pursuant to Sec. 42-1-1, Revised Statutes of Utah, 1933.

O. F. McShane.....Beaver

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL:

To serve for a term of seven years, pursuant to Sec. 1, Chapter 66, Laws of Utah, 1933.

Dr. John R. Llewellyn.....Salt Lake

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL:

To serve for a term of four years, pursuant to Sec. 85-6-2, Revised Statutes of Utah, 1933.

F. R. Eckhardt.....Ogden
Dr. W. S. Paine.....Ogden
Arthur C. Sullivan.....Salt Lake

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

To serve for a term of seven years, ending March 31, 1942, pursuant to Sec. 35-1-1, Revised Statutes of Utah, 1933.

Dr. John L. Jones.....Salt Lake

To serve for the unexpired term ending March 31, 1941.

Dr. E. A. Tripp.....Salt Lake

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

To serve for a term of seven years, ending May 6, 1941, pursuant to Sec. 85-8-2, Revised Statutes of Utah, 1933.

Alex Hedquist .....Provo

To serve for a term of seven years, ending May 6, 1942.

Mrs. Amy Brown Lyman.....Salt Lake

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 Sec. 97-0-1, Revised Statutes of Utah, 1933.

C. R. Hollingsworth.....Ogden
W. H. Leary.....Salt Lake
Calvin W. Rawlings.....Salt Lake

FOR ADJUTANT GENERAL OF THE STATE OF UTAH:

To serve for a term of four years, ending May 27, 1939, pursuant to Sec. 54-1-12, Revised Statutes of Utah, 1933.

W. G. Williams.....Salt Lake

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to the special committee on Governor's appointments.

COMMUNICATIONS FROM THE HOUSE

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 17,* by Mr. Monson, entitled, A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 18, ARTICLE XII OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO LIABILITY OF STOCKHOLDERS OF BANKS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 17 was read the first time and referred to the Sifting Committee.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 86,* by Mrs. Bosone, entitled, AN ACT ESTABLISHING AN UNEMPLOYMENT RESERVE FUND AND CREATING AN UNEMPLOYMENT RESERVE FUND DEPARTMENT UNDER THE SUPERVISION OF THE INDUSTRIAL COMMISSION OF UTAH; MAKING AN APPROPRIATION THEREFOR; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND FOR OTHER PURPOSES, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 86 was read the first time and referred to the Sifting Committee.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 59,* by Mr. Lamoreaux, entitled, AN ACT REGULATING GAS AND ELECTRIC PUBLIC UTILITY CORPORATIONS, REQUIRING REPORTS OF CONSUMERS' DEPOSITS, AND DISPOSITION OF UNCLAIMED DEPOSITS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 59 was read the first time and referred to the Sifting Committee.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 196,* by Mr. Richards, entitled, AN ACT RELIEVING THE OWNER OR DRIVER OR PERSON RESPONSIBLE FOR THE OPERATION OF ANY VEHICLE MOVING UPON ANY OF THE PUBLIC HIGHWAYS FROM ANY LIABILITY TO A GUEST, INCLUDING A MINOR, OR TO HIS HEIRS OR PERSONAL REPRESENTATIVES; PROVIDING THAT LIABILITY SHALL NOT BE RELIEVED WHEN INJURY TO OR DEATH OF GUEST SHALL PROXIMATELY RESULT FROM THE INTOXICATION OR WILFUL MISCONDUCT OF SUCH OWNER, DRIVER OR PERSON RESPONSIBLE FOR THE OPERATION OF SUCH VEHICLE; AND DEFINING THE TERM "GUEST." And the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 196 was read the first time and referred to the Sifting Committee.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. *183,* by Mr. Lamoreaux, entitled, AN ACT TO AMEND SECTIONS 19-12-1, 19-12-2, 19-12-3, 19-12-4, 19-12-6, 19-12-8, 19-12-9, 19-12-12, 19-12-13, 19-12-17, 19-12-18, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PAYMENT OF OLD AGE PENSIONS, MAKING IT MANDATORY THAT AN OLD AGE PENSION SHALL BE PAID, AND INCREASING THE AMOUNT OF SUCH OLD AGE PENSIONS and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 183 was read the first time and referred to the Sifting Committee.

March 11, 1935.

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. 137,* by Mr. Farr, Mr. P. M. Peterson, Mr. Holmes, Mr. Larsen and Mr. Slaugh, entitled, AN ACT REPEALING CHAPTER 31, LAWS OF UTAH, 1933, RELATING TO THE AUTHORITY OF THE GOVERNOR OF THE STATE OF UTAH TO APPOINT ONE OF THE ELECTIVE OFFICERS IN THE EXECUTIVE DEPARTMENT OF THE STATE GOVERNMENT TO ACT AS EX-OFFICIO MEMBER OF THE STATE ROAD COM-

MISSION, and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 137 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 11, 1935.

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. 138*, by Mr. Farr, Mr. Holmes, Mr. Slaugh, Mr. Larsen and Mr. P. M. Peterson, entitled, AN ACT TO AMEND SECTION 36-2-1, REVISED STATUTES OF UTAH, 1933, RELATING TO THE MEMBERS OF THE STATE ROAD COMMISSION, FIXING THEIR NUMBER, PROVIDING FOR THEIR APPOINTMENT, SALARY AND OFFICIAL BONDS, and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 138 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 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 69*, by Mr. Child, entitled, AN ACT REPEALING CHAPTER 6 OF TITLE 18, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 6 OF TITLE 18, REVISED STATUTES OF UTAH, 1933, RELATING TO CORPORATIONS NOT FOR PECUNIARY PROFIT, AND PROVIDING FOR THE ORGANIZATION AND INCORPORTION OF SUCH CORPORATIONS, DEFINING THEIR POWERS AND REGULATING THEIR OPERATIONS, and the same is transmitted herewith for your action.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 69 was read the first time and referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

March 11, 1935.

Mr. President:

We, your Sifting Committee, beg leave to report that *S. B. No. 139* be placed at the end of the second reading calendar.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

Senator Royle moved that we do now consider *S. B. No. 134*.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 134 was read the second time.

On motion of Senator Bamberger *S. B. No. 134* was tabled.

S. B. No. 233 was read the second time.

On motion of Senator Bowman the rules were suspended and *S. B. No. 233* was read the third time and placed on its final passage.

S. B. No. 233 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin (explained vote), Hammond, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Holmgren.

S. B. No. 233 was transmitted to the House.

S. B. No. 232 was read the second time.

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

In the title after the numerals "1933" insert "AUTHORIZING THE STATE DEPARTMENT OF PUBLIC WELFARE TO ADMINISTER EMERGENCY RELIEF IN AID OF DESTITUTE RESIDENTS OF THE STATE."

Page 1, line 3, after the word "welfare" insert "by and with the consent of the Governor".

On motion of Senator Bamberger the rules were suspended and *S. B. No. 232* was read the third time and placed on its final passage.

S. B. No. 232 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Day.

S. B. No. 232 was transmitted to the House.

On motion of Senator Royle *S. B. No. 134* was taken from the table.

S. B. No. 134 on second reading.

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

Page 2 strike lines 10 to 15 inclusive.

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

Line 1 of the title strike ", 93-1-2".

Page 1, line 1, strike ", 93-1-2".

Line 3 of the title after the word "Session" insert "Providing for Licensing Dealers; and".

On motion of Senator Hammond the rules were suspended and *S. B. No. 134* was read the third time and placed on its final passage.

S. B. No. 134 then passed on the following roll call:

Yeas, 17; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Fennell, Fowles, Griffin, Hammond, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Calder, Frischknecht, Holbrook, Holmgren, Stevens.

Absent and not voting: Senator Day.

S. B. No. 134 was transmitted to the House.

S. B. No. 188 was read the second time.

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

Page 2 at the end of line 18 insert the following:

"Such city or town may consumate arrangements for the sale of bonds or warrants prior to the letting of any contract in connection with any such district. In such case it may provide in calling for bids for the payment of the contract price in cash, or partly in cash and partly in bonds; and may, in such case, require that bids be submitted calling for payment of the contract price in bonds or warrants of the district, and, in the alternative, calling for payment of the contract price in cash, and may accept whichever of such bids may be most advantageous to it."

On motion of Senator Woodward the rules were suspended and *S. B. No. 188* was read the third time and placed on its final passage.

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

Page 2, line 3, after the word "of" insert "not to exceed".

S. B. No. 188 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Miller, Musser, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Holbrook, Huggins, Parratt, Royle.

S. B. No. 188 was transmitted to the House.

S. B. No. 189 was read the second time.

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

In the title after the word "Act" strike the balance of the line.

Strike lines 2 and 3 and the numerals "1933" on line 4.

Page 1 after "Section 1" strike the remainder of the line.

Strike lines 2 and 3.

Line 4 strike "15-7-23X".

Line 5 strike "herein pro" and line 6 strike "vided for" and insert "as provided in Article 7, Chapter 7 of Title 15, Revised Statutes of Utah, 1933".

On motion of Senator Woodward the rules were suspended and *S. B. No. 189* was read the third time and placed on its final passage.

S. B. No. 189 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Day.

S. B. No. 189 was transmitted to the House.

Senator Hammond moved that the rules be suspended and that we now consider *S. J. R. No. 6.*

Motion carried:

S. J. R. No. 6 was read the second time.

Committee report read and adopted.

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

Page 1, line 8, strike "will not exceed $30" and insert "shall be $15".

Line 13 at the end of the line insert "which fund shall be $15".

S. J. R. No. 6 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Royle, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Ray, Stewart, Wallace.

Absent and not voting: Senators Day, Musser.

On motion of Senator Hammond the rules were suspended and *S. J. R. No. 6* was read the third time and placed on its final passage.

S. J. R. No. 6 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Royle, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Ray, Stewart, Wallace.

Absent and not voting: Senators Day, Musser.

S. J. R. No. 6 was transmitted to the House.

S. B. No. 226 was read the second time.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 226* was read the third time and placed on its final passage.

S. B. No. 226 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Royle.

S. B. No. 226 was transmitted to the House.

S. B. No. 229 was read the second time.

S. B. No. 229 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, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles.

S. C. M. No. 4 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. C. M. No. 4* was read the third time and placed on its final passage.

S. C. M. No. 4 then passed on the following roll call:

Yeas, 15; Nays, 6; Absent, 2.

Those voting in the affirmative were: Senators Bowman, Calder, Fennell, Frischknecht, Hammond, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger (explained vote), Griffin, Holbrook, Holmgren, Musser, Wallace.

Absent and not voting: Senators Day, Fowles.

S. C. M. No. 4 was transmitted to the House.

S. B. No. 217 was read the second time.

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

In the title after the word "Act" strike the balance of the line.

Strike lines 2 and 3.

Strike on line 4 "Utah, 1933".

Page 1, Line 1, after "Section 1" strike the balance of the paragraph.

Line 4 strike "63-1-11".

Line 6 correct the spelling of the word "hospitalization".

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

Last line of the title strike the word "Notary" and insert "Notaries".

On motion of Senator Huggins the rules were suspended and *S. B. No. 217* was read the third time and placed on its final passage.

S. B. No. 217 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Frischknecht.

S. B. No. 217 was transmitted to the House.

S. B. No. 228 was read the second time.

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

In the enacting clause correct the spelling of the word "Legislature".

On motion of Senator Woodward the rules were suspended and *S. B. No. 228* was read the third time and placed on its final passage.

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

Page 2, line 10, strike the word "Shall" and insert "may be requested to".

S. B. No. 228 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Hammond.

S. B. No. 228 was transmitted to the House.

S. B. No. 236 was read the second time.

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

Strike the whole of Section 1 and change the numbers of ensuing sections accordingly.

On motion of Senator Holbrook the rules were suspended and *S. B. No. 236* was read the third time and placed on its final passage.

S. B. No. 236 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Miller, Musser, Parratt, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Hopkin, Huggins, Stevens.

S. B. No. 236 was transmitted to the House.

S. B. No. 237 was read the second time.

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

Page 7, line 32, after the word "waived" insert "or if a jury be not waived then the court and jury".

Page 8, line 2, after the word "master" insert "when he is to fix the damages and the compensation".

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

Strike the whole of Section 1 and change the numbers of ensuing sections accordingly.

S. B. No. 237 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, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Wallace, Woodward.

Those voting in the negative: Mr. President.

Absent and not voting: Senators Day, Huggins, Stevens, Stewart.

S. B. No. 238 was read the second time.

On motion of Senator Bowman the rules were suspended and *S. B. No. 238* was read the third time and placed on its final passage.

S. B. No. 238 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Huggins, Stevens, Stewart.

S. B. No. 238 was transmitted to the House.

S. B. No. 231 was read the second time.

On motion of Senator Fowles the rules were suspended and *S. B. No. 231* was read the third time and placed on its final passage.

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

Page 3, line 14, strike the word "northly" and insert "northerly".

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

Line 3 of the title strike the word "Two" and insert "Four".

Page 2, line 3 of the bill, strike the word "three" and insert "five".

Line 4, strike the word "two" and insert "four".

Line 5, strike the word "Two" and insert "Three".

Line 24 of the title, strike the words "SALE OF SUCH WATER AND".

Page 4, lines 13 and 14, strike the words "sell water impounded in said fresh water lake and to".

S. B. No. 231 then passed on the following roll call:

Yeas, 14; Nays, 5; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Fennell, Fowles, Hammond, Hopkin, Miller, Musser, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Calder, Frischknecht, Griffin, Holbrook, Parratt.

Absent and not voting: Senators Day, Holmgren, Huggins, Stevens,

S. B. No. 231 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 11, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for Second Reading Calendar: S. B. No. 210, S. B. No. 173 and S. J. R. No. 10, S. B. No. 177, in order named to follow S. B. No. 155.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 155 was read the second time.

On motion of Senator Fennell the rules were suspended and *S. B. No. 155* was read the third time and placed on its final passage.

S. B. No. 155 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Miller, Parratt, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Holmgren, Huggins, Musser, Stevens.

S. B. No. 155 was transmitted to the House.

S. B. No. 210 was read the second time.

On motion of Senator Fowles the rules were suspended and *S. B. No. 210* was read the third time and placed on its final passage.

S. B. No. 210 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Miller, Parratt, Ray, Royle, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Holmgren, Huggins, Musser, Stevens, Stewart.

S. B. No. 210 was transmitted to the House.

S. B. No. 173 was read the second time.

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

Page 1, line 12, strike the numerals "45" and insert "20".

S. B. No. 173 failed to pass on the following roll call:

Yeas, 7; Nays, 9; Absent, 7.

Those voting in the affirmative were: Senators Calder, Fowles, Hammond, Miller, Royle, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Fennell, Frischknecht, Griffin, Holbrook, Hopkin, Ray, Wallace.

Absent and not voting: Senators Day, Holmgren, Huggins, Musser, Parratt, Stevens, Stewart.

Senator Royle moved that the rules be suspended and that we now consider *S. B. No. 220.*

Motion carried.

S. B. No. 220 was read the second time.

On motion of Senator Bamberger the rules were suspended and *S. B. No. 220* was read the third time and placed on its final passage.

S. B. No. 220 then passed on the following roll call:

Yeas, 12; Nays, 4; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Hopkin, Royle, Woodward, Mr. President.

Those voting in the negative were: Senators Holbrook, Miller, Ray, Wallace.

Absent and not voting: Senators Day, Holmgren, Huggins, Musser, Parratt, Stevens, Stewart.

S. B. No. 220 was transmitted to the House.

Senator Bamberger moved that when we adjourn it be until tomorrow at 10:00 A. M.

Motion carried.

Senator Holbrook moved that *H. B. No. 41* be made a special order of business after consideration of bills on the Third Reading Calendar.

Motion carried.

On motion of Senator Bowman the Senate adjourned.

FIFTY-EIGHTH DAY

MORNING SESSION

March 12, 1935.

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

Roll call—All Senators present except Senator Fennell, excused.

Prayer by the Chaplain.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 162 was read the third time and placed on its final passage.

S. B. No. 162 passed on the following roll call:

Yeas, 14; Nays, 1; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Royle.

Absent and not voting: Senators Bowman, Fennell, Fowles, Hammond, Huggins, Parratt, Ray, Stevens.

S. B. No. 162 was transmitted to the House.

S. B. No. 148 was read the third time and placed on its final passage.

S. B. No. 148 passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Parratt, Ray.

S. B. No. 148 was transmitted to the House.

S. B. No. 229 was read the third time and placed on its final passage.

Senator Bamberger moved that *S. B. No. 229* retain its position on the Third Reading Calendar.

Motion carried.

S. B. No. 237 was read the third time and placed on its final passage.

S. B. No. 237 passed on the following roll call:

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Bamberger (explained vote), Calder, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward.

Those voting in the negative were: Senators Bowman, Day, Frischknecht, Mr. President.

Absent and not voting: Senators Fennell, Royle.

S. B. No. 237 was transmitted to the House.

SPECIAL ORDER

H. B. No. 41 on second reading.

Committee report read and adopted.

On motion of Senator Huggins the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present.

Senator Holbrook moved that we remain in session until 6:00 p. m.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 12, 1935.

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. 132*, by Mrs. Bosone, et al.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 12, 1935.

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. 132*, by Mrs. Bosone, Mr. Macfarlane, Mr. Holdaway and Mr. Edman, entitled, AN ACT PROVIDING FOR THE INCORPORATION, GOVERNMENT AND MANAGEMENT OF METROPOLITAN WATER DISTRICTS, AUTHORIZING SUCH DISTRICTS TO INCUR BONDED DEBT AND TO ACQUIRE, CONSTRUCT, OPERATE AND MANAGE WORKS AND PROPERTY, PROVIDING FOR THE TAXATION OF PROPERTY THEREIN AND THE PERFORMANCE OF CERTAIN FUNCTIONS RELATING THERETO BY OFFICERS OF COUNTIES, PROVIDING FOR THE ADDITION OF AREA THERE-

TO AND THE EXCLUSION OF AREA THEREFROM AND AUTHORIZING MUNICIPAL CORPORATIONS TO AID AND PARTICIPATE IN THE INCORPORATION OF SUCH DISTRICTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 132 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.

FURTHER CONSIDERATION OF H. B. NO. 41

Senator Holbrook moved to amend the bill as follows:

Page 6, restore lines 24, 25 and 26 and strike suggested (d).

Page 13, strike amendments reducing $100,000.00 to $50,000.00 on lines 7, 8 and 9; strike amendments reducing $500,000.00 to $150,000.00 on lines 19 and 22.

Page 29, restore lines 18 to 29, and strike the proposed amendment substituting the warehouse plan.

Page 54, restore the words "the commission" and strike the proposed amendment authorizing distillers to sell direct to "anyone authorized to sell by drink under this act".

Senator Holbrook, with the aid of four Senators, requested a roll call on the motion.

The motion was carried on the following roll:

Yeas, 17; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Holbrook, Holmgren, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward.

Those voting in the negative were: Senators Griffin, Hammond, Hopkin, Huggins (explained vote), Miller, Mr. President.

Senator Woodward moved to strike lines 13 to 21 inclusive on page 2.

Senator Bowman, with the aid of four Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

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

Those voting in the affirmative were: Senators Frischknecht, Woodward.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

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

Page 3, line 25, strike the words "alcoholic beverages" and insert "liquor".

Page 4, at the end of line 24, add: "provided, that any such establishment which for a period of two consecutive months shall have gross sales of alcoholic beverages, in excess of sales of food, shall cease to be a restaurant."

Page 4, lines 21 and 22, strike the words "should be" and insert "is".

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

Page 2, line 16, strike the numerals "25" and insert "10".

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

Page 10, line 8, preceding the word "state" insert "city or county ordinances", and add an "s" to the word "law".

Line 9, strike the words "any ordinance".

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

Page 20, line 13, strike the word "on" and at the end of the line insert "number on the sales slip,".

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

Page 20, lines 10 and 11, strike "and endorsement".

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

Page 21, line 17, after the word "liquor", strike the balance of the line.

Line 18, strike the first word.

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

Page 20, line 13, strike the whole line and insert the following: "(d) the vendor has written or caused to be written on the sales slip the number of the permit,".

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

Page 29, strike the House amendments inserted on lines 18 and 19, with the exception of the numerals "25" on line 18.

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

Page 30, line 14, after the word "less", strike down to and including the word "baths" on line 17 and insert in lieu thereof the following: "such requirements as may be determined by the commission".

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

Page 29, lines 18 and 19, reinstate the House amendments.

Line 20, after the word "manufactured", insert "for industrial or commercial uses".

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

Page 30, line 12, strike the numerals "60" and insert "30".

Line 9, strike the numerals "100" and insert "75".

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

Page 30, line 31, after the numerals "25,000", insert "shall be equipped as may be determined by the commission".

Strike line 31.

Line 32, strike the whole of the line with the exception of the last word.

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

Page 30, line 13, strike the numerals "50" and insert "30."

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

Page 30, line 10, strike the numerals "75" and insert "50".

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

Page 35, line 24, after the word "distributed", insert "bottled,".

Page 36, line 9, after the word "distributed", insert "bottled,".

Page 38, line 9, strike the word "the" and insert "or charge a".

Page 39, line 20, strike the word "like" and insert "proportionate".

Page 40, line 11, after the word "to", insert "knowingly".

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

Page 42, reinstate lines 10, 11, 12, 13 and 14 to their original printed form.

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

Page 44, line 18, strike the "y" in "warranty".

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

Page 51, strike lines 13, 14 and 15.

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

Strike the Senate amendment on page 53, line 33.

Senator Royle moved that the rules be suspended and that we now consider *H. B. No. 161.*

Motion carried.

H. B. No. 161 was read the second time.

On motion of Senator Royle the rules were suspended and *H. B. No. 161* was read the third time and placed on its final passage.

H. B. No. 161 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Hopkin.

H. B. No. 161 was transmitted to the House.

March 12, 1935.

Mr. President:

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

Respectfully,

JULIAN M. BAMBERGER,
ALONZO F. HOPKIN.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 136*, by Mr. Richards, entitled, AN ACT TO AMEND SECTION 19-18-22, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE ANNUAL REVISION OF OWNERSHIP MAPS AND PLATS AND PROVIDING FOR DISTRIBUTION OF COSTS OF THE MAKING, REVISING AND COPYING OF SAID MAPS AND PLATS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 136 was read the first time and referred to the Sifting Committee.

On motion of Senator Parratt the Senate adjourned until tomorrow at 9:00 a. m.

FIFTY-NINTH DAY

MORNING SESSION

March 13, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call—All Senators present.

Prayer by the Chaplain.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 12, and passed *S. B. No. 1,* by Mr. Holbrook, and is transmitted herewith for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 83,* by Mr. Marthakis, entitled, "AN ACT AMENDING SECTIONS 75-29-8, 75-29-11, 75-29-12, AND 75-29-13, REVISED STATUTES OF UTAH, 1933, RELATING TO MEMBERSHIP, CONTRIBUTION OF FUNDS, CLASSES OF BENEFICIARIES, AMOUNT OF ANNUITY, AND TRANSFER OF MEMBERSHIP, IN PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 83 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 206,* by Mr. Richards, entitled, "AN ACT VALIDATING, RATIFYING, APPROVING AND CONFIRMING BONDS AND OTHER INSTRUMENTS OR OBLIGATIONS HERE-

TOFORE ISSUED BY PUBLIC BODIES OF THIS STATE FOR PUBLIC WORKS PROJECTS," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 206 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Mr. Holley, Mr. Holdaway and Mr. Swapp to consider the time for adjournment.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 179*, by Mr. Farr, entitled, AN ACT REQUIRING THE STATE INDUSTRIAL COMMISSION TO FILE REPORTS CONCERNING THE STATE INSURANCE FUND WITH THE STATE INSURANCE COMMISSIONER AND PUBLISH THE SAME; AUTHORIZING EXAMINATION OF BOOKS AND AFFAIRS OF THE STATE INSURANCE FUND BY THE STATE INSURANCE COMMISSIONER, REPORT TO BE FILED; AND AMENDING TITLE 43, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW CHAPTER TO BE KNOWN AS CHAPTER 11, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 179 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 117*, by Mr. Holmes, entitled, AN ACT PROVIDING FOR THE ORGANIZATION OF BENEFIT ASSOCIATIONS; PROVIDING FOR A MINIMUM MEMBERSHIP FUND AND BOND BEFORE AUTHORIZATION TO DO BUSINESS; PROVIDING FOR THE AMOUNT AND METHOD OF COLLECTING MEMBERSHIP FEES, ANNUAL DUES AND ASSESSMENTS, AND A FUND FOR THE PAYMENT OF BENEFITS; PROVIDING CONDITIONS OF ISSUANCE; EMERGENCY BENEFIT FUND AND EXTRA CONTRIBUTIONS; REVOCATION AND STATUS OF CERTIFICATES

OF MEMBERSHIP; PROVIDING EXEMPTIONS; PROVIDING REGULATION BY COMMISSIONER OF INSURANCE; PROVIDING FEES TO BE PAID; CONSOLIDATION OF COMPANIES; FOREIGN BENEFIT ASSOCIATIONS DOING BUSINESS IN THIS STATE; PROVIDING PENALTIES FOR VIOLATIONS, AND REPEALING ALL ACTS IN CONFLICT THEREWITH, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 117 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of of the House has this day signed, in open session, in the presence of the House, *H. B. No. 271*, by Mr. Maw, entitled, AN ACT APPROPRIATING $10,000 OR SO MUCH THEREOF AS MAY BE NECESSARY TO DEFRAY THE REGULAR AND CONTINGENT EXPENSES OF THE TWENTY-FIRST SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 271 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 12, 1935.

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. 62*, by Mr. Farr, entitled, AN ACT TO AMEND SECTION 43-3-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ANNUAL STATEMENT AND TAX OF INSURANCE COMPANIES; PROVIDING THAT ALL INSURANCE COMPANIES LICENSED TO TRANSACT BUSINESS IN THIS STATE SHALL BE REQUIRED TO FILE AN ANNUAL STATEMENT OF GROSS PREMIUMS AND BE REQUIRED TO PAY A TAX THEREON, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 62 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 174,* by Mr. Nicholes, entitled, "AN ACT RELATING TO THE GIVING OF PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 174 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 199,* by Mr. Gammeter, entitled, "AN ACT TO IMPOSE A FRANCHISE TAX ON CORPORATIONS AND UNINCORPORATED BUSINESS ACCORDING TO THE VOLUME OF BUSINESS DONE IN THE STATE", and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 199 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 216,* by Mr. Hummer, entitled, "AN ACT TO REPEAL SECTION 79-12-29, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PENALTY FOR VIOLATION OF SECTION 79-12-24, REVISED STATUTES OF UTAH, 1933," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 216 was read the first time and referred to the Sifting Committee.

March 11, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. J. R. No. 4,* by Mr. T. W. Jensen, entitled, A JOINT RESOLUTION PROPOSING AN AMEND-

MENT TO SECTION 7, ARTICLE XIII, OF THE CONSTITUTION OF UTAH, AS AMENDED BY THE VOTE OF THE ELECTORS AT THE GENERAL ELECTION OF 1930, RELATING TO STATE FUNDS, THE DISTRIBUTION THEREOF, AUTHORIZING FORMS OF TAXATION AND RATES OF TAXATION, LIMITATION OF LEVIES, PURPOSE AND DISTRIBUTION, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 4 was read the first time and referred to the Sifting Committee.

March 12, 1935.

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. 24,* by Mrs. Gibson, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE REVA BECK BOSONE UPON THE DEATH OF HER MOTHER," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 217,* by Mr. Hummer, entitled, AN ACT TO REPEAL SECTION 79-12-25, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POSSESSION OF NARCOTICS, OR CONTRIVANCE FOR SMOKING OPIUM, AND MAKING THEIR POSSESSION A CRIME, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 217 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 220,* by Mr. Hummer, entitled, AN ACT TO REPEAL SECTION 79-12-26, REVISED STATUTES OF UTAH, 1933,

RELATING TO SEIZURE AND DISPOSITION OF NARCOTICS AND APPARATUS FOR SMOKING SAID NARCOTICS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 220 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 211*, by Mr. Hummer, entitled, "AN ACT DEFINING AND RELATING TO NARCOTIC DRUGS TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, AND REPEAL SECTIONS 79-12-24 AND 79-12-27, REVISED STATUTES OF UTAH, 1933, REGULATING SALE OF NARCOTICS AND REVOCATION OF LICENSES," and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 211 was read the first time and referred to the Sifting Committee.

COMMUNICATIONS FROM THE GOVERNOR

March 11, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State Senate Bill No. 225, by Mr. Huggins, entitled: "AN ACT AMENDING SECTIONS 1, 13 AND 23, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE PURCHASE, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT, EXTENSION AND REPAIR BY ANY COUNTY, CITY OR INCORPORATED TOWN, OF PUBLIC PROJECTS AND SERVICES AND THE ISSUANCE OF REVENUE BONDS TO COVER THE COST THEREOF; PROVIDING FOR THE PUBLICATION AND THE AFFECTIVE DATE OF THE ENACTMENT AUTHORIZING THE ISSUANCE OF SUCH REVENUE BONDS; AND PROVIDING A MEANS FOR REQUIRING BOND ELECTIONS TO BE HELD IN CONNECTION THEREWITH; AND CHANGING THE DATE OF TERMINATION THEREOF."

Respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

March 11, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State Senate Bill No. 204, by the State and Municipal Affairs Committee, entitled: "AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY OR GRANT TO THE UNITED STATES OF AMERICA CERTAIN LANDS OR INTERESTS IN SAID LANDS IN THE BED OF OR ON THE MARGIN OF UTAH LAKE."

Respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

FURTHER CONSIDERATION OF H. B. NO. 41

Senator Bamberger moved that the Revision and Enrolling Committee be authorized to renumber the sections of this bill and to renumber any and all cross references in the bill so as to refer to the proper section.

Motion carried.

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

In the House amendment, page 67, line 30, strike the word "such".

Page 75, line 21, insert a period after the word "misdemeanor" and strike the balance of the line.

Page 2, strike lines 31, 32 and 33.

Page 5, strike lines 1, 2 and 3.

Page 26, line 11, after the word "prohibited" strike the balance of the section and insert "by law".

Senator Maw moved to restore the Senate amendments on page 42, lines 10, 11, 12, 13 and 14.

Senator Huggins, with the aid of four Senators, requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 17; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Day (explained vote), Fennell, Griffin, Hammond, Holbrook, Holmgren, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman, Calder, Fowles, Frischknecht, Hopkin, Huggins.

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

Page 53, lines 22 and 23, strike "to prohibit newspaper or other printed advertising, and".

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

Page 13, strike lines 6 to 12 inclusive and insert the following:

"The commission is hereby authorized to borrow a total of $100,000.00, or so much thereof as may be necessary or requisite, from the State Land Board and from the State Industrial Commission, for necessary purposes in the administration of this act, and for such purposes the State Land Board and the State Industrial Commission are hereby authorized to loan money to the commission from funds in their custody which they are authorized to invest. Such loans shall be made at such rate of interest and on such terms of repayment and for such length of time as may be agreed upon."

Page 13, lines 14 and 15, strike "borrow money and to incur indebtedness in the administration of", and insert "make requisition upon the state board of loan commissioners for money to administer".

Line 15, after the word "act", insert "and".

Line 22, strike "money up to the" and insert "not to exceed the above named".

Line 27, strike the word "one" and insert "two" and add an "s" to the word "year".

Page 15, line 14, at the end of the line insert "and the governor". Line 20, strike the words "the general fund" and insert "a special fund to be known as the liquor control fund".

Page 15, line 21, change the period to a comma and add: "and there is hereby appropriated from said fund to the general fund for the biennium beginning July 1, 1935, and ending June 30, 1937, the sum of $500,000, or so much thereof as may be available and as may be necessary, to balance the general fund budget for such period. And there is hereby appropriated to the governor the balance of said fund, or so much thereof as he may deem necessary, to be expended at his discretion in cooperation with the federal government or any of its agencies, or otherwise, for the betterment of social and economic conditions in this state."

Page 16, lines 19, 20, 22 and 23, reinstate to their original printed form with the exception of the amendment at the end of line 23.

Senator Hammond moved to amend the bill as follows:

Page 53, line 33, strike the period, insert a comma and add: "and provided further that advertising of light beer shall be permitted under such regulation as the Commission may make."

Senator Huggins, with the aid of four Senators, requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 12; Nays, 11; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Day, Fennell, Fowles, Hammond, Miller, Musser (explained vote), Ray, Royle, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Bowman, Calder, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Parratt, Woodward, Mr. President.

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

Page 35, line 7, reinsert the word "license".

Page 20, between lines 14 and 15, insert "The original sales slip to be filed and kept one year."

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

Page 29, line 19, strike the word "like" and insert "proportionate".

H. B. No. 41 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Stevens, Stewart, Wallace.

Those voting in the negative were: Senator Miller.

Absent and not voting: Senators Royle, Woodward, Mr. President.

H. B. No. 77 on second reading.

Senator Huggins moved to amend the bill as follows:

Amend the title to read as follows:

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 FURNISHING OF INSURANCE BY MOTOR CARRIERS, AND REPEALING CHAPTER 53, LAWS OF UTAH, 1933, AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

Page 1, line 1—Strike the word "title" and insert the word "act".

Page 1—Strike line 13.

Page 2—Strike line 1.

Page 2, line 4—Strike the words "over the regular route and between fixed termini" and insert the words "from place to place".

Page 2, line 8—Strike the words "over a regular route and between fixed termini" and insert the words "from place to place".

Page 2—following line 9, add two new paragraphs, to read as follows:

"Contract motor carrier of property means any person engaged in the transportation by motor vehicle of property for hire and not included in the term common motor carrier of property as hereinbefore defined."

"Contract motor carrier of passengers means any person engaged in the transportation by motor vehicle of persons for hire and not included in the term common motor carrier of passengers as hereinbefore defined."

Page 2, line 19—After the word "common" add the words "or contract".

On page 4—at the end of line 32 add the following seven sections:

Section 9. It shall be unlawful for any contract motor carrier to operate as carrier in intrastate commerce without first having obtained from the commission a permit therefor. The commission, upon the filing of an application for such permit, shall fix a time and place for hearing thereon and shall give the same notice as provided for in section 6 hereof. Before granting a permit to a contract motor carrier, the commission shall take into consideration the character of the highway over which said contract motor carrier proposes to operate, and the effect thereon, and upon the traveling public using the same and also other existing transportation facilities and whether or not there is any real necessity for the service proposed to be rendered, and if it appears from the evidence that the highway is, in the opinion of the commission, already unduly burdened with traffic and that additional traffic will unduly interfere with the traveling public, or that the granting of the permit applied for will be detrimental to the best interests of the people of the State of Utah, the commission shall not grant such permit.

Section 10. It shall be unlawful for any contract motor carrier to operate as a carrier in interstate commerce within this state without first having obtained from the commission a license therefor. An application shall be made to the commission in writing giving full information concerning:

(a) The ownership, financial condition, equipment to be used and physical property of the applicant;

(b) The complete route over which the applicant desires to operate;

(c) Such other information as the commission may request covering observance of state police regulations and payment of

fees. Upon receipt of such application and the furnishing of such information and on compliance with the regulations set forth in this act and the payment of fees, the commission shall issue such carrier a license therefor, with or without a hearing, as the commission may determine.

Section 11. The commission shall have power, without a hearing, to issue temporary, seasonal or emergency permits to contract motor carriers in intrastate commerce, and temporary, seasonal or emergency licenses to contract motor carriers in interstate commerce. Such permits and licenses may be issued upon such information, application or request therefor, as the commission may prescribe. Temporary, seasonal or emergency permits and licenses shall specify the commodity or number of passengers to be transported thereunder, together with the point of origin and point of destination; but in no event shall any temporary, seasonal or emergency permit or license be issued for a period of time greater than sixty days in length. No fee shall be required by the commission for the issuance of a temporary, seasonal or emergency permit or license under the provisions of this section.

Section 12. The commission is hereby vested with power and authority and it shall be its duty to supervise and regulate every contract motor carrier in this state and to fix and approve reasonable maximum or minimum rates, fares, charges, classifications, and to adopt reasonable rules and regulations pertaining to all such motor carriers.

Section 13. No person other than a common or contract motor carrier of property, operating under a certificate, license or permit granted by the commission shall transport by motor vehicle the property of any other person, and the taking of a bill of sale or title to property for the period of transportation shall be prima facie evidence of violation of this section.

Section 14. No portion of this act shall apply:

(a) To contract motor carriers of property when operating wholly within the limits of an incorporated city or town and for a distance of not exceeding fifteen road miles beyond the corporate limits of the city or town in Utah in which the point of origin of any property or passenger movement is located or when operated within a radius of 15 miles from any point of origin outside of an incorporated city or town in Utah, and which movement either alone or in conjunction with another vehicle or vehicles is not a part of any journey or haul beyond said fifteen mile limit; or

(b) To motor vehicles when engaged exclusively in transporting students or their instructors to or from school or to or from school activities, the word "school" to be construed to mean a place or structure in which the annual winter and/or summer elementary, collegiate, university, or religious instruction is carried on; or

(c) To motor vehicles when used exclusively in carrying the United States mail under contract with the federal government; or

(d) To motor vehicles when the cargo consists exclusively of livestock and farm, orchard and dairy products which are being transported between farm, orchard or dairy and a market, warehouse, creamery or processing plant; or exclusively of farm or dairy supplies used in or about the farm or dairy; or exclusively of lumber or logs which are being transported from forest to shipping point or market; or

(e) To motor vehicles when owned and/or operated by any duly organized agricultural cooperative association and used exclusively in the carrying on of its legally authorized non-profit activites; or

(f) To motor vehicles when owned and operated by the United States, the state of Utah, or any county, city, town or municipality in this state, or by any department of any of them, when used in the transportation of property owned by such governmental agencies; or to locomotives, cars, coaches, and/or trains operated upon rails along or across any street or highway; or

(g) To motor vehicles when used exclusively in the distribution of newspapers from the publisher to subscribers or distriutors; or

(h) To motor vehicles when especially constructed for towing, wrecking, maintenance or repair purposes, and not otherwise used in transporting goods and merchandise for compensation; or when constructed as armored cars and used for the safe conveyance or delivery of money or other valuables, or when used as hearses, ambulances, or licensed taxicabs, operating within a fifteen mile radius of the limits of any city or town.

It shall be unlawful for any vehicle which is operated under any of said exempt classes to be operated for any uses or purposes not falling within said exempt classes, except in accordance with the provisions of this act.

Section 15. It is hereby made the duty of the attorney-general of the state, the district attorneys of the state, and of all state, county and city police officers upon the request of the commission to assist in the administration and enforcement of this act and they and each of them, as well as the commission, its inspectors and employees shall inform against and diligently prosecute any and all persons whom they have reasonable cause to believe guilty of violation of the provisions of this act or the rules, regulations, orders, decisions or requirements of the commission made pursuant thereto.

Page 6, line 3—Strike the figure "9" and insert the figure "16".

Page 6, line 11—Strike the figure "10" and insert the figure "17".

Page 6, line 11—After the word "common" add the words "or contract".

Page 6, line 15—Strike the figure "11" and insert the figure "18".

Page 6, line 18—Strike the figure "12" and insert the figure "19".

Page 6, line 19—After the word "common" add the words "or contract".

Page 6, line 29—After the figure "$5000" add the following:

"Provided, however, that a common motor carrier of property or a contract motor carrier of property, operating wholly within this state shall file with the commission cargo insurance in an amount to be fixed by the commission; provided further, that the commission may, upon proper showing by the applicant and consent of the shipper, grant a permit, as provided for in sections 9 and 11, waiving the requirements of filing a cargo insurance policy or bond. Such policy or policies shall cover all motor vehicles used or to be used, and shall provide that any person having a right of action against such motor carriers for injuries to persons, loss of or damage to property, or loss of or damage to cargo, when service cannot be obtained on the motor carrier within this state may bring action for recovery directly upon such insurance policy or policies and against the insurance company or association."

Page 6, line 31—After the word "with" insert words "a sufficient corporate surety or".

Page 6, line 33—After the word "for" add the following:

"No other or additional insurance or bonds than those prescribed in this act shall be required of any motor carrier by any city or town or other agency of this state. Provided, however, that this section shall not apply in instances where, nor to carriers with respect to which, because of the type of service rendered or commodity transported, insurance is not obtainable in companies qualified to do business in this state; nor in such cases shall any personal bond or other insurance coverage be required."

Page 7, line 19—Strike the figure "13" and insert the figure "20".

Page 7, line 25—Strike the figure "14" and insert the figure "21"; after the word "certificates" add a comma and the word "permits"; and after the word "common" add the words "or contract".

Page 7, line 28—Strike the figure "15" and insert the figure "22".

Page 7, line 31—Strike the figure "16" and insert the figure "23".

Page 7, line 33—Strike the words "state road".

Page 8, line 2—Strike the figure "17" and insert the figure "24".

Page 8, line 4—Strike the words "state road".

Page 8, line 5—Strike the words "state road".

Page 8, line 6—Strike the figure "18" and insert the figure "25".

Page 8, line 9—Strike the figure "19" and insert the figure "26".

Page 8, line 14—Strike the figure "20" and insert the figure "27".

Page 8, line 16—Strike the figure "21" and insert the figure "28."

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

Section 9, to read as follows: "It shall be unlawful for any contract motor carrier to operate as a carrier in intrastate commerce without having first obtained from the commission a permit therefor. The commission shall grant on application to any applicant who was a contract motor carrier as defined by this act on the 15th day of March, 1933, a permit to operate as a contract motor carrier on the same highways and to carry on the same type of motor service as he was prior to said date. Where said applicants were operating on all the highways of the state prior to said date, the permit shall authorize them to continue to operate on all of said highways. The commission shall furthermore grant on application to any applicant who received a permit to operate as a contract motor carrier between the 15th day of March, 1933, and the date on which this act takes effect, a permit to continue to operate in the same manner and over the same highways as the terms of said permit allowed.

"The commission upon the filing of an application for a contract motor carriers permit by any other person than those referred to above in this section shall fix a time and place for hearing thereon and shall give the same notice as provided in section 6 hereof. The commission shall also subpoena a member of the state road commission to be present at said hearing and said member or representative designated by said road commission shall offer testimony as to the character of the highway over which said contract motor carrier proposes to operate and the effect thereon; and upon the traveling public using the same. If, from all the testimony offered at said hearing, the commission shall determine that the highways over which the applicant desires to operate are not unduly burdened; that the granting of the application will not unduly interfere with the traveling public; and that the granting of the application will not be detrimental to the best interests of the people of the state of Utah and/or to the localities to be served, the commission shall grant such permit."

Senator Huggins, with the aid of four Senators, requested a roll call on the motion as amended.

The motion as amended was carried on the following roll call:

Yeas, 17; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Day, Fennell, Griffin, Hammond (explained vote), Holmgren, Huggins, Miller, Musser (explained vote), Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senators Calder, Frischknecht, Holbrook, Hopkin, Woodward.

Absent and not voting: Senator Fowles.

On motion of Senator Huggins the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 12th and passed *S. B. No. 88*, by Committee on Revenue and Taxation, by request, and is herewith transmitted for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 88 was referred to the Committee on Revision and Enrolling to be engrossed.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Mr. Macfarlane, Mr. J. W. Jensen and Mr. Farr, to act with a like committee from the Senate to consider *H. J. R. No. 4*, by Mr. T. W. Jensen, and *S. J. R. No. 6*, by Mr. Hammond.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Hammond, Parratt and Holmgren to meet with a like committee from the House to consider amendments to *H. J. R. No. 4* and *S. J. R. No. 6*

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 265*, by Mr. Low, entitled, AN ACT AUTHORIZING THE STATE LAND BOARD TO SELL OR OTHERWISE DISPOSE OF THE RIGHTS OF THE STATE OF UTAH IN AND TO WATER WELLS DRILLED BY THE STATE LAND BOARD, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 265 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 126*, by Mr. P. M. Peterson, entitled, AN ACT REQUIRING PHYSICIANS WHO MAKE INDUSTRIAL EXAMINATIONS OF EMPLOYES TO FILE COPIES OF THEIR FINDINGS WITH EMPLOYERS AND INDUSTRIAL COMMISSIONS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 126 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 108*, by Mr. Taylor, entitled, AN ACT PROVIDING FOR THE RETIREMENT OF TEACHERS IN THE PUBLIC SCHOOL SYSTEM, AS DEFINED HEREIN, WITH ANNUITIES OR DISABILITY BENEFITS; THE CREATION OF A TEACHERS' RETIREMENT SYSTEM, THE UTAH TEACHERS' RETIREMENT AND DISABILITY BENEFITS ASSOCIATION AND A TEACHERS' RETIREMENT BOARD, AND PRESCRIBING THEIR POWERS AND DUTIES; PRESCRIBING THE SOURCE AND METHOD OF ACQUIRING FUNDS AND THE MANNER OF INVESTING AND DISBURSING SUCH FUND; MAKING THE STATE TREASURER THE CUSTODIAN OF SUCH FUNDS; PROVIDING FOR TRANSFER OF MEMBERSHIPS, FOR THE WITHDRAWAL OF MEMBERS, AND PAYMENT OF BENEFITS; PROVIDING THAT THE INTEREST OF A MEMBER MAY NOT BE ASSIGNED, ATTACHED OR TAKEN UPON EXECUTION; REQUIRING AUDITS, AND REPORTS; DEFINING TERMS USED; PROVIDING THE MANNER OF DISSOLVING TEACHERS' RETIREMENT ASSOCIATIONS HERETOFORE ORGANIZED IN CITIES OF THE FIRST AND SECOND CLASS, AND MAKING AN APPROPRIATION TO CARRY OUT THE PURPOSES OF THIS ACT FOR THE BIENNIUM BEGINNING JULY 1, 1935, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 108 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 111*, by Mr. Hummer, entitled, AN ACT AMENDING CHAPTER 1, TITLE 79, RE-

VISED STATUTES OF UTAH, 1933, BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 79-1-40, PROHIBITING CORPORATIONS FROM PRACTICING CERTAIN PROFESSIONS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 111 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 221*, by Mr. Maw, entitled, AN ACT AMENDING SECTION 87-5-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PAYMENT OF WARRANTS, AND LACK OF FUNDS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 221 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 194*, by Mr. Child, entitled, AN ACT AMENDING SECTIONS 2 AND 6, CHAPTER 58, LAWS OF UTAH, 1933, RELATING TO EXEMPTIONS AND UNPROFESSIONAL CONDUCT OF PERSONS ENGAGED IN THE PRACTICE OF CONTRACTING, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 194 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. C. M. No. 8*, by Mr. Spence, entitled, AN ACT MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO PASS AND THE PRESIDENT TO APPROVE HOUSE RESOLUTION 2827, INTRODUCED BY MR. LUNDEEN IN THE SEVENTY-FOURTH CONGRESS, FIRST SESSION, OR SIMILAR LEGISLATION DEALING WITH

THE ESTABLISHMENT OF UNEMPLOYMENT, OLD AGE AND SOCIAL INSURANCE, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. C. M. No. 8 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 102,* by Mr. Edman, entitled, AN ACT GRANTING PREFERENCE TO VETERANS IN VARIOUS EMPLOYMENTS AND APPOINTMENTS, AND PROVIDING PENALTIES FOR VIOLATIONS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 102 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. M. No. 5,* by Mr. J. R. Peterson, Mr. Swapp and Mr. Bennion, entitled, AN ACT MEMORIALIZING THE CONGRESS OF THE UNITED STATES, WITHOUT FURTHER DELAY, TO PASS THE FRAZIER-LEMKE FARM REFINANCE BILL, S. 212 AND H. R. 2066, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. M. No. 5 was read the first time and referred to the Sifting Committee.

March 12, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 190,* by Mr. Romney, entitled, AN ACT AMENDING SECTION 2, CHAPTER 53, LAWS OF UTAH, 1933, RELATING TO DEFINITION OF COMMON MOTOR CARRIER OF PASSENGERS, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 190 was read the first time and referred to the Sifting Committee.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 191*, by Mr. P. M. Peterson, entitled, AN ACT CREATING A SELF-HELP COOPERATIVE BOARD; PROVIDING FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF SAID BOARD; DELEGATING TO SAID BOARD THE DUTY OF PREPARING MEANS OF EMPLOYMENT IN PRODUCTION AND DISTRIBUTION OF GOODS AND/OR SERVICES FOR ALL COOPERATIVE SELF-HELP ASSOCIATIONS WHICH ARE ORGANIZED ON A NONSTOCK, NONPROFIT BASIS, AND HAVE PERSONNEL THAT WILL WORK IN HARMONY WITH THE SPIRIT OF THIS ACT; DEFINING THE PURPOSES OF THE COOPERATIVE SELF-HELP ASSOCIATIONS; AND PROVIDING FOR THE EXECUTION OF SUCH PURPOSES, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 191 was read the first time and referred to the Sifting Committee.

March 13, 1935.

Mr. President:

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

Respectfully,

JULIAN M. BAMBERGER,
ALONZO F. HOPKIN.

Report adopted and filed.

H. B. No. 77 on second reading.

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

Page 5, of the Huggins amendments, after paragraph (h), add the following Exemption: (i) To the casual or occasional transportation of persons or property for compensation by any person not regularly engaged in transportation by motor vehicle as his or its principal occupation or business.

H. B. No. 77 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 2; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Holmgren, Hopkin, Huggins, Musser, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Holbrook (explained vote), Miller.

Absent and not voting: Senators Griffin, Hammond, Parratt, Royle.

SPECIAL ORDER

S. B. No. 74 was read the third time and placed on its final passage.

On motion of Senator Bamberger *S. B. No. 74* was made a special order of business to follow *H. B. No. 77*.

On motion of Senator Huggins *S. B. No. 158* was made a special order of business to follow *S. B. No. 74*.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 10 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 10* was read the third time and placed on its final passage.

H. B. No. 10 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Bowman, Holbrook, Parratt, Woodward.

H. B. No. 10 was returned to the House.

H. B. No. 12 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 12* was read the third time and placed on its final passage.

H. B. No. 12 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Bowman, Frischknecht, Holbrook, Parratt, Woodward.

H. B. No. 12 was returned to the House.

H. B. No. 33 was read the second time.

Committee report read and adopted.

On motion of Senator Royle the rules were suspended and *H. B. No. 33* was read the third time and placed on its final passage.

H. B. No. 33 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fowles, Holbrook, Parratt.

H. B. No. 33 was returned to the House:

March 13, 1935.

Mr. President:

We, your Sifting Committee report out for second reading calendar the following bills in the order named.

H. C. M. No. 6, H. B. No. 147, 148, 149, 150, 151, 2, 17, 24, 122, 64, 119, 83, 128, 162, 163, 164, 165, 166, 167, 168, 212, 22 and 23.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

Senator Holbrook moved that we recess at 5:00 p. m. until 7:00 p. m., at which time we will remain in session until 9:00 p. m.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. C. M. No. 6 was read the second time.

H. C. M. No. 6 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, Bowman, Calder, Frischknecht, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Griffin, Hopkin, Stewart.

On motion of Senator Bowman the rules were suspended and *H. C. M. No. 6* was read the third time and placed on its final passage.

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

At the end of page 1, insert "Be it further resolved that the Secretary of State forward copies of this memorial to the Congress of the United States and to the Utah delegation in Congress."

H. C. M. No. 6 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Hammond, Holbrook, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Griffin, Hopkin, Stewart.

H. C. M. No. 6 was returned to the House.

H. B. No. 147 was read the second time.

On motion of Senator Miller the rules were suspended and *H. B. No. 147* was read the third time and placed on its final passage.

H. B. No. 147 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Griffin, Hammond, Huggins, Stewart.

H. B. No. 147 was returned to the House.

H. B. No. 148 was read the second time.

On motion of Senator Wallace the rules were suspended and *H. B. No. 148* was read the third time and placed on its final passage.

H. B. No. 148 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward.

Absent and not voting: Senators Fowles, Frischknecht, Griffin, Hammond, Huggins, Stewart, Mr. President.

H. B. No. 148 was returned to the House.

H. B. No. 149 was read the second time.

On motion of Senator Wallace the rules were suspended and *H. B. No. 149* was read the third time and placed on its final passage.

H. B. No. 149 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht, Griffin, Hammond, Huggins, Royle, Stewart.

H. B. No. 149 was returned to the House.

COMMUNICATION FROM THE GOVERNOR

March 13, 1935

TO THE LEGISLATURE:

Under date of May 5, 1933, I received a telegram from Robert Fechner, Director Emergency Conservation work, which reads in part as follows:

> "Before approving emergency conservation work projects on state, county and municipally owned land, President desires assurance that you will urge the State Legislature if now in session or if not, at its next succeeding session to enact legislation providing that if as a result of the work done the state derives a direct profit from the sale of the land or its products the proceeds will be divided equally between the state and federal government until the state shall have paid for the work done at the rate of one dollar per man per day for the time spent on projects subject to a maximum of three dollars per acre * * * Please wire at your earliest convenience whether you agree to this plan."

I replied as follows, under date of May 12, 1933:

> "Utah is ready proceed with emergency conservation work on state and private lands on conditions set forth in your wire May fifth. Advise number camps proposed for this purpose in our state, also say if enrollment and general handling of these camps will be by same agencies now in charge this work in forests."

The admirable results obtained in Utah by the Civilian Conservation Corps under the direction of Mr. Fechner are well known to you.

I urge passage of a measure which will carry into effect the purposes above outlined. Herewith is presented for your consideration a bill designed to do this.

Very respectfully yours,

HENRY H. BLOOD,

Governor.

Communication filed.

Upon unanimous consent of the Senate the following bill was introduced.

S. B. No. 239 By Mr. Maw

AN ACT TO PROVIDE FOR REIMBURSING THE UNITED STATES GOVERNMENT FOR THE EXPENSE OF EMERGENCY CONSERVATION WORK IF, AND WHEN, BY A SALE OF LAND OR PRODUCTS, THE STATE DERIVES A PROFIT FROM SUCH WORK, was read the first time.

On motion of Senator Maw the rules were suspended and *S. B. No. 239* was read the second and third times and placed on its final passage.

S. B. No. 239 then passed 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, Huggins, Miller, Musser, Parratt, Ray, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Fowles, Frischknecht, Hammond, Hopkin, Royle, Stewart.

S. B. No. 239 was transmitted to the House.

Senator Holbrook moved that *S. B. No. 212* be recalled from the Sifting Committee, that the rules be suspended and that we do now consider *S. B. No. 212*.

Motion carried.

S. B. No. 212 was read the second time.

On motion of Senator Holbrook the rules were suspended and *S. B. No. 212* was read the third time and placed on its final passage.

S. B. No. 212 failed to pass on the following roll call:

Yeas, 11; Nays, 9; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Holbrook, Huggins (explained vote), Musser, Ray, Royle, Stevens, Stewart, Wallace.

Those voting in the negative were: Senators Bowman, Day, Frischknecht, Griffin, Hammond (explained vote), Holmgren, Hopkin, Miller (explained vote), Woodward.

Absent and not voting: Senators Fowles, Parratt, Mr. President.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 150 was read the second time.

On motion of Senator Wallace the rules were suspended and *H. B. No. 150* was read the third time and placed on its final passage.

H. B. No. 150 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Senators Bowman, Hammond, Mr. President.

H. B. No. 150 was returned to the House.

Senator Miller moved that the rules be suspended so that he may give notice to reconsider the Senate's action on *S. B. No. 212.*
Motion carried.

Senator Miller gave notice that on the next legislative day he would move to reconsider the Senate's action on *S. B. No. 212.*

H. B. No. 151 was read the second time.

On motion of Senator Wallace the rules were suspended and *H. B. No. 151* was read the third time and placed on its final passage.

H. B. No. 151 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parrat, Ray, Royle, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Mr. President.

H. B. No. 151 was returned to the House.

Senator Wallace moved that the rules be suspended, and that *H. J. R. No. 17* be recalled from the Sifting Committee and placed at the head of the Second Reading Calendar.

Motion carried.

H. J. R. No. 17 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. J. R. No. 17* was read the third time and placed on its final passage.

H. J. R. No. 17 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Bamberger, Bow-

man, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Stewart.

Absent and not voting: Senators Holmgren, Musser.

H. J. R. No. 17 was returned to the House.

On motion of Senator Holbrook the Senate recessed.

EVENING SESSION

The Senate reconvened at 7:00 P. M.

Roll Call—All Senators present.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 2 was read the second time.

Committee report read and adopted.

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

Page 1, line 19, strike the words "and vegetable manures" and insert "manures and organic substances".

Page 3, line 13, strike the words "bone, tankage".

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

Page 5, line 10, strike the House amendment.

On motion of Senator Huggins the rules were suspended and *H. B. No. 2* was read the third time and placed on its final passage.

H. B. No. 2 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Hammond, Holmgren, Musser.

H. B. No. 2 was returned to the House.

H. B. No. 17 was read the second time.

Committee report read and adopted.

On motion of Senator Holbrook the rules were suspended and *H. B. No. 17* was read the third time and placed on its final passage.

H. B. No. 17 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Holmgren, Musser.

H. B. No. 17 was returned to the House.

H. B. No. 24 was read the second time.

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

Page 3, line 10, after the second word "such" insert "except as to that portion of the activities of such organization, or agent, as involves the handling or dealing in the farm products of non-members of such organization."

H. B. No. 24 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, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senator Parratt.

H. B. No. 122 was read the second time.

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

Page 2 strike the underlined matter on lines 8, 9 and 12 and on line 12 strike "( )" and insert "or".

Line 15 after the word "feed" insert "and the components thereof".

H. B. No. 122 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Hammond, Ray.

Absent and not voting: Senator Royle.

On motion of Senator Hopkin the Senate adjourned until tomorrow at 9:00 A. M.

SIXTIETH DAY

MORNING SESSION

March 14, 1935.

The Senate was called to order at 9:00 a. m. President Maw in the chair.

Roll call—All Senators present.

Prayer by the Chaplain.

COMMUNICATIONS FROM THE HOUSE

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. C. M. No. 6,* by Mr. Luke, Mr. Twitchell, Mr. Low and Mr. Larsen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 10,* by Mr. Macfarlane, and requests the Senate to recede from its amendments.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate refused to recede from its position.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 12,* by Mr. Macfarlane, and requests the Senate to recede from its amendments.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate refused to recede from its position.

The President appointed a Conference Committee consisting of Senators Hopkin, Ray and Stewart to act with a like committee from the House to consider amendments to *H. B. No. 10* and *12*.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 239*, by Mr. Maw, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 239 was referred to the Committee on Revision and Enrolling to be engrossed.

March 13, 1935.

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. 206*, by State and Municipal Affairs Committee, and the same is returned herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate concurred in the House amendments.

S. B. No. 206 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Wallace, Mr. President.

Absent and not voting: Senators Frischknecht, Parratt, Stewart, Woodward.

S. B. No. 206 was referred to the Committee on Revision and Enrolling to be engrossed.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has

this day passed *S. B. No. 211*, by Mr. Bamberger, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 211 was referred to the Committee on Revision and Enrolling to be engrossed.

March 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 142*, by Mr. Bamberger, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate concurred in the House amendments.

S. B. No. 142 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht, Parratt, Woodward.

S. B. No. 142 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORT OF SPECIAL COMMITTEE

March 13, 1935.

Mr. President and Mr. Speaker:

We, your Conference Committees, to whom was referred *S. B. No. 93*, by Mr. Hammond, beg leave to report that the House concur in the Senate amendment on page 1, and that the amendment be amended as follows:

In the second paragraph, line 2, strike the words "under oath,".

In the second paragraph, line 5, after the word "penalties;" insert "and".

In the second paragraph, line 6, strike the following down to line

8: "and (e) the reasons why the human interests and the interests of the state and the county will be best subserved by such settlement.", and insert in lieu thereof the following: "such other information as the county commissioners may require."

In the third paragraph, lines 3 and 4, strike the following "published in a newspaper having general circulation", and insert the word "posted".

Respectfully submitted,

W. D. HAMMOND,
Chairman of Senate Committee

EVAN THEOBALD,
Chairman of House Committee

Report adopted and filed.

S. B. No. 93 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Hammond, Holbrook, Hopkin, Huggins (explained vote), Miller (explained vote), Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht, Holmgren, Parratt, Woodward.

S. B. No. 93 was transmitted to the House.

REPORTS OF STANDING COMMITTEE

March 13, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 88*, by Committee on Revenue and Taxation, by request, entitled: "AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES, TO REDUCE THE PERSONAL EXEMPTIONS AND EXEMPTIONS FOR DEPENDENTS, TO REPEAL THE FILING FEE AND OFFSET, AMENDING SECTIONS 80-14-2, 80-14-7, 80-14-16, 80-14-17, 80-14-52 AND 80-14-63, REVISED STATUTES OF UTAH, 1933", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 229 was read the third time and placed on its final passage.

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

Line 14, after the numerals "93", insert "of the twenty-first session of the legislature of the State of Utah".

S. B. No. 229 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Royle, Stevens, Wallace, Mr. President.

Absent and not voting: Senators Fowles, Frischknecht, Parratt, Ray, Stewart, Woodward.

S. B. No. 229 was transmitted to the House.

H. B. No. 41 was read the third time and placed on its final passage.

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

Page 77, strike the House amendment known as Section 229-A.

Page 68, strike Section 187 and insert in lieu thereof the House amendment "Section 229-A" stricken from page 77.

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

Page 29, strike the whole of Section 75.

Senator Huggins moved to amend the bill by striking the House amendment on lines 7 and 8 on page 40.

Senator Huggins, with the aid of four Senators, requested a roll call on the motion.

The motion was carried on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Fennell, Fowles, Frischknecht, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Wallace, Woodward.

Those voting in the negative were: Senators Bamberger, Day, Griffin, Hammond, Miller, Mr. President.

Absent and not voting: Senator Stewart.

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

Page 40, line 8, after the word "pasteurized", insert "unless so authorized by the commission".

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

Page 16, line 23, strike the word "liquor" and reinstate the words "alcoholic beverages".

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

Page 37, line 25, after the word "granted" strike the balance of the line. Strike the whole of lines 26 and 27.

Senator Woodward moved to reinstate lines 9, 10, 12 and 13 to their original printed form.

Senator Bamberger, with the aid of four Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Bowman, Calder, Frischknecht, Holbrook, Hopkin, Miller, Musser, Parratt, Stewart, Woodward.

Those voting in the negative were: Senators Bamberger (explained vote), Day, Fennell, Fowles, Griffin, Hammond, Holmgren, Huggins, Ray, Royle, Stevens, Wallace, Mr. President.

H. B. No. 41 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Miller.

H. B. No. 41 was returned to the House.

H. B. No. 77 was read the third time and placed on its final passage.

On motion of Senator Wallace the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate reconvened at 1:00 p. m.

Roll call—All Senators present.

March 14, 1935.

Mr. President:

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

Respectfully,

JULIAN M. BAMBERGER,

ALONZO F. HOPKIN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 161,* by Mr. Romney, entitled, AN ACT PROVIDING FOR THE CONVERSION OF BUILDING AND LOAN ASSOCIATIONS AND OTHER HOME FINANCING ORGANIZATIONS INTO FEDERAL SAVINGS AND LOAN ASSOCIATIONS, PRESCRIBING THE PROCEDURE THEREFOR, DEFINING THE RESULTS THEREOF AND PROVIDING FOR THE INDEBTEDNESS OF SUCH ASSOCIATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 161 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 13, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of March, 1935, approve and transmit to the Secretary of State, *H. B. No. 132,* by Mrs. Bosone, Mr. Macfarlane, Mr. Holdaway and Mr. Edman, entitled, AN ACT PROVIDING FOR THE INCORPORATION, GOVERNMENT AND MANAGEMENT OF METROPOLITAN WATER DISTRICTS, AUTHORIZING SUCH DISTRICTS TO INCUR BONDED DEBT AND TO ACQUIRE, CONSTRUCT, OPERATE AND MANAGE WORKS AND PROPERTY, PROVIDING FOR THE TAXATION OF PROPERTY THEREIN AND THE PERFORMANCE OF CERTAIN FUNCTIONS RELATING THERETO BY OFFICER OF COUNTIES, PROVIDING FOR THE ADDITION OF AREA THERETO AND THE EXCLUSION OF AREA THEREFROM AND AUTHORIZING MUNICIPAL CORPORATIONS TO AID AND PARTICIPATE IN THE INCORPORATION OF SUCH DISTRICTS.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 13, 1935.

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. 92,* by Mr. Woodward, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 92 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 21,* by Mr. Calder, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 21 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President.

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 211,* by Mr. Bamberger, entitled: "AN ACT AMENDING SECTION 100-4-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE COMMENCEMENT OF ACTIONS BY THE STATE ENGINEER TO ADJUDICATE WATER RIGHTS.", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 211 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No.*

239, by Mr. Maw, entitled: "AN ACT TO PROVIDE FOR REIMBURSING THE UNITED STATES GOVERNMENT FOR THE EXPENSE OF EMERGENCY CONSERVATION WORK IF, AND WHEN, BY A SALE OF LAND OR PRODUCTS, THE STATE DERIVES A PROFIT FROM SUCH WORK", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 239 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 206*, by State and Municipal Affairs Committee, entitled: "AN ACT AUTHORIZING AND DIRECTING THE STATE ENGINEER TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY OR ANY OTHER FEDERAL OR STATE AGENCY TO MAKE A SURVEY OF THE GROUND-WATER SUPPLY OF THE STATE OF UTAH AND TO INVESTIGATE THE SOURCES OF SUPPLY, THE QUANTITY OF WATER AVAILABLE AND THE METHODS OF CONSERVING SUCH WATERS, AND TO MAKE AN APPROPRIATION THEREFOR", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 206 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. 64 was read the second time.

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

Line 1, of the title, strike the words "Of The" and insert a comma.

Page 1, line 1, after the numerals "75-10-1" insert ", Revised Statutes of Utah, 1933".

On motion of Senator Parratt the rules were suspended and *H. B. No. 64* was read the third time and placed on its final passage.

H. B. No. 64 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Holmgren, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Hammond, Holbrook, Hopkin, Huggins, Miller.

H. B. No. 64 was returned to the House.

H. B. No. 119 was read the second time.

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

Page 1, line 18, strike "( ) four" and insert "three".

Line 19, strike the words "city districts" and insert "school districts of cities of the first class", also strike the word "county" and insert "all other school".

Page 2, line 6, strike "( ) four" and insert "three".

Line 7, strike "city school districts" and insert "school districts of cities of the first class".

Line 8, strike the word "county" and insert "all other".

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

Line 1, of the title, strike the words "Of The" and insert a comma.

On motion of Senator Griffin the rules were suspended and *H. B. No. 119* was read the third time and placed on its final passage.

H. B. No. 119 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Holbrook, Holmgren, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Hammond, Hopkin, Huggins.

H. B. No. 119 was returned to the House.

H. B. No. 83 was read the second time.

On motion of Senator Parratt 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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bamberger, Fowles, Hopkin, Huggins.

H. B. No. 83 was transmitted to the House.

H. B. No. 128 was read the second time.

On motion of Senator Parratt the rules were suspended and *H. B. No. 128* was read the third time and placed on its final passage.

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

Line 1 of the title, after the numerals "75-15-11" insert "Revised Statutes of Utah, 1933".

H. B. No. 128 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Day, Miller.

H. B. No. 128 was returned to the House.

COMMUNICATION FROM THE GOVERNOR

March 14, 1935.

TO THE SENATE:

I have this day approved and transmitted to the Secretary of State Senate Bill *No. 96*, by Mr. Huggins, entitled: "AN ACT TO PROVIDE FOR UNEQUAL ASSESSMENTS AGAINST SHARES OF STOCK OF IRRIGATION COMPANIES, CANAL COMPANIES, DITCH COMPANIES, RESERVOIR COMPANIES AND WATER USERS' ASSOCIATIONS ORGANIZED UNDER THE LAWS OF THIS STATE; AND AMENDING CHAPTER 4, TITLE 18, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 18-4-24, REVISED STATUTES OF UTAH, 1933."

Respectfully,

HENRY H. BLOOD,
Governor.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills for the Second Reading Calendar to follow H. B. No. 128: S. B. No. 197, 213.

The following bills to take their place at the foot of the Second Reading Calendar: S. B. No. 82, 86, S. J. R. No. 13, H. B. No. 191, 69, 81, 197, 230, 98, 108, 117, 4.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

Further consideration of *H. B. No. 77.*

H. B. No. 77 on third reading.

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

Section 14, subsection "d", after the word "livestock", strike the word "and" and insert a comma. After the word "orchard" strike the word "and" and insert the word "or".

Page 8, line 16, strike the words "upon approval" and insert "from and after December 31, 1935".

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

Section 10, after the words "commission a" strike the word "license" and insert the word "permit".

Senator Bamberger moved that all sections be numbered consecutively.

Motion carried.

H. B. No. 77 then passed on the following roll call:

Yeas, 14; Nays, 4; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Fennell, Fowles, Griffin, Hopkin, Huggins, Musser(explained vote), Ray, Royle, Stewart, Wallace, Woodward (explained vote), Mr. President.

Those voting in the negative were: Senators Calder, Holbrook (explained vote), Holmgren (explained vote), Stevens.

Absent and not voting: Senators Day, Frischknecht, Hammond, Miller, Parratt.

H. B. No. 77 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

The rules were suspended and *S. B. No. 197* was read the second time.

On motion of Senator Woodward the rules were suspended and *S. B. No. 197* was read the third time and placed on its final passage.

S. B. No. 197 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Fowles, Frischknecht, Griffin, Holmgren, Hopkin, Huggins (explained vote), Miller (explained vote), Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Day, Hammond, Holbrook, Parratt.

S. B. No. 197 was transmitted to the House.

SPECIAL ORDER

S. B. No. 74 on third reading.

On motion of Senator Bamberger the bill was amended as follows: On page 4 between lines 32 and 33 insert the following:

"(cc) "Gross Weight." The actual weight of the vehicle plus either the manufacturers' rated carrying capacity or the maximum load to be carried, which ever is greater. The gross weight of a vehicle designed or maintained primarily for the transportation of passengers for hire shall be determined by adding to the actual weight of the vehicle 150 pounds for each adult seating capacity, exclusive of the driver's seat, and the weight of baggage or freight to be carried. (dd) "Operating Mile." The movement of a vehicle for one mile over the highways, whether such vehicle is loaded or not.

(ee) "Licensed Gross Ton Mile." The movement for one mile over the highways of each ton of the gross weight for which a vehicle is licensed and such licensed gross ton miles shall be computed by the

$$\text{formula } \frac{W \times M}{2000} \text{ where}$$

W = gross weight in pounds for which a vehicle is licensed, and

M = total operating miles."

Page 29, line 4, strike figures "139" and insert figures "142".

Insert on line 13, page 14, after the word "year," the following:

"The owner of a vehicle registered under the provisions of this act who has duly applied for the annual renewal of registration of such

vehicle within fifteen days after annual expiration of license, accompanying such application with the proper fee for such registration, shall be entitled to operate such vehicle until midnight of January thirty-first without displaying the registration certificate of the current year, on condition that such owner shall, during said time display upon such vehicle the number plates or plate assigned thereto for the previous year."

Section 132. On page 32, line 6, beginning with the figure "7" strike the balance of the page and the first seven lines of page 33 and insert in lieu thereof:

"$2.50 for the registration of every motorcycle.

(B) A registration fee of $5.00 for the registration of every motor vehicle not designed, used, or maintained primarily for the transportation of passengers for hire, or for the transportation of property.

(C) A registration fee for the registration of every motor vehicle, trailer, or semitrailer, except vehicles propelled by electric power obtained by overhead trolley wires, designed, used, or maintained primarily for the transportation of passengers for hire, or for the transportation of property, according to the following schedule:

1. When such vehicle is equipped wholly with pneumatic tires:

On vehicles the gross weight of which is 5,000 pounds or less....$ 5.00

On vehicles the gross weight of which is over 5,000 pounds but not more than 8,000 pounds.....$15.00

On vehicles the gross weight of which is over 8,000 pounds but not more than 11,000 pounds $25.00

On vehicles the gross weight of which is over 11,000 pounds but not more than 13,000 pounds $35.00

On vehicles the gross weight of which is over 13,000 pounds but not more than 15,000 pounds $50.00

On vehicles the gross weight of which is over 15,000 pounds but not more than 20,000 pounds $90.00

On vehicles the gross weight of which is over 20,000 pounds..$125.00

2. When such vehicle is not equipped wholly with pneumatic tires:

For each such vehicle, fees according to the gross weight thereof, amounting to twice the fees set forth in subdivision 1 of this subsection.

3. Small two wheeled trailers of 1000 pounds capacity or less shall be exempt from registration."

Insert on page 33, following line 7, a new section numbered "133".

Section 133. In addition to the registration fees imposed upon motor vehicles by section 132 of this act there shall be assessed and

collected upon every motor vehicle, trailer, or semi-trailer, (except vehicles having a city franchise or license, while operating exclusively within the corporate limits of the city granting such franchise or license), designed, used, or maintained primarily for the transportation of passengers for hire, or for the transportation of property, a registration fee, based upon the licensed gross ton miles of such vehicle, according to the following schedule:

(a) For each such vehicle, the gross weight of which is over 13,000 pounds but not more than 20,000 pounds, 0.70 mills per licensed gross ton mile.

(b) For each such vehicle, the gross weight of which is over 20,000 pounds, 0.75 mills per licensed gross ton mile.

(c) For each such vehicle propelled by motor, engine, or other device using fuel other than motor fuel as that term is defined in chapter 12, title 57, Revised Statutes of Utah, 1933, a mileage tax of one and one-half cents per operating mile, in addition to the registration fee provided for in subsections (a), or (b) of this section.

(d) In addition to the fee based upon the weight of the vehicle, the department shall collect, at the time of registration, a prepayment of the fee based upon the licensed gross ton miles, computed at the rates provided under this section, upon a basis of 4000 operating miles, such prepayment to be applied in the payment of the registration fees covering the first 4000 miles of operation of the vehicle after registration. Under regulations to be promulgated by the commission, such prepayment may be transferred from one vehicle to another owned by the same person. It shall be unlawful for any person to operate or cause to be operated, any vehicle the gross weight of which is in excess of the gross weight for which such vehicle is registered.

Insert, following line 14, a new section numbered "134".

Section 134. The owner or operator of every motor vehicle, trailer, or semitrailer, required by section 133 hereof to pay a registration fee based upon the licensed gross ton miles of such motor vehicle, trailer, or semi-trailer, shall keep records, on forms prescribed by the commission, of the operation of such motor vehicle, trailer, or semitrailer and shall have and maintain in good working order properly sealed and a calibrated speedometer or odometer, or other mechanical device attached to such vehicle in such a manner as the commission shall prescribe for the purpose of registering the distance such vehicle travels, of a type to be approved by the commission.

The commission is hereby authorized to inspect and require the calibration of such speedometer or other device used for measuring distance of vehicles at any time. Any person who, with intent to misrepresent the actual distance travelled by a vehicle required by this section to have attached thereto a device for measuring such distance, removes, or attempts to remove, tampers with or attempts to tamper with, or otherwise interferes with any speedometer, odometer or other mechanical device attached to such vehicle for the purpose of registering the distance such vehicle travels, or

knowingly aids, abets or assists another in so doing is guilty of a misdemeanor.

On page 33, line 15, strike the figures "133" and insert the figures "135." Page 33, line 17, following the word "fee" and before the semi-colon, insert the words, "based on the weight of the vehicle."

Page 33, line 23, following the word "fee" first appearing thereon and before the semi-colon, insert the words "based on the weight of the vehicle."

Insert between lines 23 and 24, Page 33, the following:

"The prepayment of the fee provided under section 133 (d) shall be reduced to a 2000 mile base or a 1000 mile base, as the case may be, in accordance with the reduction provided for the reduction of the fee based on the weight of the vehicle."

Strike on line 24, page 33, the figures "134" and insert "136."

Page 33, line 33, following the word "vehicle" insert, "based on the weight of such vehicle."

Page 34, line 1, following the figure "3", add, "plus the total fee based on the licensed gross ton miles of the vehicle."

Page 34, line 2, strike figures "135" and insert "137."

Line 9, page 34, strike "136" and insert "138."

Page 35, line 1, strike figures "137" and insert "139."

Line 8, page 35, strike figures "138" and insert "140."

Line 8, page 35, after the word "upon" insert the word "the."

Page 35, line 10, insert the letter "s" on "fee" and after the word "act,"

insert "other than the fees provided under section 133 hereof."

Line 12, page 35, add the letter "s" to the word "fee."

Between lines 12 and 13 of page 35, add new sections "141," "142," "143," and "144," as follows:

Section 141. On or before the 15th day of each month, the owner or operator of each motor vehicle, trailer, or semi-trailer, upon which a registration fee is imposed under section 133 hereof, shall file a return on a form prescribed by the commission, accompanied by the registration fees due for the operation of such motor vehicle, trailer, or semi-trailer during the preceding month. Such return shall state specifically the speedometer readings at the beginning and end of the month with a total mileage the vehicle was operated during the month and such other information as the commission may require. If the return is not filed or payment made on or before said date, there shall be added as a penalty a sum equal to one and one-half per cent, per month, of the fee accrued during the month.

Section 142. Every registration fee and penalty not paid by said date shall constitute a lien upon all the unexempt personal property of the owner or operator of the vehicle, and also upon all interest

or equity of the owner or operator in all personal property, including vehicles used by such owner or operator in the conducting or operation of his business, and said properties and vehicles may be held under warrant, issued by the commission, and sold in accordance with the law applicable to personal property taxes. In addition thereto, such deliquency shall be a ground for the issuance for writ of attachment against the owner or operator.

Section 143. Upon application the commission may waive the filing of the monthly return and authorize the filing of a return covering a period of two or more months. When such return is so authorized the registration fees provided for herein, to be based on the licensed gross ton miles of the vehicle, shall be paid on or before the fifteenth day of the month following the last month covered by the return.

Section 144. The commission may require the owner or operator of each vehicle to file a satisfactory bond in such amount and such form, with such sureties and containing such terms and conditions as the commission may determine conditioned for the payment of all taxes which may be due under this act.

Page 35, beginning with line 13, strike the entire section down to and including the word "property" on line 22.

Page 35, line 23, strike figures "140" and insert "145."

Page 35, line 24, strike figures "139" and insert "142."

Page 36, line 2, strike figures "141" and insert "146."

Page 36, following line 6, insert new section to be number "147."

Section 147. Whenever the commission shall find that the owner or operator of a vehicle, liable for the payment of any registration fee under this act, designs quickly to depart from the State of Utah or remove his property therefrom, or conceal himself or property therein, or do any other act tending to prejudice or render wholly or partially ineffectual proceedings to collect the registration fees for the period then past or for the period then current, unless such proceedings be brought without delay, the commission shall declare the taxable period for such owner or operator immediately terminated and return, if any for such period, immediately due and shall cause notice of such advise to be given the owner or operator, together with a demand for immediate payment of the registration fees for the period so declared terminated and of any other fees or any parts thereof as is unpaid whether or not the time otherwise allowed by law for filing the return and paying the registration fees has expired; and such registration fees shall thereupon become immediately due and payable.

Page 36, line 7, strike figures "142" and insert "148."

Page 36, line 10, strike figures "143" and insert "149."

Page 36, line 13, following the word "payment" insert, "If, upon sale of a registered vehicle or upon the expiration of the registration year, there remains an unused portion of the prepayment of the registra-

tion fee provided in section 133 (d) of this act, said unused portion shall be refunded to or otherwise applied to the credit of the person paying the same, upon written application made therefor, within six months after date of sale of the registered vehicle or after date of expiration of the registration year."

Page 36, line 14, strike figures "144" and insert "150."

Page 36, line 16, insert after the word "registration" last appearing, the words, "of passenger cars and motorcycles and all fees based upon the gross weight of the vehicle."

Page 36, between lines 22 and 23, insert:

"Twenty percentum of the fees based upon the licensed gross ton miles, which are collected, shall be held by the state treasurer, one half of which is to be used and expended by the state public utilities commission in the administration and supervision of common and contract motor carriers, and one-half to be used and expended by the state tax commission in the administration of the gross ton mile provisions of the act.

Five percentum of the fees based upon the licensed gross ton miles, which are collected shall be retained by the state treasurer as a reserve fund for the payment of refunds of such charges to which taxpayers shall be entitled under the provisions of this act. If at the end of any state fiscal year there is in the reserve fund herein provided a sum in excess of $25,000 the excess thereof shall be credited to the state road fund.

The remaining seventy-five percentum of the fees based upon the licensed gross ton miles shall be placed to the credit of the state road funds and it shall become a part thereof."

Page 36, line 28, strike figures "145" and insert "151."

Page 36, line 31, strike figures "146" and insert "152."

Page 37, line 2, strike figures "147" and insert "153".

Page 38, line 6, strike figures "148" and insert "154."

S. B. No. 74 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Hammond, Holbrook, Musser.

S. B. No. 74 was transmitted to the House.

On motion of Senator Bamberger *S. B. No. 158* was committed to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 24 was read the third time and placed on its final passage.

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

Page 14, strike the whole of Section 25 and insert "This Act shall take effect upon approval."

H. B. No. 24 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Musser.

H. B. No. 24 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 35*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 35 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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 Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 34 was referred to the Committee on Revision and Enrolling to be grossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 33*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 33 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 36*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 36 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 37*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments.

S. B. No. 37 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Hammond, Holbrook, Holmgren, Musser, Royle, Stewart.

S. B. No. 37 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 38*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments to *S. B. No. 38*.

S. B. No. 38 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hopkin, Huggins, Miller, Parratt, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Hammond, Holbrook, Holmgren, Musser, Royle, Stewart.

S. B. No. 38 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 45*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 45 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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 Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 44 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 43*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 43 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 42*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 42 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 41*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 41 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 40*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 40 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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 Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 39 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 41*, by Messrs. Holbrook and Edman, and request the Senate to recede from its amendments.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Fowles, Hammond and Day, to meet with a like committee from the House to consider amendments to *H. B. No. 41*.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 3*, by Mr. Parratt, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 3 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 238*, by Mr. Royle, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 238 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 2*, by Mr. J. W. Jensen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 5*, by Mr. Parratt, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 5 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 4* by Mr. Parratt, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 4 was referred to the Committee on Revision and Enrolling to be engrossed.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 122 was read the third time and placed on its final passage.

H. B. No. 122 then passed on the following roll call:

Yeas, 15; Nays, 2; Absent, 6.

Those voting in the affirmative were: Senators Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Hammond, Hopkin, Huggins, Miller, Parratt, Royle, Stevens, Wallace, Woodward.

Those voting in the negative were: Senators Ray (explained vote), Mr. President.

Absent and not voting: Senators Bamberger, Griffin, Holbrook, Holmgren, Musser, Stewart.

H. B. No. 122 was returned to the House.

S. B. No. 213 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 213* was read the third time and placed on its final passage.

S. B. No. 213 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Bowman, Fowles, Holbrook, Stewart, Woodward.

S. B. No. 213 was transmitted to the House.

Senator Parratt moved that when we recess this afternoon it be until 7:00 p. m.

Motion carried.

H. B. No. 162 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 162* was read the third time and placed on its final passage.

H. B. No. 162 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Hammond, Holbrook, Holmgren, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Frischknecht, Griffin, Hopkin, Musser, Woodward.

H. B. No. 162 was returned to the House.

H. B. No. 163 was read the second time.

On motion of Senator Parratt the rules were suspended and *H. B. No. 163* 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 1, change the word "Sec." to read "Section".

H. B. No. 163 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Huggins, Miller, Parratt, Ray, Royle, Stevens, Stewart, Mr. President.

Absent and not voting: Senators Bowman, Hopkin, Musser, Wallace, Woodward.

H. B. No. 163 was returned to the House:

H. B. No. 164 was read the second time.

On motion of Senator Stevens the rules were suspended and *H. B. No. 164* was read the third time and placed on its final passage.

H. B. No. 164 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senator Huggins.

Absent and not voting: Senators Hopkin, Musser, Woodward.

H. B. No. 164 was returned to the House.

H. B. No. 165 was read the second time.

On motion of Senator Fowles the rules were suspended and *H. B. No. 165* was read the third time and placed on its final passage.

H. B. No. 165 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Holbrook, Holmgren, Hopkin, Miller, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senator Huggins (explained vote).

Absent and not voting: Senators Frischknecht, Hammond, Musser, Woodward.

H. B. No. 165 was returned to the House.

H. B. No. 166 was read the second time.

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

Page 2, strike the underlined material on lines 28, 29 and 30.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 166* was read the third time and placed on its final passage.

H. B. No. 166 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Hammond, Holmgren, Hopkin.

H. B. No. 166 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 23*, by Mr. Calder, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 47*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 47 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 48,* by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 48 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 49,* by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 49 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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 Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 50 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 58,* by Committee on Revenue and Taxation, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 58 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 59*, by Committee on Revenue and Taxation, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 59 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 13, and passed *S. B. No. 93*, by Mr. Hammond, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 93 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 144*, by Mr. Miller, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 144 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 65*, by Com-

mittee on Revenue and Taxation, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 65 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 51*, by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments to *S. B. No. 51*.

S. B. No. 51 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Hammond, Holmgren, Royle.

S. B. No. 51 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 88*, by Committee on Revenue and Taxation, entitled, "AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES, TO REDUCE THE PERSONAL EXEMPTIONS AND EXEMPTIONS FOR DEPENDENTS, TO REPEAL THE FILING FEE AND OFFSET, AMENDING SECTIONS 80-14-2, 80-14-7, 80-14-16, 80-14-17, 80-14-52, AND 80-14-63, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 88 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 46,* by Judiciary Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 46 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 21,* by Mr. Calder, entitled, "AN ACT PRESCRIBING FOR ESTABLISHMENT OF SPECIFICATIONS AND GRADES FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THIS STATE, PROVIDING FOR THE INSPECTION THEREOF; PROVIDING FOR PAYING EXPENSE OF ADMINISTRATION OF THIS ACT FROM THE EXCISE TAX ON MOTOR FUELS; AND PROVIDING PENALTIES FOR VIOLATING THE PROVISIONS HEREOF", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 21 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. J. R. No. 4,* by Mr. Parratt, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, OF ARTICLE X, OF THE CONSTITUTION RELATING TO THE STATE BOARD OF EDUCATION", have examined the same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. 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.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 167 was read the second time.

On motion of Senator Fowles 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, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Holbrook, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Senators Frischknecht, Hammond, Holmgren, Miller, Mr. President.

H. B. No. 167 was returned to the House.

H. B. No. 168 was read the second time.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 168* was read the third time and placed on its final passage.

H. B. No. 168 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Fowles, Griffin, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward.

Absent and not voting: Senators Frischknecht, Hammond, Royle, Mr. President.

H. B. No. 168 was returned to the House.

Senator Miller moved to reconsider the Senate's action on *S. B. No. 212.*

Motion carried.

On motion of Senator Stewart the Senate recessed.

EVENING SESSION

The Senate reconvened at 7:00 p. m.

Roll call—All Senators present except Senators Fennell, Fowles and Griffin. Senator Fowles excused.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of March, 1935, approve and transmit to the Secretary of State, *H. B. No. 271*, by Mr. Maw, entitled, AN ACT APPROPRIATING $10,000 OR SO MUCH THEREOF AS MAY BE NECESSARY TO DEFRAY THE REGULAR AND CONTINGENT EXPENSES OF THE TWENTY-FIRST SESSION OF THE LEGISLATURE OF THE STATE OF UTAH.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 64*, by Mr. Cook.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 119*, by Mr. J. W. Jensen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 211*, by Mr. Bamberger, entitled, AN ACT AMENDING SECTION 100-4-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE COMMENCEMENT OF ACTIONS BY THE STATE ENGINEER TO

ADJUDICATE WATER RIGHTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 211 was transmitted to the Governor.

March 14, 1935.

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. 206*, by State and Municipal Affairs Committee, entitled, AN ACT AUTHORIZING AND DIRECTING THE STATE ENGINEER TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY OR ANY OTHER FEDERAL OR STATE AGENCY TO MAKE A SURVEY OF THE GROUND-WATER SUPPLY OF THE STATE OF UTAH AND TO INVESTIGATE THE SOURCES OF SUPPLY, THE QUANTITY OF WATER AVAILABLE AND THE METHODS OF CONSERVING SUCH WATERS, AND TO MAKE AN APPROPRIATION THEREFOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 206 was transmitted to the Governor.

March 14, 1935.

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. 239*, by Mr. Maw, entitled, AN ACT TO PROVIDE FOR REIMBURSING THE UNITED STATES GOVERNMENT FOR THE EXPENSE OF EMERGENCY CONSERVATION WORK IF, AND WHEN, BY A SALE OF LAND OR PRODUCTS, THE STATE DERIVES A PROFIT FROM SUCH WORK, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 239 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No.*

92, by Mr. Woodward, entitled, AN ACT AMENDING SECTION 21, CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE DISPOSITION OF REVENUE DERIVED FROM THE TAX IMPOSED UPON CERTAIN SALES, AND MAKING UP DEFICIENCIES IN CERTAIN DISTRICT SCHOOL AND EQUALIZATION FUNDS AND RELATING TO THE GENERAL FUND AND THE REDUCTION OF THE PROPERTY TAX, have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 92 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 14, 1935.

Mr. President:

We, your committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 238*, by Mr. Royle, by request, entitled, "AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH TO GIVE GRANT AND CONVEY A PART OF THE CAMPUS OF THE UNIVERSITY OF UTAH TO THE UNITED STATES OF AMERICA", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 238 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. J. R. No. 5*, by Mr. Parratt, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 1, OF ARTICLE VII, OF THE CONSTITUTION RELATING TO THE STATE EXECUTIVE DEPARTMENT, THE TERMS, RESIDENCE AND DUTIES OF OFFICERS," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 5 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Reconsideration of *S. B. No. 212.*

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

Page 1, line 1, after the word "board" insert "by and with the consent of the governor".

Line 5, after the word "property" insert "provided that the courts in such action shall assess against the state land board such amount as will reasonably compensate the owner for any damage he may suffer by reason of such proceeding."

S. B. No. 212 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Griffin, Miller.

S. B. No. 212 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 212 was read the second time.

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

Page 1, line 8, strike the words "condemn and purchase".

H. B. No. 212 failed to pass on the following roll call:

Yeas, 10; Nays, 10; Absent, 3.

Those voting in the affirmative were: Senators Frischknecht, Holbrook, Hopkin, Miller, Musser, Parratt, Royle, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Hammond, Holmgren, Huggins, Ray, Stewart, Wallace.

Absent and not voting: Senators Fennell, Fowles, Griffin.

H. B. No. 212 was returned to the House.

H. B. No. 22 was read the second time.

Committee report read and adopted.

Senator Royle moved that *H. B. No. 22* and *23* retain their position on the Second Reading Calendar.

Motion carried.

Under suspension of rules *S. B. No. 82* was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Griffin, Holbrook.

S. B. No. 82 was transmitted to the House.

Senator Ray moved that *S. B. No. 86* retain its position on the Second Reading Calendar.

Motion carried.

Under suspension of rules *S. J. R. No. 13* was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *S. J. R. No. 13* was read the third time and placed on its final passage.

S. J. R. No. 13 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Fowles, Griffin, Holbrook, Royle, Woodward.

S. J. R. No. 13 was transmitted to the House.

On motion of Senator Huggins the Senate sauntered.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 22 on second reading.

H. B. No. 22 was placed on the Third Reading Calendar on the following roll call:

Yeas, 11; Nays, 7; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Frischknecht, Holbrook, Hopkin, Huggins, Musser, Parratt, Royle, Wallace, Woodward.

Those voting in the negative were: Senators Day, Fowles, Griffin, Hammond, Ray, Stewart, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Holmgren, Miller, Stevens.

H. B. No. 23 was read the second time.

Report adopted and filed.

H. B. No. 23 was placed on the Third Reading Calendar on the following roll call:

Yeas, 9; Nays, 7; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Frischknecht, Holbrook, Hopkin, Musser, Parratt, Royle, Wallace, Woodward.

Those voting in the negative were: Senators Day, Fowles, Hammond, Huggins, Ray, Stewart, Mr. President.

Absent and not voting: Senators Bowman, Calder, Fennell, Griffin, Holmgren, Miller, Stevens.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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, and the House, *S. B. No. 99*, by Mr. Fowles, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Fowles the Senate concurred in the House amendments.

S. B. No. 99 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Parratt, Ray, Royle, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Calder, Fennell, Miller, Stevens.

S. B. No. 99 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. J. M. No. 1,* by Messrs. Frischknecht, Stevens and Miller, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

March 14, 1935.

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 and House, *S. B. No. 153,* by Mr. Fowles, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Fowles the Senate concurred in the House amendments.

S. B. No. 153 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fennell, Royle, Stevens, Stewart.

S. B. No. 153 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to concur in the Senate amendments to *H. B. No. 41*, by Messrs. Holbrook and Edman, and has this day appointed a Conference Committee consisting of Messrs. Spence, Selvin and Doty to act with a like committee from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 203*, by Mr. Royle, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 203 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 114*, by Mr. Fowles, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 114 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 24*, by Mr. Hall, and requests the Senate to recede from its amendments.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Wallace the Senate refused to recede from its position.

The President appointed a Conference Committee consisting of Senators Frischknecht, Stewart and Huggins to meet with a like committee from the House to consider amendments to *H. B. No. 24.*

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 77,* by Mr. Kiefer, and requests the Senate to recede from its amendments.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate refused to recede from its position.

The President appointed a Conference Committee consisting of Senators Calder, Musser and Ray to meet with a like committee from the House to consider amendments to *H. B. No. 77.*

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 122,* by Mr. J. W. Jensen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to concur in the Senate amendments to *H. B. No. 10,* by Mr. Macfarlane, and has this day appointed a Conference Committee consisting of Messrs. Edman, Macfarlane and Nicholes to act with a like committee from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to concur in the Senate amendments to *H. B. No. 12,* by Mr. Macfarlane, and has this day appointed a Conference Committee consisting of Messrs. Edman, Macfarlane and Nicholes to act with a like committee from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

March 14, 1935

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 128*, by Mr. J. W. Jensen.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 163*, by Mr. Romney.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 166*, by Mr. Romney.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 151*, by Mr. Monson, entitled, AN ACT AUTHORIZING THE ISSUANCE BY BANKS OF CAPITAL NOTES OR DEBENTURES AND VALIDATING AND CONFIRMING CAPITAL NOTES AND DEBENTURES HERETOFORE ISSUED, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 151 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 14, 1935.

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. 6*, by Messrs. Luke, Twitchell, Low, and Larsen, entitled, MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO USE ITS FACILITIES AND TO APPROPRIATE SUFFICIENT MONIES WITH WHICH TO DETERMINE THE MOST ECONOMICAL MEANS FOR TREATING ALUNITE ORES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

H. C. M. No. 6 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 14, 1935.

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. 141*, by Highways Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 141 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. Holmgren, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 72 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935

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. 33*, by Mr. Luke, entitled, AN ACT TO AMEND SECTION 15-2-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INCORPORATION OF TOWNS AND FIXING THE MINIMUM POPULATION THEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 33 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 14, 1935.

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. 147,* by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-3-31, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RIGHT OF BANKS TO HOLD AND CONVEY REAL ESTATE, and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 147 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 14, 1935.

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. 148,* by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-3-33, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RIGHT OF BANKS TO PURCHASE, OWN AND HOLD, AND SELL OR OTHERWISE DISPOSE OF STOCK IN OTHER BANKS AND CORPORATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 148 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 14, 1935.

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. 149,* by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-3-37, REVISED STATUTES OF UTAH, 1933, RELATING TO RESERVES REQUIRED TO BE CARRIED BY SAVINGS BANKS, and the same is transmitted herewith for the signature of the President.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 149 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 14, 1935.

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. Monson, entitled, AN ACT TO AMEND SECTION 8 OF CHAPTER 47, LAWS OF UTAH, 1933, RELATING TO THE DEPOSIT OF PUBLIC FUNDS, THE INTEREST TO BE PAID THEREON, AND THE LIABILITY OF PUBLIC TREASURERS DEPOSITING SUCH FUNDS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 64*, by Mr. Cook, entitled, AN ACT TO AMEND SECTION 75-10-1, REVISED STATUTES OF UTAH, 1933, PERTAINING TO ELECTION OF BOARDS OF EDUCATION IN COUNTY DISTRICTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 64 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 92*. by Mr. Woodward, entitled, AN ACT AMENDING SECTION 21, CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE DISPOSITION OF REVENUE DERIVED FROM THE TAX IMPOSED UPON CERTAIN SALES, AND MAKING UP DEFICIENCIES IN CERTAIN DISTRICT SCHOOL AND EQUALIZATION FUNDS AND RELATING TO THE GENERAL FUND AND THE REDUCTION OF THE PROPERTY TAX, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 92 was transmitted to the Governor.

March 14, 1935.

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. 137,* by Mr. Day, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 137 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 229,* by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 229 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 238,* by Mr. Royle, entitled, AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH TO GIVE, GRANT AND CONVEY A PART OF THE CAMPUS OF THE UNIVERSITY OF UTAH TO THE UNITED STATES OF AMERICA, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 238 was transmitted to the Governor.

March 14, 1935

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 5,* by Mr. Parratt, entitled, A JOINT RESOLUTION PROPOSING AN AMENDMENT OF 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 forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 5 was transmitted to the Secretary of State.

March 14, 1935.

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. 4*, by Mr. Parratt, 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 forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 4 was transmitted to the Secretary of State.

March 14, 1935.

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. Calder, entitled, AN ACT PRESCRIBING FOR ESTABLISHMENT OF SPECIFICATIONS AND GRADES FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THIS STATE; PROVIDING FOR THE INSPECTION THEREOF; PROVIDING FOR PAYING EXPENSE OF ADMINISTRATION OF THIS ACT FROM THE EXCISE TAX ON MOTOR FUELS; AND PROVIDING PENALTIES FOR VIOLATING THE PROVISIONS HEREOF, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk

Communication filed.

S. B. No. 21 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 35*, by Judiciary Committee, by request, entitled, "AN ACT PROVIDING FOR WAIVER OF IRREGULARITY IN ARRAIGNMENT OR FAILURE TO ARRAIGN UNLESS OBJECTION IS MADE.", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 35 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to whom has been referred *S. B. No. 45*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-28-2, REVISED STATUTES OF UTAH, 1933, RELATING TO TRIAL BY JURY AND WAIVER OF JURY", have examined same and have carefully compared the Bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 39*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTIONS 2, 3, 4, 5 AND 6, CHAPTER 49, TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INQUIRY INTO THE NOW SANITY OF A DEFENDANT NOT AS A DEFENSE TO A CRIMINAL ACCUSATION, BEFORE, DURING OR AFTER TRIAL, OR AFTER THE PASSING OF SENTENCE, OR WHILE CONFINED AS A CONVICT OR ON PAROLE AND RELATING TO HIS DISPOSITION AFTER SUCH HEARING; AND REPEALING SECTION 105-49-8, REVISED STATUTES OF UTAH, 1933," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 39 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 33*, by Judiciary Committee, by request, entitled: "AN ACT RELATING TO THE DEFENDANT'S MAKING AT THE PRELIMINARY HEARING A STATEMENT NOT UNDER OATH", have examined same and

have carefully compared the Bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 33 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 44*, by Judiciary Committee, by request, entitled: "AN ACT AUTHORIZING A SUMMONS INSTEAD OF A WARRANT OF ARREST IN CASE OF MISDEMEANORS NOT AMOUNTING TO INDICTABLE MISDEMEANORS", have examined same and have carefully compared the Bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 43*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING CHAPTER 27 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, BY ADDING A NEW SECTION THERETO RELATING TO THE REMOVAL OF A CRIMINAL ACTION BY ONE OR MORE BUT NOT ALL THE DEFENDANTS IN A CRIMINAL CASE", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 43 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 42*, by

Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-32-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE TRIAL OF DEFENDANTS JOINTLY CHARGED.", have carefully examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 42 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 37*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTIONS 105-31-2, 105-31-13 AND 105-31-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CHALLENGING OF JURORS AND THE JURY IN CRIMINAL CASES; AND REPEALING SECTION 105-31-29, REVISED STATUTES OF UTAH, 1933", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 37 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 38*, by Judiciary Committee, by request, entitled: "AN ACT REPEALING CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, ENACTING A NEW CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO PLEAS IN CRIMINAL CASES AND THE PROCEDURE IN REGARD TO SUCH PLEAS, INCLUDING THE PROCEDURE TO BE HAD UPON A PLEA OF NOT GUILTY BY REASON OF INSANITY", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 38 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 34*, by Judiciary Committee, by request, entitled: "AN ACT RELATING TO WAIVER OF ANY DEFECT OR IRREGULARITY IN OR WANT OR ABSENCE OF ANY PROCEEDING OR STATUTORY REQUIREMENT PRIOR TO THE FILING OF ANY INFORMATION OR INDICTMENT, INCLUDING THE PRELIMINARY HEARING, UNLESS OBJECTION THERETO IS MADE BEFORE PLEA.", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 34 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 40*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-36-10, REVISED STATUTES OF UTAH, 1933, RELATING TO CAUSES THAT MAY BE SHOWN AGAINST THE JUDGMENT.", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 40 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 50*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-22-15, REVISED STATUTES OF UTAH, 1933, RELATING TO TIME ALLOWED THE DEFENDANT TO ANSWER OR OTHERWISE PLEAD IN A CRIMINAL CASE.", have carefully ex-

amined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 50 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 41*, by Judiciary Committee, by request, entitled: "AN ACT REQUIRING DEFENDANTS IN CRIMINAL CASES TO GIVE NOTICE OF A PROPOSED DEFENSE OF ALIBI," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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.

CONSIDERATION OF BILLS ON SECOND READING

The rules were suspended and *S. B. No. 86* was read the second time.

Committee report read and adopted.

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

Page 1, line 6, strike the word "ten" and insert "five".

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

Page 1, line 8, after the first word "fund" insert "provided that the total sum transferred to such fund shall not exceed $25,000.00 in any year".

On motion of Senator Bamberger the rules were suspended and *S. B. No. 86* was read the third time and placed on its final passage.

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, Bowman, Calder, Day, Fowles, Frischknecht, Griffin, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Hammond, Holbrook, Holmgren, Parratt, Woodward.

S. B. No. 86 was transmitted to the House.

Senator Royle moved that we take *H. B. No. 63* from the table.

Senator Royle with the aid of four Senators requested a roll call on the motion.

The motion was lost on the following roll call:

Yeas, 11; Nays, 11; Absent, 1.

Those voting in the affirmative were: Senators Fowles, Frischknecht, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Day, Griffin, Hammond, Holmgren, Ray, Stevens, Stewart, Wallace.

Absent and not voting: Senator Fennell.

H. B. No. 191 was read the second time.

H. B. No. 191 was placed on the Third Reading Calendar on the following roll call:

Yeas, 16; Nays, 0; Absent, 6; Excused from voting, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Holbrook, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Fennell, Hammond, Holmgren, Hopkin, Parratt, Woodward.

Excused from voting: Senator Day.

H. B. No. 69 was read the second time.

Senator Miller moved that *H. B. No. 69* retain its place at the head of the Second Reading Calendar.

Motion carried.

H. B. No. 81 was read the second time.

On motion of Senator Fowles the rules were suspended and *S. B. No. 81* was read the third time and placed on its final passage.

H. B. No. 81 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Fowles, Frischknecht, Griffin, Holbrook, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Calder, Fennell, Hammond, Holmgren, Parratt, Woodward.

H. B. No. 81 was returned to the House.

H. B. No. 197 was read the second time.

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

Line 1 of the title, after the word "Act", strike up to and including the numerals on line 3.

Page 1, strike lines 1, 2 and 3 and the numerals on line 4; also on line 4 strike the word "They" and insert "The board of trustees of any town" and after the word "establish" insert "within its limits".

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

Page 1, line 4, strike the Senate amendment after the word "establish".

On motion of Senator Parratt the rules were suspended and *H. B. No. 197* was read the third time and placed on its final passage.

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

Page 1, line 5, after the word "of" insert "public" and after the word "houses" strike "public"; also after the word "and" insert "municipal".

H. B. No. 197 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Frischknecht, Griffin, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fowles, Hammond, Holbrook, Royle.

H. B. No. 197 was returned to the House.

H. B. No. 230 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 230* was read the third time and placed on its final passage.

H. B. No. 230 then passed on the following roll call:

Yeas, 18; Nays, 1; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Fennell, Fowles, Frischknecht, Griffin, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Those voting in the negative were: Senator Wallace.

Absent and not voting: Senators Bowman, Hammond, Holbrook, Parratt.

H. B. No. 230 was returned to the House.

H. B. No. 98 was read the second time.

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

Page 4, line 18, after the word "governor" insert "provided, that the provisions of this subsection shall cease to be in effect in the event that the corresponding national legislation is terminated".

Page 9, line 20, after the word "hereof" insert "unless the corresponding national legislation is terminated in which event the governor is empowered, to declare by proclamation this act or any portion thereof to terminate".

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

Page 3, line 4, strike the House amendment.

H. B. No. 98 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, Bowman, Calder, Fennell, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Holbrook, Hopkin, Royle.

COMMUNICATION FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 69*, by Mr. Hammond, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 69 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 46*, by Judiciary Committee, by request, entitled: "AN ACT RELATING TO CHANGE OF JUDGE", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 1*, by Mr. Holbrook, entitled: "AN ACT TO INCREASE THE RATE OF TAXATION FOR THE PRIVILEGE OF DOING BUSINESS AS A CORPORATION WITHIN THE STATE OF UTAH; TO INCREASE THE RATE OF TAXATION UPON NATIONAL BANKS AND NATIONAL BANKING ASSOCIATIONS; TO REPEAL THE OFFSET PROVISION OF THE CORPORATION FRANCHISE TAX ACT; AMENDING SECTIONS 80-13-2, 80-13-3, 80-13-20 AND 80-13-60 AND REPEALING SECTION 80-13-4, REVISED STATUTES OF UTAH, 1933; AND FIXING THE DATE OF APPLICATION", have examined the same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. J. R. No. 3*, by Mr. Parratt, 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", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 3 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORT OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President:

We, your Sifting Committee report out the following bills to take their place at the foot of the present Second Reading Calendar:

H. J. M. No. 4, H. B. No. 19, 25, 26, 29, 48, 68, 70, 71, 75, 84, 153, 156, 178, 192, 196, 211, 243, and S. J. R. No. 18 to remain at foot of Calendar.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

COMMUNICATION FROM THE HOUSE

March 14, 1935.

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, *S. B. No. 60*, by Mr. Neslen, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments.

S. B. No. 60 then passed on the following roll call:

Yeas, 12; Nays, 5; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Huggins, Miller, Parratt, Ray, Royle, Stevens, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bowman, Griffin, Holmgren, Musser, Stewart.

Absent and not voting: Senators Day, Fowles, Frischknecht, Hammond, Holbrook, Hopkin.

S. B. No. 60 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Messrs. Holdaway, Bennion and Bowler, to act with a like committee from the Senate to consider *H. B. No. 77*, by Mr. Kiefer.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Messrs. Cook, Holley and Edman, to act with a like committee from the Senate to consider *H. B. No. 24*, by Mr. Hall.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 35*, by Judiciary Committee, entitled, AN ACT PROVIDING FOR WAIVER OF IRREGULARITY IN ARRAIGNMENT OR FAILURE TO ARRAIGN UNLESS OBJECTION IS MADE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 35 was transmitted to the Governor.

March 14, 1935.

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. 41*, by Judiciary Committee, entitled, AN ACT REQUIRING DEFENDANTS IN CRIMINAL CASES TO GIVE NOTICE OF A PROPOSED

DEFENSE OF ALIBI, and the same is forwarded herewith for transmission to the Governor.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 41 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 33*, by Judiciary Committee, entitled, AN ACT RELATING TO THE DEFENDANT'S MAKING AT THE PRELIMINARY HEARING A STATEMENT NOT UNDER OATH, and the same is forwarded herewith for transmission to the Governor.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 33 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 34*, by the Judiciary Committee, by request, entitled, "AN ACT RELATING TO WAIVER OF ANY DEFECT OR IRREGULARITY IN OR WANT OR ABSENCE OF ANY PROCEEDING OR STATUTORY REQUIREMENT PRIOR TO THE FILING OF ANY INFORMATION OR INDICTMENT, INCLUDING THE PRELIMINARY HEARING, UNLESS OBJECTION THERETO IS MADE BEFORE PLEA, and the same is forwarded herewith for transmission to the Governor.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 34 was transmitted to the Governor.

March 14, 1935.

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. 37*, by Judiciary Committee, entitled, AN ACT AMENDING SECTIONS 105-31-2, 105-31-13 AND 105-31-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CHALLENGING OF JURORS AND THE JURY IN CRIMINAL CASES; AND REPEALING SECTION 105-31-29, REVISED STATUTES OF UTAH, 1933, and the same is forwarded herewith for transmission to the Governor.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 37 was transmitted to the Governor.

March 14, 1935.

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. 38*, by Judiciary Committee, by request, entitled, "AN ACT REPEALING CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW CHAPTER 25 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO PLEAS IN CRIMINAL CASES AND THE PROCEDURE IN REGARD TO SUCH PLEAS, INCLUDING THE PROCEDURE TO BE HAD UPON A PLEA OF NOT GUILTY BY REASON OF INSANITY", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 38 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 39*, by Judiciary Committee, by request, entitled, "AN ACT AMENDING SECTIONS 2, 3, 4, 5 and 6, CHAPTER 49, TITLE 105, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INQUIRY INTO THE NOW SANITY OF A DEFENDANT, NOT AS A DEFENSE TO A CRIMINAL ACCUSATION, BEFORE, DURING OR AFTER TRIAL, OR AFTER THE PASSING OF SENTENCE, OR WHILE CONFINED AS A CONVICT, OR ON PAROLE AND RELATING TO HIS DISPOSITION AFTER SUCH HEARING; AND REPEALING SECTION 105-49-8, REVISED STATUTES OF UTAH, 1933", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 39 was transmitted to the Governor.

March 14, 1935.

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. 42*, by Judiciary Committee, entitled, AN ACT AMENDING SECTION 105-32-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE TRIAL OF DEFENDANTS JOINTLY CHARGED, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 42 was transmitted to the Governor.

March 14, 1935.

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 Judiciary Committee, by request, entitled, "AN ACT AMENDING SECTION 105-22-15, REVISED STATUTES OF UTAH, 1933, RELATING TO TIME ALLOWED THE DEFENDANT TO ANSWER OR OTHERWISE PLEAD IN A CRIMINAL CASE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 50 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 43*, by Judiciary Committee, entitled, "AN ACT AMENDING CHAPTER 27 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, BY ADDING A NEW SECTION THERETO RELATING TO THE REMOVAL OF A CRIMINAL ACTION BY ONE OR MORE BUT NOT ALL THE DEFENDANTS IN A CRIMINAL CASE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 43 was transmitted to the Governor.

March 14, 1935.

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 Judiciary Committee, entitled, "AN ACT AUTHORIZING A SUMMONS INSTEAD OF A WARRANT OF ARREST IN CASE OF MISDEMEANORS NOT AMOUNTING TO INDICTABLE MISDEMEANORS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 44 was transmitted to the Governor.

March 14, 1935.

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 Judiciary Committee, entitled, "AN ACT AMENDING SECTION 105-28-2, REVISED STATUTES OF UTAH, 1933, RELATING TO TRIAL BY JURY AND WAIVER OF JURY", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 45 was transmitted to the Governor.

March 14, 1935.

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. 111*, by Mr. Huggins, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments.

S. B. No. 111 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Holmgren, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Wallace, Mr. President.

Absent and not voting: Senators Day, Fowles, Frischknecht, Hammond, Holbrook, Hopkin, Stewart, Woodward.

S. B. No. 111 was referred to the Committee on Revision and Enrolling to be engrossed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 108 was read the second time.

On motion of Senator Parratt the rules were suspended and *H. B. No. 108*, was read the third time and placed on its final passage.

H. B. No. 108 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Day, Fennell, Frischknecht, Griffin, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Fowles, Hammond, Holbrook.

H. B. No. 108 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 224,* by Mr. Nicholes, entitled, AN ACT AMENDING SECTION 103-51-2, REVISED STATUTES OF UTAH, 1933, MAKING UNLAWFUL COHABITATION A FELONY, AND PROVIDING THAT ALL PERSONS EXCEPT THE DEFENDANT MUST TESTIFY IN PROCEEDINGS THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 224 was read the first time and referred to the Sifting Committee.

March 14, 1935.

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. 46,* by Judiciary Committee, entitled, AN ACT RELATING TO CHANGE OF JUDGE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 46 was transmitted to the Governor.

March 14, 1935.

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. J. R. No. 3,* by Mr. Parratt, 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 forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 3 was transmitted to the Secretary of State.

March 14, 1935.

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, entitled, AN ACT TO INCREASE THE RATE OF TAXATION FOR THE PRIVILEGE OF DOING BUSINESS AS A CORPORATION WITHIN THE STATE OF UTAH; TO INCREASE THE RATE OF TAXATION UPON NATIONAL BANKS AND NATIONAL BANKING ASSOCIATIONS, TO REPEAL THE OFFSET PROVISION OF THE CORPORATION FRANCHISE TAX ACT, AMENDING SECTIONS 80-13-2, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 1 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 40,* by Judiciary Committee, entitled, AN ACT AMENDING SECTION 105-36-10, REVISED STATUTES OF UTAH, 1933, RELATING TO CAUSES THAT MAY BE SHOWN AGAINST THE JUDGMENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 40 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 178,* by Mr. Fowles, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 178 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 9*, by Mr. Neslen, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 9 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

Your Committee on Revision and Enrolling, together with a like committee from the House to which has been referred *S. B. No. 36*, by Judiciary Committee, by request, entitled: "AN ACT TO AMEND SECTION 105-44-13 AND REPEALING SECTION 105-44-26 AND SUBSTITUTING THREE SECTIONS IN LIEU THEREOF TO BE KNOWN AS 105-44-26, 105-44-26X AND 105-44-26X1, REVISED STATUTES OF UTAH, 1933, ALL RELATING TO BAIL BONDS IN CRIMINAL CASES," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 36 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 142*, by Mr. Bamberger, entitled, "AN ACT AMENDING SECTION 100-1-1, REVISED STATUTES OF UTAH, 1933, DECLARING WATERS PROPERTY OF PUBLIC; AMENDING SECTIONS 100-1-6, 100-1-15, 100-2-14, 100-3-1, 100-3-2, 100-3-6, 100-3-7, 100-4-2, 100-4-3, 100-4-5, 100-5-1, 100-5-3, 100-5-4, AND 100-5-10, REVISED STATUTES OF UTAH, 1933, RELATING TO GENERAL PROVISIONS CONCERNING WATER AND WATER RIGHTS; THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE THERETO; AND THE APPROPRIATION, DETERMINATION, ADMINISTRATION AND DISTRIBUTION THEREOF; AMENDING CHAPTER 3, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 100-3-22, REVISED

STATUTES OF UTAH, 1933, PROVIDING FOR REPORTS OF WELL AND TUNNEL DRILLERS IN CONNECTION WITH APPROPRIATION OF UNDERGROUND WATERS, AND PRESCRIBING PENALTY FOR FAILURE TO MAKE SUCH REPORTS; AND BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 100-3-23, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR REPLACEMENT OF UNDERGROUND WATER AND AMENDING CHAPTER 5, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 100-5-11 AND 100-5-12, REVISED STATUTES OF UTAH, 1933, DEFINING THE POWERS OF THE STATE ENGINEER WITH REFERENCE TO WASTE, LOSS, POLLUTION OR CONTAMINATION OF WATERS AND PRESCRIBING PENALTIES FOR FAILURE TO COMPLY WITH THE STATE ENGINEER'S REQUIREMENTS; PROVIDING FOR NOTICE OF CLAIM TO UNDERGROUND WATERS; ALSO PROVIDING FOR THE PAYMENT OF THE EXPENSES OF THE ADMINISTRATION OF THIS ACT; AND REPEALING SECTION 100-5-8, CHAPTER 6 OF TITLE 19, CHAPTER 5 OF TITLE 86, AND CHAPTER 7 OF TITLE 100, REVISED STATUTES OF UTAH, 1933," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 142 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. J. M. No. 1*, by Mr. Frischknecht, Mr. Stevens and Mr. Miller, entitled, "A MEMORIAL TO THE GOVERNOR AND OTHER EXECUTIVE OFFICERS OF THE STATE OF UTAH REQUESTING READJUSTMENT BE MADE WITH THE SETTLERS UNDER IRRIGATION PROJECTS OWNED BY THE STATE OR IN WHICH THE STATE MAY BE INTERESTED," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

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

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 65,* by Committee on Revenue and Taxation, by request, entitled: "AN ACT TO FIX THE SITUS FOR TAXATION OF TANGIBLE PROPERTY AND TO AMEND SECTION 80-4-1, REVISED STATUTES OF UTAH, 1933", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 65 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 47,* by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-40-4, REVISED STATUTES OF UTAH, 1933, RELATING TO APPEAL BY THE STATE IN CRIMINAL CASES;" have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 144,* by Mr. Miller, entitled: "AN ACT MAKING AN APPROPRIATION TO REIMBURSE CARBON COUNTY FOR MONEY EXPENDED IN THE SUPPRESSION OF RIOTS AND THE MAINTENANCE OF LAW AND ORDER", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 144 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 153*, by Mr. Fowles, entitled: "AN ACT AMENDING SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INVESTMENT OF FUNDS ADMINISTERED BY THE STATE LAND BOARD AND REPEALING SECTION 86-4-8, REVISED STATUTES OF UTAH, 1933, RELATING TO UNPAID WARRANTS, REGISTRATION AND PAYMENT", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 153 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 137*, by Mr. Day, entitled: AN ACT RELATING TO THE POWERS OF COUNTY COMMISSIONERS, GRANTING POWER TO ESTABLISH PURE BEET SEED DISTRICTS, TO REGULATE THE SAME, AND TO PROVIDE PENALTIES FOR VIOLATION, have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No.* 59, by Committee on Revenue and Taxation, by request, entitled: "AN ACT TO AMEND SECTION 28-2-5, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF THE COUNTY TREASURER," have

examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 58,* by Committee on Revenue and Taxation, by request, entitled: "AN ACT TO FACILITATE THE COLLECTION OF TAXES AND TO PREVENT THE LOSS THEREOF," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same 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.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 72,* by Mr. Holmgren, entitled: "AN ACT TO ELIMINATE THE DISCOUNT UPON TAXES PAID IN ADVANCE OF DELINQUENCY AND AMENDING SECTION 80-10-25, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 61, LAWS OF UTAH, 1933", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a

like committee from the House, to which was referred *S. B. No. 49*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-27-3, REVISED STATUTES OF UTAH, 1933, RELATING TO ABSENCE OF DEFENDANT UPON HEARING OF APPLICATION FOR REMOVAL OF ACTION BEFORE TRIAL", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 23*, by Mr. Calder, entitled: "AN ACT AMENDING SECTION 36-2-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 28 LAWS OF UTAH, 1933, RELATING TO POWERS AND DUTIES OF THE STATE ROAD COMMISSION", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 93*, by Mr. Hammond, entitled: "AN ACT AMENDING SECTION 80-10-61, REVISED STATUTES OF UTAH, 1933, RELATING TO REDEMPTION OF PROPERTY SOLD TO THE COUNTY, AND PROVIDING THAT COUNTY COMMISSIONERS MAY, IN CERTAIN CASES, ACCEPT A LESS SUM THAN THE AMOUNT DUE FOR TAXES, INTEREST, PENALTIES AND COSTS," have examined same and have compared the bill as passed with the enrolled and engossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 93 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 203*, by Mr. Royle, by request, entitled: "AN ACT AMENDING SECTION 86-1-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RESERVATION OF MINERALS IN STATE LANDS", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 203 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like Committee from the House, to which has been referred *S. B. No. 48*, by Judiciary Committee, by request, entitled: "AN ACT AMENDING SECTION 105-36-22, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ENTRY OF THE JUDGMENT AND THE JUDGMENT ROLL," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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.

On motion of Senator Huggins the Senate sauntered.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 17*, by Mr. Monson, entitled, A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 18, ARTICLE

XII OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO LIABILITY OF STOCKHOLDERS OF BANKS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 14, 1935.

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. 17*, by Mr. Holbrook, entitled, AN ACT TO AMEND SECTION 3-13-23, REVISED STATUTES OF UTAH, 1933, RELATING TO WEIGHTS AND MEASURES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 14, 1935.

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. 119*, by Mr. J. W. Jensen, entitled, AN ACT AMENDING SECTION 75-13-12, REVISED STATUTES OF UTAH, 1933, RELATING TO ELECTIONS IN SCHOOL DISTRICTS FOR PURPOSE OF ISSUING BONDS TO PURCHASE SITES AND BUILDINGS; RELATING TO THE CANVASS, AND LIMIT OF AMOUNT OF BONDS ISSUED, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 119 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 14, 1935.

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 Joseph W. Jensen, entitled, AN ACT TO REGULATE THE LICENSING, REGISTRATION, SALE INSPECTION, SAMPLING AND ANALYSIS OF COMMERCIAL FERTILIZERS, SUPERPHOSPHATES AND FERTILIZER MATERIALS IN THE STATE OF UTAH, AND TO REPEAL ALL LAWS AND PARTS OF LAWS IN CONFLICT THEREWITH, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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.

March 14, 1935.

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. 83,* by Mr. Marthakis, entitled, AN ACT AMENDING SECTIONS 75-29-8, 75-29-9, 75-29-11, 75-29-12, AND 75-29-13, REVISED STATUTES OF UTAH, 1933, RELATING TO MEMBERSHIP, CONTRIBUTION OF FUNDS, CLASSES OF BENEFICIARIES, AMOUNT OF ANNUITY, AND TRANSFER OF MEMBERSHIP, IN PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 128,* by Mr. J. W. Jensen, entitled, AN ACT AMENDING SECTION 75-15-11, REVISED STATUTES OF UTAH, 1933, RELATING TO THE SELECTION OF TEXT BOOKS IN CITY DISTRICTS AND REPEALING SECTIONS 75-15-12, 75-15-13, 75-15-14, 75-15-15, 75-15-16, REVISED STATUTES OF UTAH, 1933, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 128 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORT OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 99*, by Mr. Fowles, entitled: "AN ACT RELATING TO THE SALE AND LEASE OF FARM LANDS ACQUIRED BY THE STATE OF UTAH BY VIRTUE OF MORTGAGE FORECLOSURES OR OTHERWISE PERMITTING THE STATE LAND BOARD TO MAKE SETTLEMENT OF DEFICIENCY JUDGMENTS AS WILL BEST SUBSERVE THE INTERESTS OF THE STATE", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 99 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 Bamberger moved that the rules be suspended and that we consider bills on the Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 22 was read the third time and placed on its final passage.

H. B. No. 22 passed on the following roll call:

Yeas, 12; Nays, 6; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Frischknecht, Griffin, Hopkin, Miller, Musser, Ray, Royle, Stevens, Woodward.

Those voting in the negative were: Senators Bowman, Day, Hammond, Holmgren, Stewart, Mr. President.

Absent and not voting: Senators Fowles, Holbrook, Huggins, Parratt, Wallace.

H. B. No. 22 was returned to the House.

H. B. No. 23 was read the third time and placed on its final passage.

H. B. No. 23 passed on the following roll call:

Yeas, 12; Nays, 7; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Frischknecht, Griffin, Hopkin, Musser, Parratt, Royle, Stevens, Wallace, Woodward.

Those voting in the negative were: Senators Bowman, Day, Hammond, Holmgren, Ray, Stewart, Mr. President.

Absent and not voting: Senators Fowles, Holbrook, Huggins, Miller.

H. B. No. 23 was returned to the House.

H. B. No. 191 was read the third time and placed on its final passage.

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

Page 1, line 2, after the word "board" strike the balance of the paragraph, and insert in lieu thereof the following: "one representative each of the faculty of the University of Utah and of the Utah Agricultural College to be severally selected by their respective presidents of such institutions and an industrial engineer to be selected by the state engineer. To such board shall be added three representatives of the self-help cooperatives, to be hereafter selected by the board of such self-help cooperatives under such regulations as said board may adopt."

Page 2, line 23, strike lines 23, 24, 25, 26, 27 and 28 and insert in lieu thereof the following: "The department of public welfare, from funds available for relief purposes, shall set apart the sum of $40,000 for development of such self-help activities and sums as it deems reasonable and necessary for such purpose."

H. B. No. 191 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Miller, Musser, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Fennell, Fowles, Holbrook, Huggins, Parratt, Wallace.

H. B. No. 191 was returned to the House.

H. B. No. 98 was read the third time and placed on its final passage.

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

Page 3, line 21, after the word "practices" insert the following: "or fix prices which discriminate against small business or enterprises,

but shall in all cases of price fixing allow a differential in price where such differential is necessary to carry out the provisions and purposes of this act."

H. B. No. 98 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Day.

Absent and not voting: Senators Fennell, Fowles, Holbrook.

H. B. No. 98 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 117 was read the second time.

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

Page 8, line 1, strike the last word, also strike line 2 and insert: "in the same manner and to the same extent as all other insurance companies."

Page 10, line 27, strike the word "fraudulently" and insert "unlawfully".

Line 29, strike the word "fraudulent".

On motion of Senator Hopkin the rules were suspended and *H. B. No. 117* was read the third time and placed on its final passage.

H. B. No. 117 then passed on the following roll call:

Yeas, 14; Nays, 3; Absent, 6.

Those voting in the affirmative were: Senators Calder, Day (explained vote), Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Royle, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Ray, Stewart.

Absent and not voting: Senators Bowman, Fennell, Fowles, Holbrook, Parratt, Wallace.

H. B. No. 117 was returned to the House.

H. J. M. No. 4 was read the second time.

On motion of Senator Stevens the rules were suspended and *H. J. M. No. 4* was read the third time and placed on its final passage.

H. J. M. No. 4 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Calder, Day, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Fennell, Fowles, Frischknecht, Royle, Wallace.

H. J. M. No. 4 was returned to the House.

H. B. No. 19 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No. 19* was read the third time and placed on its final passage.

H. B. No. 19 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Bamberger, Bowman, Day, Fowles, Griffin, Holbrook, Hopkin, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Calder, Fennell, Frischknecht, Hammond, Holmgren, Huggins, Miller, Musser, Parratt, Wallace.

H. B. No. 19 was returned to the House.

H. B. No. 26 was read the second time.

Committee report read and adopted.

On motion of Senator Bowman the rules were suspended and *H. B. No. 26* was read the third time and placed on its final passage.

H. B. No. 26 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Bamberger, Bowman, Griffin, Holbrook, Hopkin, Miller, Musser, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Calder, Day, Fennell, Fowles, Frischknecht, Hammond, Holmgren, Huggins, Parratt, Wallace.

H. B. No. 26 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Messrs. Doty, Cook and Larsen, to act with a like committee from the Senate to consider *H. B. No. 41*, by Messrs, Holbrook and Edman.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 197*, by Mr. Bletzacker.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 172*, by Mr. Ray, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 172 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 231*, by Mr. Woodward and Mr. Wallace, and the same is returned herewith for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Woodward the Senate concurred in the House amendments.

S. B. No. 231 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Holbrook, Holmgren, Hopkin, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Hammond, Huggins, Royle.

S. B. No. 231 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 93*, by Mr. Hammond, entitled, AN ACT AMENDING SECTION 80-10-61, REVISED STATUTES OF UTAH, 1933, RELATING TO REDEMPTION OF PROPERTY SOLD TO THE COUNTY, AND PROVIDING THAT COUNTY COMMISSIONERS MAY, IN CERTAIN CASES, ACCEPT A LESS SUM THAN THE AMOUNT DUE FOR TAXES, INTEREST, PENALTIES AND COSTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 93 was transmitted to the Governor.

March 14, 1935.

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. 203*, by Mr. Royle, entitled, AN ACT AMENDING SECTION 86-1-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RESERVATION OF MINERALS IN STATE LANDS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 203 was transmitted to the Governor.

March 14, 1935.

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. 91*, by Mr. Bowman, entitled, AN ACT TO AMEND SECTION 30-0-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE GENERAL POW-

ERS AND DUTIES OF FISH AND GAME COMMISSIONER, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 91 was transmitted to the Governor.

March 14, 1935.

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. 129*, by Mr. Bowman, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 129 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 48*, by Judiciary Committee, entitled, AN ACT AMENDING SECTION 105-36-22, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ENTRY OF THE JUDGMENT AND THE JUDGMENT ROLL, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 48 was transmitted to the Governor.

March 14, 1935.

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, entitled, AN ACT AMENDING SECTION 36-2-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 28, LAWS OF UTAH, 1933, RELATING TO POWERS AND DUTIES OF THE STATE ROAD COMMISSION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 23 was transmitted to the Governor.

March 14, 1935.

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 Judiciary Committee, entitled, AN ACT AMENDING SECTION 105-27-3, REVISED STATUTES OF UTAH, 1933, RELATING TO ABSENCE OF DEFENDANT UPON HEARING OF APPLICATION FOR REMOVAL OF ACTION BEFORE TRIAL, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 49 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 148*, by Mr. Frischknecht, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 148 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 125*, by Mr. Maw, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 125 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 58*, by Committee on Revenue and Taxation, entitled, AN ACT TO FACILITATE THE COLLECTION OF TAXES AND TO PREVENT

THE LOSS THEREOF, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 58 was transmitted to the Governor.

March 14, 1935.

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. 59,* by Committee on Revenue and Taxation, entitled, AN ACT TO AMEND SECTION 28-2-5, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF THE COUNTY TREASURER, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 59 was transmitted to the Governor.

March 14, 1935.

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. 72,* by Mr. Holmgren, entitled, AN ACT TO ELIMINATE THE DISCOUNT UPON TAXES PAID IN ADVANCE OF DELINQUENCY AND AMENDING SECTION 80-10-25, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 61, LAWS OF UTAH, 1933, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 72 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 73,* by Mr. Bamberger, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate concurred in the House amendments.

S. B. No. 73 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Stevens, Stewart, Wallace, Mr. President.

Absent and not voting: Senators Day, Fennell, Frischknecht, Ray, Woodward.

S. B. No. 73 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 65,* by Committee on Revenue and Taxation, by request, entitled, "AN ACT TO FIX THE SITUS FOR TAXATION OF TANGIBLE PROPERTY AND TO AMEND SECTION 80-4-1, REVISED STATUTES OF UTAH, 1933.", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 65 was transmitted to the Governor.

March 14, 1935

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 36,* by Judiciary Committee, by request, entitled, "AN ACT TO AMEND SECTION 105-44-13 AND REPEALING SECTION 105-44-26 AND SUBSTITUTING THREE SECTIONS IN LIEU THEREOF TO BE KNOWN AS 105-44-26, 105-44-26X AND 105-44-26X1, REVISED STATUTES OF UTAH, 1933, ALL RELATING TO BAIL BONDS IN CRIMINAL CASES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 36 was transmitted to the Governor.

March 14, 1935.

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. 142,* by Mr. Bamberger, entitled, "AN ACT AMENDING SECTION 100-1-1, REVISED STATUTES OF UTAH, 1933, DECLARING

WATERS PROPERTY OF PUBLIC; AMENDING SECTIONS 100-1-6, 100-1-15, 100-2-14, 100-3-1, 100-3-2, 100-3-6, 100-3-7, 100-4-2, 100-4-3, 100-4-5, 100-5-1, 100-5-3, 100-5-4, AND 100-5-10, REVISED STATUTES OF UTAH, 1933, RELATING TO GENERAL PROVISIONS CONCERNING WATER AND WATER RIGHTS; THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE THERETO; AND THE APPROPRIATION, DETERMINATION, ADMINISTRATION AND DISTRIBUTION THEREOF; AMENDING CHAPTER 3, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 100-3-22, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR REPORTS OF WELL AND TUNNEL DRILLERS IN CONNECTION WITH APPROPRIATION OF UNDERGROUND WATERS, AND PRESCRIBING PENALTY FOR FAILURE TO MAKE SUCH REPORTS; AND BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 100-3-23, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR REPLACEMENT OF UNDERGROUND WATER; AND AMENDING CHAPTER 5, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ADDING THERETO TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 100-5-11 AND 100-5-12, REVISED STATUTES OF UTAH, 1933, DEFINING THE POWERS OF THE STATE ENGINEER WITH REFERENCE TO WASTE, LOSS, POLUTION OR CONTAMINATION OF WATERS AND PRESCRIBING PENALTIES FOR FAILURE TO COMPLY WITH THE STATE ENGINEER'S REQUIREMENTS; PROVIDING FOR NOTICE OF CLAIM TO UNDERGROUND WATERS; ALSO PROVIDING FOR THE PAYMENT OF THE EXPENSES OF THE ADMINISTRATION OF THIS ACT; AND REPEALING SECTION 100-5-8, CHAPTER 6 OF TITLE 19, CHAPTER 5 OF TITLE 86, AND CHAPTER 7 OF TITLE 100, REVISED STATUTES OF UTAH, 1933", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 142 was transmitted to the Governor.

March 14, 1935.

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. 47*, by Judiciary Committee, by request, entitled, "AN ACT AMENDING SECTION 105-40-4, REVISED STATUTES OF UTAH, 1933, RELATING TO APPEAL BY THE STATE IN CRIMINAL CASES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 47 was transmitted to the Governor.

March 14, 1935.

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. 144*, by Mr. Miller, entitled, AN ACT MAKING AN APPROPRIATION TO REIMBURSE CARBON COUNTY FOR MONEY EXPENDED IN THE SUPPRESSION OF RIOTS AND THE MAINTENANCE OF LAW AND ORDER, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 144 was transmitted to the Governor.

March 14, 1935.

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. M. No. 1*, by Mr. Frischknecht, Mr. Stevens and Mr. Miller, entitled, "A MEMORIAL TO THE GOVERNOR AND OTHER EXECUTIVE OFFICERS OF THE STATE OF UTAH REQUESTING READJUSTMENT BE MADE WITH SETTLERS UNDER IRRIGATION PROJECTS OWNED BY THE STATE OR IN WHICH THE STATE MAY BE INTERESTED", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

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

March 14, 1935.

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. 153*, by Mr. Fowles, entitled, "AN ACT AMENDING SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INVESTMENT OF FUNDS ADMINISTERED BY THE STATE LAND BOARD AND REPEALING SECTION 86-4-8, REVISED STATUTES OF UTAH, 1933, RELATING TO UNPAID WARRANTS, REGISTRATION AND PAYMENT", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 153 was transmitted to the Governor.

March 14, 1935.

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 Mr. Day, entitled, AN ACT RELATING TO THE POWERS OF COUNTY COMMISSIONERS, GRANTING POWER TO ESTABLISH PURE BEET SEED DISTRICTS, TO REGULATE THE SAME, AND TO PROVIDE PENALTIES FOR VIOLATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 137 was transmitted to the Governor.

REPORTS OF SPECIAL COMMITTEES

March 14, 1935.

Mr. President:

We, your Sifting Committee, report out the following bills to take their place numerically on the Second Reading Calendar: H. J. R. No. 19, H. J. M. No. 1, H. B. No. 11, 28, 80, 224, 242.

Respectfully submitted,

E. M. ROYLE,
Chairman.

Report filed.

March 14, 1935.

Mr. President:
Mr. Speaker:

We, your Conference Committee, to whom was referred *H. B. No. 10*, by Mr. Macfarlane, beg leave to recommend:

That the House concur in the Senate amendment inserting on line 8, after the word "town", the following: "provided that no Utah city or town shall collect a license fee or tax hereunder from any solicitor or salesman who solicits, obtains orders for or sells goods in such city or town solely for re-sale."

That the House recede from its amendment striking the word "and" on line 11.

That the Senate recede from its amendment beginning with the word "no" on line 11, including the underlined matter to and including the word "they" on line 14, and that the words be reinstated.

Respectfully,

ALONZO F. HOPKIN,
Senate Chairman.

FRANK M. EDMAN,
House Chairman.

Report adopted and filed.

H. B. No. 10 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Parratt, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Frischknecht.

H. B. No. 10 was returned to the House.

March 14, 1935.

Mr. President:
Mr. Speaker:

We, your Conference Committee, to whom was referred *H. B. No. 12*, by Mr. Macfarlane, beg leave to recommend:

That the House concur in the Senate amendment on line 5, after the word "ordinance", inserting the following: "provided that no Utah city or town shall collect a license fee or tax hereunder from any solicitor or salesman who solicits, obtains orders for or sells goods in such city or town solely for re-sale."

That the House recede from its amendment striking the word "and" on line 8.

That the Senate recede from its amendment beginning with the word "no" on line 8, to and including the word "conferred" on line 10, and that the words be reinstated.

Respectfully,

ALONZO F. HOPKIN,
Senate Chairman.

FRANK M. EDMAN,
House Chairman.

Report adopted and filed.

H. B. No. 12 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell.

H. B. No. 12 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

H. B. No. 4 failed to pass on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Frischknecht, Holbrook, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Calder, Fowles, Griffin, Hammond, Holmgren, Ray, Stevens, Stewart, Wallace.

Absent and not voting: Senators Day, Fennell.

H. B. No. 4 was returned to the House.

COMMUNICATION FROM THE HOUSE

March 14, 1935.

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 and House, *S. B. No. 29*, by Mr. Miller, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 29 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Bamberger, Bowman, Griffin, Holbrook, Hopkin, Miller, Musser, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Calder, Day, Fennell, Fowles, Frischknecht, Hammond, Holmgren, Huggins, Parratt, Wallace.

S. B. No. 29 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 229*, by Mr. Holbrook, entitled, "AN ACT TO EXTEND THE PERIOD OF REDEMPTION FROM TAX SALES FOR TAXES FOR THE YEARS

1928, 1929 AND 1930, AND TO REDUCE THE AMOUNT REQUIRED FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES FOR SAID YEARS AND THE YEARS 1931 AND 1932." have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 229 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 114*, by Mr. Fowles, entitled: "AN ACT AMENDING SECTION 86-1-13, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1933, RELATING TO THE PAYMENT OF THE EXPENSES OF THE STATE LAND OFFICE, AND PROVIDING A FUND OUT OF WHICH SAID EXPENSES SHALL BE PAID", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 114 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. 25 was read the second time.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 25* was read the third time and placed on its final passage.

H. B. No. 25 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Frischknecht, Griffin, Holbrook, Hopkin, Huggins, Miller, Musser, Ray, Stevens, Stewart, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Hammond, Holmgren, Parratt, Royle, Wallace.

H. B. No. 25 was returned to the House.

H. J. R. No. 19 was read the second time.

On motion of Senator Bowman the rules were suspended and *H. J. R. No. 19* was read the third time and placed on its final passage.

H. J. R. No. 19 then passed on the following roll call:

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fowles, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Musser. Parratt, Ray.

Absent and not voting: Senators, Day, Fennell, Frischknecht.

H. J. R. No. 19 was returned to the House.

REPORT OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President:
Mr. Speaker:

We, your Conference Committee, to which was referred *H. B. No. 77*, by Mr. Kiefer, beg leave to make the following recommendations:

That we add to Section 9 of the Huggins amendment the following: "provided, however, that any person aggrieved by the action of the commission may, within thirty days after notice of the decision of the commission of which he is aggrieved, bring an action in the district court of this state for a plenary review thereof, in which said action the applicant for a contract motor carrier permit shall be plaintiff and the commission defendant. The place of the trial subject to the power of the court to change the same as provided by law shall be in the county in which the applicant, plaintiff in the action, resides. The commission shall be served with process as in other cases and within ten days after the commencement of said action, which shall operate to stay all further proceedings pending the decision of the district court during which pendency the commission shall grant the applicant a temporary permit to operate as a contract motor carrier. The hearing in the district court shall proceed as a trial de novo. The district attorney of the county in which such action is filed shall represent and defend the action on behalf of the defendant, the commission. A copy of the judgment therein shall be filed in the office of the commission. The commission shall act in accordance with said judgment."

That in Section 12, line 2, of the Huggins amendment, after the word "it", strike the words: "shall be its duty to", and insert in lieu thereof the word "may".

That in line 3 of Section 12, of the same amendment, after the word "and", strike the word "to".

That Section 13 of the Huggins Amendment be deleted; that

Section 14 become Section 13; 15 become 14, 16 become 15, 17 become 16, 18 become 17, 19 become 18, 20 become 19, 21 become 20, 22 become 21, 23 become 22, 24 become 23, 25 become 24, 26 become 25, 27 become 26, and 28 become 27.

Respectfully,

HYRUM B. CALDER,
Chairman Senate Committee.

ELMER HOLDAWAY,
Chairman House Committee.

Report adopted and filed.

H. B. No. 77 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Parratt.

H. B. No. 77 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 28 was read the second time.

Committee report read and adopted.

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

Line 1 of the title and line 1 of the bill, after the numerals "85-7-11" strike the words "Of The" and insert a comma.

On motion of Senator Musser the rules were suspended and *H. B. No. 28* was read the third time and placed on its final passage.

H. B. No. 28 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Calder, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Day, Fennell, Fowles, Holbrook, Parratt, Stewart, Wallace.

H. B. No. 28 was returned to the House.

H. B. No. 29 was read the second time.

Committee report read and adopted.

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

In the title at the end of line 1, strike the comma and insert "And".

Line 2, strike the words "Of The".

Line 3, after the numerals "85-7-45" strike the words "Of The" and insert a comma.

Line 7, after the numerals "85-7-8" strike the comma and insert "And"; also after the numerals "85-7-9" insert "Revised Statutes of Utah, 1933".

Line 8, strike "To Be Known As 85-7-52".

Page 1, line 1, after the numerals "85-7-30" strike the comma and insert "And"; also strike the last two words.

Line 2, after the numerals "85-7-45" strike the words "of the" and insert a comma.

Page 3, strike line 23.

Line 24, strike "85-7-52" and insert "Section 2".

Page 4, line 8, strike the numeral "2" and insert "3"; also after the numerals "85-7-9" strike the words "of the" and insert a comma.

On motion of Senator Musser the rules were suspended and *H. B. No. 29* was read the third time and placed on its final passage.

H. B. No. 29 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Frischknecht, Griffin, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Hammond, Holbrook, Parratt, Stewart, Wallace.

H. B. No. 29 was returned to the House.

H. B. No. 11 was read the second time.

Committee report read and adopted.

On motion of Senator Woodward the rules were suspended and *H. B. No. 11* was read the third time and placed on its final passage.

H. B. No. 11 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Musser, Ray, Royle, Stevens, Mr. President.

Those voting in the negative were: Senator Miller.

Absent and not voting: Senators Day, Fowles, Parratt, Stewart, Wallace, Woodward.

H. B. No. 11 was returned to the House.

H. B. No. 224 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 224* was read the third time and placed on its final passage.

H. B. No. 224 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 5; Excused from voting, 1.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Mr. President.

Absent and not voting: Senators Day, Fowles, Parratt, Wallace, Woodward.

Excused from voting: Senator Stewart.

H. B. No. 224 was returned to the House.

H. B. No. 68 was read the second time.

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

Line 3 of the title, after the word "Of" insert "Dividends On" and after the word "Stock" strike the word "Dividends".

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

Page 1, line 14, strike the word "public".

On motion of Senator Bamberger the rules were suspended and *H. B. No. 68* was read the third time and placed on its final passage.

H. B. No. 68 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Hammond, Holmgren, Hopkin, Miller, Musser, Ray, Royle, Stevens, Stewart, Mr. President.

Absent and not voting: Senators Day, Fowles, Frischknecht, Holbrook, Huggins, Parratt, Wallace, Woodward.

H. B. No. 68 was returned to the House.

H. B. No. 70 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 70* 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 2, strike the first four words.

H. B. No. 70 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Mr. President.

Absent and not voting: Senators Day, Fowles, Frischknecht, Parratt, Wallace, Woodward.

H. B. No. 70 was returned to the House.

H. B. No. 71 was read the second time.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 71* was read the third time and placed on its final passage.

H. B. No. 71 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bowman, Calder, Fennell, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Mr. President.

Absent and not voting: Senators Bamberger, Day, Fowles, Frischknecht, Parratt, Wallace, Woodward.

H. B. No. 71 was returned to the House.

H. B. No. 75 was read the second time.

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

Line 1 of the title place a comma after the numeral "43-2-5".

Page 1, line 1, after the numerals "43-2-5" strike the words "of the" and insert a comma also strike the last three words on the line.

On motion of Senator Bowman the rules were suspended and *H. B. No. 75* was read the third time and placed on its final passage.

H. B. No. 75 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bamberger, Bowman, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senator Calder.

Absent and not voting: Senators Day, Fowles, Parratt.

H. B. No. 75 was returned to the House.

H. B. No. 80 was read the second time.

On motion of Senator Wallace the rules were suspended and *H. B. No. 80* was read the third time and placed on its final passage.

H. B. No. 80 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

These voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Parratt.

H. B. No. 80 was returned to the House.

H. B. No. 84 was read the second time.

Committee report read and adopted.

On motion of Senator Bamberger 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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Holbrook, Parratt.

H. B. No. 84 was returned to the House.

H. J. M. No. 1 was read the second time.

On motion of Senator Stevens the rules were suspended and *H. J. M. No. 1* was read the third time and placed on its final passage.

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

Yeas, 16; Nays, 2; Absent, 4; Excused from voting, 1.

Those voting in the affirmative were: Senators Bowman, Calder, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Woodward.

Those voting in the negative were: Senators Wallace, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Parratt.

Excused from voting: Senator Bamberger.

H. J. M. No. 1 was returned to the House.

H. B. No. 153 was read the second time.

On motion of Senator Stevens the rules were suspended and *H. B. No. 153* was read the third time and placed on its final passage.

H. B. No. 153 then passed on the following roll call:

Yeas, 12; Nays, 8; Absent, 3.

Those voting in the affirmative were: Senators: Calder, Frischknecht, Hammond (explained vote), Holbrook, Hopkin, Miller (explained vote), Parratt, Royle, Stevens, Wallace (explained vote), Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Fennell, Fowles, Griffin, Musser, Ray, Stewart.

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

H. B. No. 153 was returned to the House.

H. B. No. 48 was read the second time.

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

Line 1 of the title, after the word "REGULATE" strike the balance of the line. Strike in line 2, up to and including the word "STATE,", also strike the house amendment, and insert "PUBLIC UTILITIES".

Line 4, strike the first two words and insert "PUBLIC UTILITIES", also strike the word "CORPORATION".

Line 5, after the word "THE" insert "PUBLIC".

Line 6, after the word "ONE" insert "PUBLIC", also strike the word "CORPORATION".

Line 7, after the word "OTHER" insert "PUBLIC".

Line 8, strike the first word.

Line 10, after the word "THE" insert "PUBLIC".

Line 13, after the word "SUCH", insert the word "PUBLIC" change the word "UTILITY" to read "UTILITIES" and strike the word "CORPORATION".

Page 1, line 1, after the word "no" strike the balance of the line, and the house amendment.

Line 2, strike the first two words and insert "public utility", after the word "another" insert "public", and strike the next word after the word "utility". Line 3, strike "ration", also strike the house amendment.

Line 7, after the word "no" strike the balance of the line and the house amendment, and insert "Public Utility".

Line 8, strike the first four words.

Line 9, after the word "other" insert "public" and strike "corpo", line 10, strike the first six words and the House amendment therein.

Page 2, line 5, after the word "no" strike the balance of the line and insert "public utility".

Line 6, strike the first six words, and the house amendment therein.

Line 7, after the word "other" insert the word "public", and strike the word "corporation" and the House amendment. Strike the house amendment known as Section 4, and insert a new section as follows:

Section 4. The word public utility as used in this act shall be construed to mean public utility as defined in Section 76-2-1 (28), Revised Statutes of Utah, 1933.

On motion of Senator Ray, the bill was amended as follows:

Page 1, line 9, after the word "the" insert the word "secured". After the word "obligations" strike the words "secured, or unsecured".

Page 2, line 6, strike the words "or lease" and insert "by lease, purchase or otherwise".

On motion of Senator Woodward the rules were suspended and *H. B. No. 48* was read the third time and placed on its final passage.

H. B. No. 48 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Holbrook, Holmgren, Hopkin, Huggins, Miller, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Musser, Parratt.

H. B. No. 48 was returned to the House.

H. B. No. 156 was read the second time.

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

Page 1, line 13, after the word "are" insert "regularly".

Page 5, line 1, strike the word "as" and insert "who".

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

Page 3, line 18, after the words "board and" strike the balance of the line.

Line 19 strike up to and including the word "him" and insert in lieu thereof "satisfactorily passes an oral examination prepared and conducted".

On motion of Senator Hopkin the rules were suspended and *H. B. No. 156* was read the third time and placed on its final passage.

H. B. No. 156 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were Senators Bamberger, Bowman, Fennell, Griffin Hammond, Holmgren, Hopkin, Huggins, Miller,

Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Calder, Frischknecht.

Absent and not voting: Senators Day, Fowles, Holbrook.

H. B. No. 156 was returned to the House.

H. B. No. 178 was read the second time.

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

Page 1, line 19, strike the word "may" and insert the word "shall".

On motion of Senator Musser the rules were suspended and *H. B. No. 178* was read the third time and placed on its final passage.

H. B. No. 178 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Bamberger (explained vote), Calder, Fennell, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Ray, Royle, Stevens, Stewart, Woodward, Mr. President.

Those voting in the negative were: Senator Musser.

Absent and not voting: Senators Bowman, Day, Fowles, Holbrook, Parratt, Wallace.

H. B. No. 178 was returned to the House.

H. B. No. 196 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 196* was read the third time and placed on its final passage.

H. B. No. 196 then passed on the following roll call:

Yeas, 14; Nays, 1; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Calder, Fennell, Frischknecht, Griffin, Hammond, Hopkin, Huggins, Musser, Ray, Royle, Stevens, Woodward, Mr. President.

Those voting in the negative were: Senator Stewart (explained vote).

Absent and not voting: Senators Bowman, Day, Fowles, Holbrook, Holmgren, Miller, Parratt, Wallace.

H. B. No. 196 was returned to the House.

H. B. No. 242 was read the second time.

On motion of Senator Royle the rules were suspended and *H. B. No. 242* was read the third time and placed on its final passage.

H. B. No. 242 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Woodward, Mr President.

Absent and not voting: Senators Day, Fowles, Holbrook, Holmgren Parratt, Wallace.

H. B. No. 242 was returned to the House.

H. B. No. 144 was read the second time.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 144* was read the third time and placed on its final passage.

H. B. No. 144 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Hopkin, Huggins, Miller, Ray, Royle, Stevens, Stewart, Mr. President.

Absent and not voting: Senators Day, Fowles, Holbrook, Holmgren, Musser, Parratt, Wallace, Woodward.

H. B. No. 144 was returned to the House.

H. B. No. 211 was read the second time.

On motion of Senator Bamberger the rules were suspended and *H. B. No. 211* was read the third time and placed on its final passage.

H. B. No. 211 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affiirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Griffin, Hammond, Hopkin, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Mr. President.

Absent and not voting: Senators Day, Fowles, Holbrook, Holmgren, Parratt, Wallace, Woodward.

H. B. No. 211 was transmitted to the House.

On motion of Senator Bamberger all bills on the Second Reading Calendar were recommitted to the Sifting Committee.

Senator Huggins moved that the President express to the Attorney General's office our appreciation for the courtesies they have extended.

Motion carried.

COMMUNICATIONS FROM THE GOVERNOR

March 14, 1935.

TO THE SENATE:

It is my pleasure to extend to the members and employees of your honorable body, together with their partners, an invitation to attend an informal reception to be held in the Governor's Reception Room at seven o'clock this evening.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

March 14, 1935.

TO THE LEGISLATURE:

I take pleasure in advising you that I have this day received from the First Security Trust Company the final approving opinion of Thompson, Wood and Hoffman, of New York City, in connection with the $1,945,000 State Refunding Bonds.

I believe your interest as legislators in this information is two-fold: In the first place you may be glad to know that the measure which was passed at the present session and approved by the Governor on February 28, has resulted in the consummation of the entire $1,945,000 refunding transaction by March 12, on which date the validating opinion of the New York attorneys was signed. Copies of the opinion were transmitted to Salt Lake by air mail and reached my office this morning.

Of greater importance to you as legislators, however, is the fact that the validation of these bonds makes possible the fulfillment of the purpose of the reissue. You will remember that in the Governor's Budget Message it was suggested that $750,000 additional funds would be placed at the disposal of the Legislature for appropriation and use during the next biennium if these Refunding Bonds were authorized by you. I am happy to say, therefore, that the completion of the transaction will assist materially in keeping your appropriation bill within the limitations provided in the State Constitution.

In order that you may be advised of the details of the refunding transaction, I am pleased to report that promptly on the passage and approval of the bill authorizing the State Board of Loan Commissioners to refund State bonds, that Board met and reached a decision that the Refunding Bonds should bear the date of March 1, 1935, and become payable serially in numerical order, 50,000 bonds on March 1 in each of the years 1940 to 1942, inclusive; 100,000 bonds on March 1 in each of the years 1943 to 1945, inclusive; 125,000 bonds on March 1, 1946: 150,000 bonds in each of the years 1947 to 1954, inclusive, and 170,000 bonds on March 1, 1955, the bonds to be numbered from 1 to 1,945, inclusive, of the denomination of $1,000 each and bearing interest at the rate of 3 per cent per annum, payable semi-annually March 1 and September 1. The entire issue of $1,945,000 bonds is owned by the sinking funds of the state, this issue taking the place

of bonds in like amount also held by State sinking funds, bearing 4 per cent interest.

Permit me to express appreciation of your prompt and favorable action on the suggestion made in my Budget Message.

Respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

March 14, 1935.

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, pursuant to Sec. 75-5-9, Revised Statutes of Utah, 1933.

Mrs. Lee Charles Miller.....Salt Lake
C. G. Adney.....Corinne
Olof Nelson.....Logan
Clarence E. Wright.....Salt Lake
Fred M. Nye.....Ogden
Melvin J. Ballard.....Salt Lake

FOR MEMBERS OF THE GOVERNING BOARD OF THE UTAH ART INSTITUTE:

To serve for a term of two years, pursuant to Secs. 85-1-1 and 85-2-2, Revised Statutes of Utah, 1933.

M. F. Malin.....Salt Lake
Mrs. Flora Fisher.....Provo
Gail Martin.....Salt Lake
S. A. Shreeve.....Ogden
Stanley N. Child.....Salt Lake

FOR MEMBERS OF THE STATE BOARD OF EDUCATION:

To serve for a term of six years, pursuant to Sec. 75-7-1, Revised Statutes of Utah, 1933.

John C. Swenson.....Provo
Dr. David W. Henderson.....Salt Lake

FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION:

To serve for a term of four years, pursuant to Secs. 85-4-2 and 85-4-3, Revised Statutes of Utah, 1933.

Mrs. D. W. Moffat.....Murray
George S. McAllister.....Salt Lake
George Abbott.....Tremonton
John M. Ritchie.....Charleston
George Murdock.....Cedar City
Ray Hinchcliff.....Ogden

FOR MEMBER OF THE STATE LAND BOARD:

To serve for a term of six years, pursuant to Sec. 86-1-1, Revised Statutes of Utah, 1933.

L. R. Anderson.....Manti

FOR DIRECTOR OF REGISTRATION:

To serve for a term of four years, pursuant to Sec. 79-1-2, Revised Statutes of Utah, 1933.

Sebron W. Golding.....Price

FOR MEMBERS OF THE STATE TEXT BOOK COMMISSION:

To serve for a term of four years, pursuant to Sec. 75-15-1, Revised Statutes of Utah, 1933.

Mrs. F. M. McHugh.....Salt Lake
T. E. Bartlett.....Eureka
James A. Nuttall.....Huntington

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

To serve for a term of four years, pursuant to Sec. 75-4-7, Revised Statutes of Utah, 1933.

Rev. John E. Carver.....Ogden
James W. Wade.....Salt Lake
Mrs. Dan B. Shields.....Salt Lake
D. H. Christensen.....Salt Lake
Dr. Clarence Snow.....Salt Lake
Roy D. Thatcher.....Ogden

FOR MEMBERS OF THE UTAH WATER STORAGE COMMISSION:

To serve for a term of two years, pursuant to Sec. 100-6-1 and Sec. 100-6-3, Revised Statutes of Utah, 1933.

William R. Wallace.....Salt Lake
Stephen L. Richards.....Salt Lake
Leon P. Christensen.....Vernal
Frank Francis.....Ogden
Dr. John A. Widtsoe.....Salt Lake
Richard R. Lyman.....Salt Lake
Jacob A. Kahn.....Salt Lake
William Peterson.....Logan
J. W. Gillman.....Orem
Joseph S. Snow.....St. George
John M. Knighton.....Gunnison
George F. Stallings.....Ogden

Respectfully submitted,

HENRY H. BLOOD,
Governor.

Communication referred to the Special Committee on Governor's appointments.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 99,* by Mr. Fowles, entitled, AN ACT RELATING TO THE SALE AND LEASE OF FARM LANDS ACQUIRED BY THE STATE OF UTAH BY VIRTUE OF MORTGAGE FORECLOSURES OR OTHERWISE PERMITTING THE STATE LAND BOARD TO MAKE SETTLEMENT OF DEFICIENCY JUDGMENTS AS WILL BEST SUBSERVE THE INTERESTS OF THE STATE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 99 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 191,* by Mr. P. M. Peterson.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I beg to inform your Honorable Body that the Speaker has this day appointed a committee composed of Representatives Richards, Bosone and Hall, to confer with a like committee from the Senate to determine the hour of adjournment.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 117,* by Mr. Holmes, by request.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 226*, by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 226 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 200*, by Mr. Maw, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate refused to concur in the House amendments.

March 14, 1935.

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. 229*, by Mr. Holbrook, entitled, AN ACT TO EXTEND THE PERIOD OF REDEMPTION FROM TAX SALES FOR TAXES FOR THE YEARS 1928, 1929 AND 1930 AND TO REDUCE THE AMOUNT REQUIRED FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES FOR SAID YEARS AND THE YEARS 1931 AND 1932, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 229 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 114*, by Mr. Fowles entitled, AN ACT AMENDING SECTION 86-1-13, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1933, RELATING TO THE PAYMENT

OF THE EXPENSES OF THE STATE LAND OFFICE, AND PROVIDING A FUND OUT OF WHICH SAID EXPENSES SHALL BE PAID, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 114 was transmitted to the Governor.

March 14, 1935.

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 and House, *S. B. No. 127*, by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Frischknecht the Senate refused to concur in the House amendments.

March 14, 1935.

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. 212*, by Mr. Holbrook, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 212 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 81*, by Mr. Nicholes entitled, "AN ACT TO AMEND SECTION 19-13-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE OFFICES AT COUNTY SEAT AND OFFICE HOURS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 81 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 14, 1935.

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. 122*, by Mr. J. W. Jensen, entitled, "AN ACT AMENDING SECTION 2, CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE ACT KNOWN AS THE "EMERGENCY REVENUE ACT OF 1933"; DEFINITIONS USED THEREIN AND EXEMPTING FROM TAXATION UNDER THE TERMS OF SAID ACT, SALES OF POULTRY, DAIRY AND OTHER LIVESTOCK FEED AND OF ALL SEED AND/OR SEEDLINGS", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 122 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 14, 1935.

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. 162*, by Mr. Romney, entitled, "AN ACT AUTHORIZING ACCEPTANCE BY BUILDING AND LOAN CORPORATIONS OF MEMBERSHIP CERTIFICATES OR SHARES IN PAYMENT FOR LOANS OR FOR PROPERTY," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 162 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 14, 1935.

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. 163*, by Mr. Romney, entitled, "AN ACT TO AMEND SECTION 7-5-23, REVISED STATUTES OF UTAH, 1933, RELATING TO IMPROPER OPERATION TO BE REMEDIED ON ORDER OF COMMISSIONER," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 163 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 14, 1935.

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. 230,* by Mr. Nicholes, entitled, AN ACT REGULATING COMPETITION IN THE FINANCING OF AUTOMOBILE DEALERS AND TIME PURCHASES OF MOTOR VEHICLES, AND PROHIBITING MONOPOLIES IN THE HANDLING AND THE DISCOUNTING OF COMMERCIAL PAPER OF AUTOMOBILE DEALERS AND TIME PURCHASES; AND PROVIDING FOR PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 230 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 14, 1935.

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. 165,* by Mr. Romney, entitled, AN ACT PROVIDING FOR THE CONSOLIDATION, MERGER, SALE AND TRANSFER OF ASSETS OF BUILDING AND LOAN COMPANIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 165 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 14, 1935.

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. 164,* by Mr. Romney, entitled, AN ACT RELATING TO THE REDUCTION OF LIABILITY IN BUILDING AND LOAN COMPANIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 164 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 14, 1935.

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. 168*, by Mr. Romney, entitled, AN ACT TO AMEND SECTION 7-2-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 4, LAWS OF UTAH, 1933, RELATING TO POWERS AND DUTIES OF THE BANK COMMISSIONER, STOCKHOLDERS' LIABILITY, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 168 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 14, 1935.

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. Romney, entitled, AN ACT PROVIDING FOR THE PROTECTION OF THE RIGHTS AND INTERESTS OF CREDITORS AND INVESTORS IN BUILDING AND LOAN COMPANIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 166*, by Mr. Romney, entitled, AN ACT TO AMEND SECTION 1, CHAPTER 8, LAWS OF UTAH, 1933, RELATING TO REORGANIZATION OF BUILDING AND LOAN ASSOCIATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 166 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 14, 1935.

Mr. President:

Mr. Speaker:

We your Conference Committees to whom was referred *H. B. No. 41*, by Mr. Holbrook and Mr. Edman, beg leave to report that we have failed to agree.

Respectfully,

J. FRANCIS FOWLES,
Chairman Senate Committee.

S. J. SELVIN,
Chairman House Committee.

Report filed.

The President appointed a Conference Committee consisting of Senators Fowles, Parratt and Wallace to act with a like Committee from the House to consider amendments to *H. B. No. 41*.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 51*, by Judiciary Committee, by request, entitled: "AN ACT RELATING TO THE RULES OF PLEADING IN CRIMINAL CASES AND THE FORMS OF INFORMATIONS AND INDICTMENTS; ALSO PROVIDING FOR A MOTION TO QUASH INFORMATIONS AND INDICTMENTS AND ABOLISHING DEMURRERS TO INFORMATIONS AND INDICTMENTS, AND REPEALING CHAPTERS 21, 23 AND 24, OF TITLE 105, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW CHAPTERS TO BE KNOWN AS CHAPTERS 21 AND 23 OF TITLE 105, REVISED STATUTES OF UTAH, 1933," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 172,* by Mr. Ray, entitled, "AN ACT AMENDING SECTION 75-12-10, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE ESTIMATE AND STATEMENT FOR AND LEVY OF SCHOOL TAXES." have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 172 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 69,* by Mr. Hammond, entitled: "AN ACT AMENDING SECTIONS 75-7-1 AND 75-7-2, REVISED STATUTES OF UTAH, 1933, RELATING TO APPOINTMENT OF MEMBERS OF THE STATE BOARD OF EDUCATION, AND PRESCRIBING THEIR TERMS OF OFFICE AND POWERS AND DUTIES OF THE BOARD," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 69 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 60,* by Mr. Neslen, entitled: "AN ACT TO AMEND SECTION 7-1-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS OF THE BANK COMMISSIONER TO ADOPT AND PROMULGATE RULES AND REGULATIONS GOVERNING THE CONDUCT, OPERATION AND MANAGEMENT OF INSTITUTIONS SUBJECT TO THE SUPERVISION OF THE BANKING DEPARTMENT AND TO RESTRICT VOTING BY PROXY" have examined same and have carefully com-

pared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 60 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 178*, by Mr. Fowles, entitled: "AN ACT VALIDATING, RATIFYING, APPROVING AND CONFIRMING BONDS AND OTHER INSTRUMENTS OR OBLIGATIONS HERETOFORE ISSUED BY PUBLIC BODIES OF THIS STATE FOR PUBLIC WORKS PROJECTS." have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 178 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 148*, by Mr. Frischknecht, entitled: "AN ACT TO AMEND SECTION 2063, COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1921, AS AMENDED BY CHAPTER 109, LAWS OF UTAH, 1925, RELATING TO CORRECTION OF ERRORS, IN AMENDMENT TO AND CHANGES OF THE ASSESSMENT ROLL OF BENEFITS AND TAXES, AND THE EQUALIZATION OF BENEFITS TO LANDS AND INTEREST IN LANDS IN DRAINAGE DISTRICTS," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 148 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 141*, by Highways Committee, entitled: "AN ACT TO REPEAL CHAPTER 6, TITLE 36, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTERS 29 AND 30, LAWS OF UTAH, 1933, AND ENACTING IN LIEU THEREOF A NEW CHAPTER TO BE KNOWN AS CHAPTER 6, TITLE 36, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DESIGNATION OF CERTAIN HIGHWAYS AS STATE ROADS," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 141 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 Bamberger the Senate sauntered.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 28*, by Mr. Edman.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Conference Committee report on *H. B. No. 12*, by Mr. Macfarlane.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has

this day concurred in Senate amendments to *H. B. No. 75*, by Mr. Hendricks.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 70*, by Mr. Romney.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Conference Committee report on *H. B. No. 77*, by Mr. Kiefer.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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 and House, *S. B. No. 74*, by Mr. Bamberger, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Bamberger the Senate concurred in the House amendments.

S. B. No. 74 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Fowles, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Griffin, Holbrook, Royle.

S. B. No. 74 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected as amended by the Joint Conference Committee Report as of March 14th, 1935, *H. B. No. 10*, by Mr. Macfarlane.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 17*, by Mr. Royle, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Woodward the Senate concurred in the House amendments.

S. B. No. 17 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Fennell, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Griffin, Holbrook, Royle.

S. B. No. 17 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF SPECIAL COMMITTEES

March 14, 1935.

Mr. President and Mr. Speaker:

We, your Joint Conference Committee which was appointed to consider *H. J. R. No. 4*, by Mr. T. W. Jensen, and *S. J. R. No. 6*, by Mr. Hammond, begs leave to make the following report:

That *H. J. R. No. 4* as amended by the House, be amended as follows:

Strike the following words in the last line of the title:

", LIMITATION OF LEVIES, PURPOSE AND DISTRIBUTION." and insert a period after the word "TAXATION."

On page 1, line 6, strike the underscored matter on the last line of the House amendment; "not less than".

On page 1, line 8, strike the amended parenthesis.

On page 1, line 16, after the word "all" insert the word "general".

On page 1, line 17, strike all of the house amendment.

On page 1, of *S. J. R. No. 6*, strike the enacting clause.

Respectfully submitted,

W. D. HAMMOND,
Chairman Senate Committee.

GRANT MACFARLANE,
Chairman House Committee.

Report rejected and filed.

H. J. R. No. 4 failed to pass on the following roll call:

Yeas, 6; Nays, 12; Absent, 5.

Those voting in the affirmative were: Senators Calder, Frischknecht, Huggins (explained vote), Parratt, Royle, Stewart.

Those voting in the negative were: Senators Bamberger, Bowman, Fennell, Hammond, Holmgren (explained vote), Hopkin, Miller, Ray, Stevens, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fowles, Griffin, Holbrook, Musser.

H. J. R. No. 4 was returned to the House.

COMMUNICATION FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 15*, by Mr. Bamberger, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Maw the Senate concurred in the House amendments.

S. B. No. 15 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Calder, Frischknecht, Hammond, Holmgren, Huggins, Miller, Musser, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Griffin, Holbrook, Hopkin, Parratt.

S. B. No. 15 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORT OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President and Mr. Speaker:

We, your Conference Committee, to which was referred *H. B. No. 24*, by Mr. Hall, recommend that the House concur with the Senate amendment to this bill.

Respectfully,

CONRAD FRISCHKNECHT,
Senate Chairman.

CLARENCE COOK,
House Chairman.

Report adopted and filed.

H. B. No. 24 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Bamberger, Bowman, Fowles, Frischknecht, Hammond, Holmgren, Huggins, Miller, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Calder, Day, Fennell, Griffin, Holbrook, Hopkin, Musser, Parratt, Royle.

H. B. No. 24 was returned to the House.

On motion of Senator Huggins the Senate sauntered.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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 Judiciary Committee, entitled, AN ACT RELATING TO THE RULES OF PLEADING IN CRIMINAL CASES AND THE FORMS OF INFORMATIONS AND INDICTMENTS; ALSO PROVIDING FOR A MOTION TO QUASH INFORMATIONS AND INDICTMENTS AND ABOLISHING DEMURRERS TO INFORMATIONS AND INDICTMENTS, AND REPEALING CHAPTER 21, 23 AND 24, OF

TITLE 105, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW CHAPTERS TO BE KNOWN AS CHAPTERS 21 AND 23 OF TITLE 105, REVISED STATUTES OF UTAH, 1933, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 51 was transmitted to the Governor.

March 14, 1935.

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. 69,* by Mr. Hammond, entitled, AN ACT AMENDING SECTIONS 75-7-1 AND 75-7-2, REVISED STATUTES OF UTAH, 1933, RELATING TO APPOINTMENT OF MEMBERS OF THE STATE BOARD OF EDUCATION, AND PRESCRIBING THEIR TERMS OF OFFICE AND POWERS AND DUTIES OF THE BOARD, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 69 was transmitted to the Governor.

March 14, 1935.

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. 60,* by Mr. Neslen, entitled, AN ACT TO AMEND SECTION 7-1-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS OF THE BANK COMMISSIONER TO ADOPT AND PROMULGATE RULES AND REGULATIONS GOVERNING THE CONDUCT, OPERATION AND MANAGEMENT OF INSTITUTIONS SUBJECT TO THE SUPERVISION OF THE BANKING DEPARTMENT, AND TO RESTRICT VOTING BY PROXY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 60 was transmitted to the Governor.

March 14, 1935.

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. 141,* by Highways, Committee, entitled, AN ACT TO REPEAL CHAPTER 6, TITLE 36, REVISED STATUTES OF UTAH, 1933, AS

AMENDED BY CHAPTERS 29 AND 30, LAWS OF UTAH, 1933, AND ENACTING IN LIEU THEREOF A NEW CHAPTER TO BE KNOWN AS CHAPTER 6, TITLE 36, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DESIGNATION OF CERTAIN HIGHWAYS AS STATE ROADS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 141 was transmitted to the Governor.

March 14, 1935.

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. 148*, by Mr. Frischknecht, entitled, AN ACT TO AMEND SECTION 2063, COMPILED LAWS OF UTAH, 1917, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1921, AS AMENDED BY CHAPTER 109, LAWS OF UTAH, 1925, RELATING TO CORRECTION OF ERRORS, IN AMENDMENT TO ANY CHANGES OF THE ASSESSMENT ROLL OF BENEFITS AND TAXES, AND THE EQUALIZATION OF BENEFITS TO LANDS AND INTEREST IN LANDS IN DRAINAGE DISTRICTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 148 was transmitted to the Governor.

March 14, 1935.

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. 172*, by Mr. Ray, entitled, AN ACT AMENDING SECTION 75-12-10, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE ESTIMATE AND STATEMENT FOR AND LEVY OF SCHOOL TAXES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 172 was transmitted to the Governor.

March 14, 1935.

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. 178*, by Mr. Fowles, entitled, AN ACT VALIDATING, RATIFYING,

APPROVING AND CONFIRMING BONDS AND OTHER INSTRUMENTS OR OBLIGATIONS HERTOFORE ISSUED BY PUBLIC BODIES OF THIS STATE FOR PUBLIC WORKS PROJECTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 178 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 200*, by Mr. Maw, and has appointed a conference committee consisting of Representatives Peterson, Child and Lindstrom to act with a like committee of conference from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Bamberger, Ray and Bowman to act with a like committee from the House to consider amendments to *S. B. No. 200*.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 29*, by Mr. Edman.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 178*, by Mr. Richards.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has

this day concurred in Senate amendments to *H. B. No. 156*, by Mr. Lindstrom.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 48*, by Mr. Lamoreaux.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 68*, by Mr. Lamoreaux.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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, *S. B. No. 233*, by Committee on Social Relations and Relief, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

On motion of Senator Frischknecht the Senate concurred in the House amendments.

S. B. No. 233 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Fowles, Frischknecht, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Ray, Parratt, Stevens, Stewart, Wallace, Woodward Mr. President.

Absent and not voting: Senators Bowman, Calder, Day, Fennell, Griffin, Holbrook, Royle.

S. B. No. 233 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 127*, by Mr. Holbrook, and has appointed a Conference Committee consisting of Representatives Bletzacker, Maeser, and Hall to act with a like committee of conference from the Senate on this bill.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Stevens, Frischknecht and Huggins to meet with a like committee from the House to consider amendments to *S. B. No. 127*.

March 14, 1935.

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. 232*, by Committee on Social Relations and Relief, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 232 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 224*, by Mr. Huggins, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 224 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 186*, by Bank-

ing and Commerce Committee, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 186 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 111*, by Mr. Huggins, entitled: "AN ACT TO REGULATE THE PRACTICES OF PROFESSIONAL ENGINEERING AND LAND SURVEYING; PROVIDING FOR THE ADMINISTRATION OF THIS ACT THROUGH THE DEPARTMENT OF REGISTRATION; CREATING A COMMITTEE OF ENGINEERING EXAMINERS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND DEFINING ITS POWERS AND DUTIES; ALSO IMPOSING CERTAIN DUTIES UPON THE STATE AND POLITICAL SUBDIVISIONS THEREOF IN CONNECTION WITH PUBLIC WORK; AND PROVIDING PENALTIES", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 111 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 129*, by Mr. Bowman entitled: "AN ACT AMENDING SECTION 15-1-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CLASSIFICATION OF CITIES AND TOWNS.", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 129 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 91,* by Mr. Bowman, entitled: "AN ACT TO AMEND SECTION 30-0-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE GENERAL POWERS AND DUTIES OF THE FISH AND GAME COMMISSIONER.", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 91 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 9,* by Mr. Neslen, by request, entitled: "AN ACT AMENDING CHAPTER 6 OF TITLE 79, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF DENTISTRY; SETTING FORTH THE QUALIFICATIONS NECESSARY FOR THE PRACTICE OF DENTISTRY, REQUIREMENT FOR OBTAINING A LICENSE, RIGHTS, DUTIES AND PRIVILEGES OF LICENSED PRACTITIONERS, DEFINING PRACTICING DENTISTRY, DEFINING UNPROFESSIONAL CONDUCT, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ACT AND REPEALING SECTION 79-6-3, REVISED STATUTES OF UTAH, 1933", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

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.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 226,* by Mr. Holbrook, entitled: "AN ACT AUTHORIZING THE STATE LAND

BOARD OR THE INDUSTRIAL COMMISSION OF UTAH TO LOAN NOT EXCEEDING $30,000 TO THE UTAH STATE AGRICULTURAL COLLEGE WITH WHICH TO PURCHASE STATE-OWNED LANDS AND PROVIDING FOR THE PAYMENT OF SAID LOAN.", have examined same and have compared the bill carefully as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 226 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 Bamberger the Senate resolved itself into Executive Session.

On motion of Senator Fowles the Executive Session was dissolved.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 14th, 1935, and passed *H. B. No. 24*, by Mr. Hall, and is transmitted herewith for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected the report of the Conference Committee on *H. B. No. 41*, and the Speaker has this day appointed a new Conference Committee consisting of Mr. Child, Mr. Holbrook and Mr. Romney, to act with a like committee from the Senate to consider *H. B. No. 41*, by Mr. Holbrook and Mr. Edman.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Royle, Ray and Bowman to act with a like committee from the House to consider amendments to *H. B. No. 41*.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 129*, by Mr. Bowman, entitled, AN ACT AMENDING SECTION 15-1-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CLASSIFICATION OF CITIES AND TOWNS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 129 was transmitted to the Governor.

March 14, 1935.

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. 111*, by Mr. Huggins, entitled, AN ACT TO REGULATE THE PRACTICES OF PROFESSIONAL ENGINEERING AND LAND SURVEYING; PROVIDING FOR THE ADMINISTRATION OF THIS ACT THROUGH THE DEPARTMENT OF REGISTRATION; CREATING A COMMITTEE OF ENGINEERING EXAMINERS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND DEFINING ITS POWERS AND DUTIES; ALSO IMPOSING CERTAIN DUTIES UPON THE STATE AND POLITICAL SUBDIVISIONS THEREOF IN CONNECTION WITH PUBLIC WORK; AND PROVIDING PENALTIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 111 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 91*, by Mr. Bowman, entitled, AN ACT TO AMEND SECTION 30-0-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE GENERAL POWERS AND DUTIES OF FISH AND GAME COMMISSIONER, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 91 was transmitted to the Governor.

March 14, 1935.

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. 191*, by Mr. P. M. Peterson, entitled, AN ACT CREATING A SELF-HELP COOPERATIVE BOARD; PROVIDING FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF SAID BOARD; DELEGATING TO SAID BOARD THE DUTY OF PREPARING MEANS OF EMPLOYMENT IN PRODUCTION AND DISTRIBUTION OF GOODS AND/OR SERVICES FOR ALL COOPERATIVE SELF-HELP ASSOCIATIONS WHICH ARE ORGANIZED ON A NONSTOCK, NONPROFIT BASIS, AND HAVE PERSONNEL THAT WILL WORK IN HARMONY WITH THE SPIRIT OF THIS ACT; DEFINING THE PURPOSES OF THE COOPERATIVE SELF-HELP ASSOCIATIONS; AND PROVIDING FOR THE EXECUTION OF SUCH PURPOSES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 191 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 14, 1935.

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. 19*, by Mr. Holbrook, entitled, AN ACT TO AMEND SECTIONS 3-7-3 AND 3-7-4, REVISED STATUTES OF UTAH, 1933, RELATING TO THE SALE OF EGGS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 19 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 14, 1935.

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. Murdoch, entitled, AN ACT TO REQUIRE THE REDEEMABLE CASH VALUE OF A TRADING STAMP, CASH DISCOUNT STAMP, CHECK, TICKET, COUPON, OR OTHER SIMILAR DEVICE TO BE LEGIBLY PRINTED OR WRITTEN UPON THE FACE THEREOF IN CENTS; TO REQUIRE THE RE-

DEMPTION OF SUCH DEVICES EITHER IN MERCHANDISE OR IN CASH AT THE OPTION OF THE HOLDER; TO REQUIRE THAT ANY NUMBER OF THEM SHALL BE REDEEMED WHEN PRESENTED; TO REQUIRE THE DISTRIBUTOR TO THUS REDEEM THEM IF THE ISSUER DOES NOT; AND PROVIDING A PENALTY, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 28*, by Mr. Edman, entitled, AN ACT AMENDING SECTION 85-7-2 AND 85-7-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, PERTAINING TO UTAH STATE HOSPITAL, AND RELATING TO BOARD OF INSANITY PERSONNEL; DUTIES OF BOARD OF TRUSTEES AND SUPERINTENDENT; AND PROVIDING FOR PAYMENT FOR CARE AND NOTICE OF RECOVERY OF PATIENTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 28 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 14, 1935.

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. 4*, by Mr. Marthakis, entitled, AN ACT MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO PASS ADEQUATE ANTI-LYNCHING LAWS AT THE PRESENT SESSION OF CONGRESS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. 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 Secretary of State.

March 14, 1935.

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. 144*, by Mr. Monson, entitled, AN ACT TO AMEND SECTION 7-1-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO THE FEES TO BE CHARGED FOR EXAMINATION BY THE BANK COMMISSIONER OF THE STATE OF UTAH, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 144 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 14, 1935.

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. 98*, by Mr. Child et al., entitled, AN ACT TO ENCOURAGE AND AID STATE INDUSTRIAL RECOVERY IN CONJUNCTION WITH NATIONAL INDUSTRIAL RECOVERY AND TO AID IN THE ESTABLISHMENT OF INDUSTRY IN THE STATE OF UTAH AND TO EFFECTUATE ITS CONTROL BY LICENSE AND OTHERWISE; DECLARING UNFAIR METHODS OF COMPETITION TO BE UNLAWFUL; TO FOSTER FAIR COMPETITION TO THE END THAT FAIR WAGES WILL BE PAID TO WORKERS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT AND TO GIVE TO THE GOVERNOR THE NECESSARY AUTHORITY FULLY TO COOPERATE WITH THE PRESIDENT OF THE UNITED STATES AND AGENCIES SET UP BY HIM UNDER THE PROVISIONS OF THE ACT KNOWN AS THE NATIONAL INDUSTRIAL RECOVERY ACT, OR ANY AMENDATORY OR SUPPLEMENTARY ACT THERETO, INCLUDING AUTHORITY TO APPOINT A BOARD TO CARRY OUT THE PROVISIONS OF THIS ACT; PROVIDING FOR THE CONTINUATION OF THE PURPOSES OF CHAPTER 21, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, TOGETHER WITH CODES OF FAIR COMPETITION ADOPTED THEREUNDER; CONTAINING PROVISIONS RELATING TO THE LETTING OF PUBLIC CONTRACTS AND PROVIDING A MEANS TO DEFRAY THE EXPENSES OF THE ADMINISTRATION OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 98 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 14, 1935.

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. 70,* by Mr. Romney, entitled, AN ACT REPEALING SECTION 104-5-14, REVISED STATUTES OF UTAH, 1933, RELATING TO SERVICE ON UNKNOWN DEFENDANTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 70 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 14, 1935.

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. 108,* by Mr. Taylor, entitled, AN ACT PROVIDING FOR THE RETIREMENT OF TEACHERS IN THE PUBLIC SCHOOLS SYSTEM, AS DEFINED HEREIN, WITH ANNUITIES OR DISABILITY BENEFITS; THE CREATION OF A TEACHERS' RETIREMENT SYSTEM, THE UTAH TEACHERS' RETIREMENT AND DISABILITY BENEFITS ASSOCIATION AND A TEACHERS' RETIREMENT BOARD, AND PRESCRIBING THEIR POWERS AND DUTIES; PRESCRIBING THE SOURCE AND METHOD OF ACQUIRING FUNDS AND THE MANNER OF INVESTING AND DISBURSING SUCH FUND; MAKING THE STATE TREASURER THE CUSTODIAN OF SUCH FUNDS; PROVIDING FOR TRANSFER OF MEMBERSHIPS, FOR THE WITHDRAWAL OF MEMBERS, AND PAYMENT OF BENEFITS; PROVIDING THAT THE INTEREST OF A MEMBER MAY NOT BE ASSIGNED, ATTACHED OR TAKEN UPON EXECUTION; REQUIRING AUDITS, AND REPORTS; DEFINING TERMS USED; PROVIDING THE MANNER OF DISSOLVING TEACHERS' RETIREMENT ASSOCIATIONS HERETOFORE ORGANIZED IN CITIES OF THE FIRST AND SECOND CLASS, AND MAKING AN APPROPRIATION TO CARRY OUT THE PURPOSE OF THIS ACT FOR THE BIENNIUM BEGINNING JULY 1, 1935, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 108 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 14, 1935.

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. 11*, by Grant Macfarlane, entitled, AN ACT TO AMEND SECTION 15-8-87, REVISED STATUTES OF UTAH, 1933, RELATING TO ANNUAL TAX LEVIES IN CITIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 11 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 14, 1935.

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. Romney, entitled, AN ACT AMENDING SECTION 104-57-11, REVISED STATUTES OF UTAH, 1933, RELATING TO SERVICE OF SUMMONS ON UNKNOWN PARTIES; CONCLUSIVENESS OF JUDGMENT, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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.

March 14, 1935.

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. Murdoch, entitled, AN ACT TO REQUIRE A LICENSE FOR THE FURNISHING OR SELLING OR USING OF STAMPS, COUPONS, TICKETS, CERTIFICATES, CARDS, OR OTHER SIMILAR DEVICES WHICH SHALL ENTITLE THE PURCHASER RECEIVING THE SAME ON A SALE OF MERCHANDISE FREE OF CHARGE OR AT LESS THAN THE RETAIL MARKET PRICE THEREOF; TO REQUIRE A LICENSE FEE THEREFOR AND PROVIDING A PENALTY, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 26,* by Mr. Holbrook, entitled, AN ACT TO AMEND SECTIONS 3-8-2 AND 3-8-10, REVISED STATUTES OF UTAH, 1933, RELATING TO COMMERCIAL FEEDING STUFFS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 26 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 14, 1935.

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. 12,* by Mr. Macfarlane, 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, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 12 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 14, 1935.

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. 84,* by Mr. Farr, entitled, AN ACT AMENDING SECTIONS 15-6-7, REVISED STATUTES OF UTAH, 1933, RELATING TO MUNICIPAL ELECTIONS; TERMS OF OFFICE AND PROVIDING FOR THE ELECTION IN CITIES OF THE SECOND CLASS OF AN AUDITOR FOR A TERM OF FOUR YEARS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 80,* by Mr. Macfarlane, by request, entitled, AN ACT TO PROVIDE PENALTIES FOR USING, MANUFACTURING, SELLING OR GIVING AWAY TOKENS, SLUGS, OR SPURIOUS COINS FOR THE FRAUDULENT OPERATION OF VENDING MACHINES, COIN-BOX TELEPHONES OR OTHER RECEPTACLES, DESIGNED TO RECEIVE LAWFUL COINS OF THE UNITED STATES OF AMERICA, IN THE SALE, USE OR ENJOYMENT OF PROPERTY OR SERVICE, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 80 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 14, 1935.

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. 75,* by Mr. Hendricks, entitled, AN ACT AMENDING SECTION 43-2-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE STATE COMMISSIONER OF INSURANCE AND HIS ASSISTANTS, THEIR OATH, BOND AND SALARIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 75 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 SPECIAL COMMITTEES

March 14, 1935.

Mr. President:

We, your Committee on Appointments, to which was referred the message of his Excellency the Governor, dated March 14, 1935, concerning certain nominations to appointment in the State of Utah, beg leave to report as follows:

That said Committee consent and advise to the following appointments:

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE:

To serve for a term of four years, pursuant to Sec. 75-5-9, Revised Statutes of Utah, 1933.

Mrs. Lee Charles Miller.....Salt Lake
Melvin J. Ballard.....Salt Lake
C. G. Adney.....Corinne
Olof Nelson.....Logan
Clarence E. Wright.....Salt Lake
Fred M. Nye.....Ogden

FOR MEMBERS OF THE GOVERNING BOARD OF THE UTAH ART INSTITUTE:

To serve for a term of two years, pursuant to Secs. 85-1-1 and 85-2-2, Revised Statutes of Utah, 1933.

M. F. Malin.....Salt Lake
Mrs. Flora Fisher.....Provo
Gail Martin.....Salt Lake
S. A. Shreeve.....Ogden
Stanley N. Child.....Salt Lake

FOR MEMBERS OF THE STATE BOARD OF EDUCATION:

To serve for a term of six years, pursuant to Sec. 75-7-1, Revised Statutes of Utah, 1933.

John C. Swenson.....Provo
Dr. David W. Henderson.....Salt Lake

FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION:

To serve for a term of four years, pursuant to Secs. 85-4-2 and 85-4-3, Revised Statutes of Utah, 1933.

Mrs. D. W. Moffat.....Murray
George S. McAllister.....Salt Lake
George Abbott.....Tremonton
John M. Ritchie.....Charleston
George Murdoch.....Cedar City
Ray Hinchcliff.....Ogden

FOR MEMBER OF THE STATE LAND BOARD:

To serve for a term of six years, pursuant to Sec. 86-1-1, Revised Statutes of Utah, 1933.

L. R. Anderson.....Manti

FOR DIRECTOR OF REGISTRATION:

To serve for a term of four years, pursuant to Sec. 79-1-2, Revised Statutes of Utah, 1933.

Sebron W. Golding.....Price

FOR MEMBERS OF THE STATE TEXT BOOK COMMISSION:

To serve for a term of four years, pursuant to Sec. 75-15-1, Revised Statutes of Utah, 1933.

Mrs. F. M. McHugh ..... Salt Lake
T. E. Bartlett ..... Eureka
James A. Nuttall ..... Huntington

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

To serve for a term of four years, pursuant to Sec. 75-4-7, Revised Statutes of Utah, 1933.

Rev. John E. Carver ..... Ogden
Roy D. Thatcher ..... Ogden
James W. Wade ..... Salt Lake
Mrs. Dan B. Shields ..... Salt Lake
D. H. Christensen ..... Salt Lake
Dr. Clarence Snow ..... Salt Lake

FOR MEMBERS OF THE UTAH WATER STORAGE COMMISSION:

To serve for a term of two years, pursuant to Sec. 100-6-1 and Sec. 100-6-3, Revised Statutes of Utah, 1933.

William R. Wallace ..... Salt Lake
Stephen L. Richards ..... Salt Lake
Leon P. Christensen ..... Vernal
Frank Francis ..... Ogden
Dr. John A. Widtsoe ..... Salt Lake
Richard R. Lyman ..... Salt Lake
Jacob A. Kahn ..... Salt Lake
William Peterson ..... Logan
J. W. Gillman ..... Orem
Joseph S. Snow ..... St. George
John M. Knighton ..... Gunnison
George F. Stallings ..... Ogden

Respectfully submitted,

IRA A. HUGGINS,
Chairman.

Report filed.

On motion of Senator Huggins the Senate advised and consented to the above appointments of the Governor.

March 14, 1935.

Mr. President:

and

Mr. Speaker:

We, your Conference Committee on *S. B. No. 200,* by Mr. Maw, recommend as follows:

On page 2, line 24, that the words "his entire" be stricken and "substantially all his working" be inserted in lieu thereof.

Page 2, line 25, that "$4,200" replace the figures now in the bill.

Respectfully,

JULIAN M. BAMBERGER,
Chairman Senate Committee.

PAUL M. PETERSON,
Chairman House Committee.

Report adopted and filed.

S. B. No. 200 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Bamberger, Frischknecht, Hammond, Hopkin, Huggins, Miller, Musser, Parratt, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Calder, Day, Fennell, Fowles, Griffin, Holbrook, Holmgren, Ray, Royle.

S. B. No. 200 was transmitted to the House.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like Committee from the House, to which has been referred *S. B. No. 231* (Substitute for S. B. No. 227) by Mr. Woodward and Mr. Wallace, entitled, "AN ACT CREATING THE GREAT BASIN AUTHORITY BOARD CONSISTING OF THE GOVERNOR AND FOUR OTHER MEMBERS TO BE APPOINTED BY HIM; DEFINING THE POWERS AND DUTIES OF SAID BOARD; AUTHORIZING SAID BOARD TO BORROW AND OBTAIN GRANTS OF MONEY FROM THE FEDERAL GOVERNMENT OR ANY FEDERAL AGENCY FOR THE PURPOSE OF CONSTRUCTING DIKES IN GREAT SALT LAKE, ROADS TO AND ALONG SAME, PARKS, RESTING AND NESTING PLACES FOR WILD FOWL, CHANNELS AND PONDS FOR FISH AND MUSKRATS AND OTHER IMPROVEMENTS INCIDENTAL TO THE CREATION OF A FRESH WATER LAKE BETWEEN SAID DIKES AND THE DIVERSION AND USE OF WATER TO BE IMPOUNDED BETWEEN SAID DIKES AND FOR THE PURPOSE OF BUYING LAND AND EASEMENTS; AUTHORIZING SUCH CONSTRUCTION AND THE ACQUIRING OF ALL LAND AND EASEMENTS NECESSARY TO ACCOMPLISH SUCH PURPOSES AND THE PURCHASE OF ADJOINING LAND AND LAND UPON WHICH WATER FROM SAID FRESH WATER LAKE MAY BE USED; AUTHORIZING SAID BOARD TO ASSUME CONTROL AND SUPERVISION OVER ALL IMPROVEMENTS CONTEMPLATED IN THIS ACT AND OVER ALL LAND AND WATER WITHIN THE MEANDER LINE OF GREAT SALT LAKE; AUTHORIZING THE EXACTION OF RENTALS AND TOLLS; AUTHORIZING CONTRACTS FOR EXTRACTION OF MINERALS UPON A ROYALTY BASIS FROM LAND AND WATER WITHIN MEANDER LINE OF GREAT SALT LAKE; AUTHORIZING BOARD TO ORGANIZE OR CAUSE

TO BE ORGANIZED A CORPORATION OR CORPORATIONS FOR THE PURPOSE OF CARRYING ON WORK AND PERFORMING DUTIES THERETOFORE IMPOSED ON BOARD WITH AUTHORITY IN BOARD TO DELEGATE ITS RIGHTS AND POWERS UNDER THIS ACT TO SUCH CORPORATION OR CORPORATIONS; WITHDRAWING FROM ENTRY, APPROPRIATION OR SALE ALL WATER IMPOUNDED OR TO BE IMPOUNDED BY SAID DIKES AND ALL WATER AND LAND WITHIN MEANDER LINE OF GREAT SALT LAKE INCLUDING MINERALS CONTAINED THEREIN EXCEPT AS PROVIDED IN THIS ACT; AND REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THIS ACT IN SO FAR AS SUCH OTHER ACTS AFFECT THE SPECIFIC PROPERTY MENTIONED OR THE OPERATIONS CONTEMPLATED BY THIS ACT", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 231 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 125*, by Mr. Maw, entitled, "AN ACT AMENDING SECTION 80-5-54, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A RECORD ASSESSMENT OF PUBLIC UTILITIES AND CREATING A NEW SECTION TO BE KNOWN AS 80-5-54X; DEFINING THE DUTIES OF THE STATE TAX COMMISSION AND PROVIDING FOR THE ASSESSMENT OF THE TANGIBLE PROPERTIES OF PUBLIC UTILITIES," have examined the same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 125 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 Ray the Senate resolved itself into Executive Session.

On motion of Senator Fowles the Executive Session was dissolved.

REPORTS OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President and Mr. Speaker:

We, your joint Conference Committee on *S. B. No. 127*, by Mr. Holbrook, beg leave to report as follows:

That the bill be amended on line 8, by striking "$20,000" and insert in lieu thereof "$25,000".

On line 10, strike "$20,000" and insert in lieu thereof "$25,000", also strike "$50,000" and insert "$75,000".

On line 11, strike "$50,000" and insert in lieu thereof "$75,000".

On line 12, strike "$100,000" and insert in lieu thereof "$125,000".

On line 14, strike "$100,000" and insert in lieu thereof "$125,000".

Strike the house amendment known as "Section 2," between lines 14 and 15, and insert in lieu thereof a new section to be known as "Section 2" to read as follows:

"Section 2. Any sum in excess of $150,000 collected biennially as a result of this act, may in the discretion of the governor be covered into a special fund to be known as the "Old Age Pension Fund" to be distributed into the treasuries of the several counties in the state, according to the number of persons residing therein, and may only be used for old age pensions as prescribed by the governor."

Your Committee also recommends to both houses, that the Senate amendment be amended to read as follows:

"Provided, at the discretion of the tax commission, the taxpayer may choose to pay in kind on an estate or any portion thereof which is not liquid."

Respectfully submitted,

DANIEL STEVENS,
Chairman of Senate Committee.

C. BLETZACKER,
Chairman of House Committee.

Report adopted and filed.

S. B. No. 127 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger, Bowman, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Calder, Day, Fennell, Holbrook.

S. B. No. 127 was transmitted to the House.

March 14, 1935.

Mr. President:

We, your Committee on Appointments, to whom was referred the letter of his Excellency, the Governor, dated March 11th, relating to certain appointments to office in the State of Utah, beg leave to report as follows:

The Committee recommends that the Senate advise and consent to the following appointments:

FOR MEMBERS OF THE STATE BOARD OF AGRICULTURE:

To serve for a term of four years.

Henry Erlandson ..... Payson
Thomas W. Jensen ..... Mt. Pleasant
James G. Widdison ..... Hooper

FOR MEMBERS OF THE BOARD OF CONTROL OF THE UTAH STATE HISTORICAL SOCIETY:

To serve for a term of four years.

Professor Levi Edgar Young ..... Salt Lake
Dr. George Emory Fellows ..... Salt Lake
Frank K. Seegmiller ..... Salt Lake
William J. Snow ..... Provo
A. B. Gibson ..... Nephi

FOR MEMBER OF THE INDUSTRIAL COMMISSION OF UTAH:

To serve for a term of six years.

O. F. McShane ..... Beaver

FOR MEMBER OF THE BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL:

To serve for a term of seven years.

Dr. John R. Llewellyn ..... Salt Lake

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL:

To serve for a term of four years.

F. R. Eckhardt ..... Ogden
Dr. W. S. Paine ..... Ogden
Arthur C. Sullivan ..... Salt Lake

FOR MEMBERS OF THE STATE BOARD OF HEALTH AND VITAL STATISTICS:

To serve for a term of seven years, ending March 31, 1942.

Dr. John L. Jones ..... Salt Lake

To serve for the unexpired term ending March 31, 1941.

Dr. E. A. Tripp ..... Salt Lake

FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE UTAH STATE TRAINING SCHOOL FOR FEEBLE-MINDED:

To serve for a term of seven years, ending May 6, 1941.

Alex Hedquist ..... Provo

To serve for a term of seven years, ending May 6, 1942.

Mrs. Amy Brown Lyman ..... Salt Lake

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

C. R. Hollingsworth ..... Ogden
W. H. Leary ..... Salt Lake
Calvin W. Rawlings ..... Salt Lake

FOR ADJUTANT GENERAL OF THE STATE OF UTAH:

To serve for a term of four years, ending May 27, 1939.

W. G. Williams ..... Salt Lake

Respectfully submitted,

IRA A. HUGGINS
Chairman

Report filed.

On motion of Senator Huggins all rules to the contrary were suspended and the Senate advised and consented to the above Governor's appointments.

COMMUNICATION FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 274*, by Mr. Maw, entitled, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1935; AND ENDING JUNE 30, 1937; CONFERRING CERTAIN POWERS ON THE GOVERNOR RELATING THERETO; REQUIRING REPORTS FROM THE STATE OFFICERS; FORBIDDING DEFICITS; AND RESTRICTING OUT-OF-STATE TRAVEL, and the same is transmitted herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 274 was read the first time.

On motion of Senator Parratt the rules were suspended and *H. B. No. 274* was read the second and third times and placed on its final passage.

H. B. No. 274 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman, Fowles, Frischknecht, Griffin, Hammond, Holmgren, Hopkin, Huggins, Miller, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Calder, Day, Fennell, Holbrook.

H. B. No. 274 was returned to the House.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B .No. 17*, by Mr. Royle, entitled, "AN ACT AMENDING SECTIONS, 44-0-1 AND 44-0-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LEGAL AND MAXIMUM RATES ALLOWED TO BE CHARGED FOR A LOAN OR FOREBEARANCE OF 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 INTEREST ON THE SAID LOAN OR CONTRACT EXCEEDING 10 PER CENT PER ANNUM OF THE PURCHASE PRICE OF SAID GOODS, WARES OR MERCHANDISE; AND PROVIDING FURTHER THAT NO ADDITIONAL CHARGE FOR SERVICE FEES OR DISCOUNT CHARGES SHALL EXCEED FOUR PER CENT PER ANNUM UPON THE PURCHASE PRICE OF SAID GOODS, WARES AND MERCHANDISE OR UPON THE PRINCIPAL OF ANY LOAN." have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 17 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 224*, by Mr. Huggins, entitled: "AN ACT TO AMEND SECTIONS 4, 5 AND 8,

CHAPTER 23, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO PUBLIC WORKS PROGRAMS FOR PARTICIPATION UNDER THE NATIONAL INDUSTRIAL RECOVERY ACT AND ANY OTHER ACT OF THE CONGRESS OF THE UNITED STATES; AND TO CHANGE THE DATE OF TERMINATION THEREOF," have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 224 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 212*, by Mr. Holbrook, entitled: "AN ACT AUTHORIZING THE STATE LAND BOARD TO COMMENCE LEGAL PROCEEDINGS AGAINST THE OWNER OF LANDS WITHIN WATERSHEDS FOR THE PROTECTION OF LIFE AND PROPERTY," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 212 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House to which has been referred *S. B. No. 233*, by Committee on Social Relations and Relief, entitled: "AN ACT CREATING A STATE DEPARTMENT OF PUBLIC WELFARE; PROVIDING FOR THE APPOINTMENT OF A STATE BOARD OF PUBLIC WELFARE; AUTHORIZING THE APPOINTMENT OF A DIRECTOR AND OTHER ASSISTANTS AND EMPLOYES OF THE DEPARTMENT AND PROVIDING FOR THEIR COMPENSATIONS; DEFINING THE POWERS AND DUTIES OF SUCH BOARD AND SUCH DIRECTOR; AUTHORIZING THE BOARD TO ACT AS THE OFFICIAL AGENCY OF THE STATE IN THE ADMINISTRATION OF ANY STATE OR FEDERAL FUNDS MADE AVAILABLE FOR RELIEF AND WELFARE PURPOSES; PROVIDING FOR THE CREATION OF COUNTY OR DISTRICT DEPARTMENTS OF PUBLIC WELFARE AND DEFINING THEIR POWERS AND DUTIES; AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH," have ex-

amined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 233 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 73*, by Mr. Bamberger, entitled: "AN ACT REPEALING SECTION 22, CHAPTER 45, LAWS OF UTAH, 1933, AND SECTIONS 57-4-1 AND 57-4-2, REVISED STATUTES OF UTAH, 1933; AMENDING SECTIONS 1, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21 AND 28, CHAPTER 45, LAWS OF UTAH, 1933, 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 PERTAINING THERETO; AND ADDING A NEW SECTION TO CHAPTER 45, LAWS OF UTAH, 1933, TO BE KNOWN AS SECTION 8X, RELATING TO THE ISSUANCE OF SPECIAL RESTRICTED OPERATORS' LICENSES," have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 73 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 232*, by Committee on Social Relations and Relief, entitled: "AN ACT AMENDING SECTION 1, CHAPTER 88, LAWS OF UTAH, 1933, AUTHORIZING THE STATE DEPARTMENT OF PUBLIC WELFARE TO ADMINISTER EMERGENCY RELIEF IN AID OF DESTITUTE RESIDENTS OF THE STATE.", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 232 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 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of March 14th, 1935, and passed *S. B. No. 200,* by Mr. Maw, and is transmitted herewith for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 200 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 14th, 1935, and passed *S. B. No. 127,* by Mr. Holbrook, and is transmitted herewith for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 127 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 19,* by Mr. Sorenson, entitled, A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. J. R. No. 19 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 14, 1935.

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. 242,* by Mrs. Bosone, entitled, AN ACT AUTHORIZING THE STATE LAND BOARD TO ISSUE PROSPECTING PERMITS AND PROVIDING THE TERMS AND CONDITIONS THEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 242 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 14, 1935.

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. 224,* by Mr. Nicholes, entitled, AN ACT AMENDING SECTION 103-51-2, REVISED STATUTES OF UTAH, 1933, MAKING UNLAWFUL COHABITATION A FELONY, AND PROVIDING THAT ALL PERSONS EXCEPT THE DEFENDANT MUST TESTIFY IN PROCEEDINGS THEREFOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 224 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 14, 1935.

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. 197,* by Mr. Bletzacker, entitled, AN ACT PERTAINING TO THE POWERS OF TOWNS TO ESTABLISH AND MAINTAIN PUBLIC PLAYGROUNDS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 197 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 14, 1935.

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. 68*, by Mr. Lamoreaux, entitled, AN ACT FOR THE REGULATION OF GAS AND ELECTRIC PUBLIC UTILITY CORPORATIONS DOING BUSINESS IN THIS STATE; PAYMENT OF DIVIDENDS ON COMMON STOCK; NOTICE TO BE GIVEN COMMISSION OF THE DECLARATION OF SUCH DIVIDENDS, THE AMOUNT AND DATE OF PAYMENT OF SAME; PUBLICATION OF SAID NOTICE; COMMISSION TO HAVE THE RIGHT TO RESTRAIN SUCH PAYMENT WHEN CAPITAL OR SERVICE OF SUCH UTILITY CORPORATION IS IN DANGER OF IMPAIRMENT; DISTRICT COURT JURISDICTION, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 68 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 14, 1935.

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. 153*, by Mrs. Gibson, entitled, 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 HYDROCARBONS OF UTAH BY LOW-TEMPERATURE CARBONIZATION OR OTHER PROCESSES, FOR THE PURPOSE OF DEVELOPING UTAH'S NATURAL RESOURCES AND PROVIDING NEW UTAH-OWNED INDUSTRIES TO RELIEVE UNEMPLOYMENT AND TO REDUCE THE AMOUNT OF MONEY LEAVING THE STATE, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 153 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 14, 1935.

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. Lamoreaux, entitled, AN ACT TO REGULATE

PUBLIC UTILITIES, PROHIBITING THE CONSOLIDATION, MERGER, OR COMBINATION OF SUCH PUBLIC UTILITIES EXCEPT WITH THE CONSENT AND APPROVAL OF THE PUBLIC UTILITIES COMMISSION; PREVENTING THE ACQUISITION BY ONE UTILITY CORPORATION OF THE VOTING OR OTHER SECURITIES OF ANY OTHER PUBLIC UTILITY ENGAGED IN THE SAME GENERAL BUSINESS IN THIS STATE WITHOUT THE CONSENT AND APPROVAL OF THE PUBLIC UTILITIES COMMISSION; PREVENTING THE ACQUIRING, OWNING AND HOLDING BY PURCHASE, LEASE, OR OTHERWISE THE PLANTS, EQUIPMENT, FACILITIES AND PROPERTIES OF ONE OF SUCH PUBLIC UTILITY BY ANOTHER, WITHOUT THE CONSENT AND APPROVAL OF THE PUBLIC UTILITIES COMMISSION; WHEN SUCH CONSENT TO BE GIVEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. 156,* by Mr. Lindstrom, entitled, AN ACT PROVIDING FOR THE SAFETY OF PERSONS EMPLOYED IN AND ABOUT COAL MINES; PROVIDING FOR "MINERS' EXAMINING BOARDS"; PROVIDING THE DUTIES OF, AND FOR THE EXAMINATION BY SUCH BOARDS, OF PERSONS SEEKING EMPLOYMENT AS COAL MINERS; FIXING FEES TO BE PAID BY SUCH APPLICANTS AND COMPENSATION OF MEMBERS OF SUCH BOARDS; AND PROVIDING A PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 156 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 14, 1935.

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. 117,* by Mr. Holmes, entitled, AN ACT PROVIDING FOR THE ORGANIZATION OF BENEFIT ASSOCIATIONS; PROVIDING FOR A MINIMUM MEMBERSHIP FUND AND BOND BEFORE AU-

THORIZATION TO DO BUSINESS; PROVIDING FOR THE AMOUNT AND METHOD OF COLLECTING MEMBERSHIP FEES, ANNUAL DUES AND ASSESSMENTS, AND A FUND FOR THE PAYMENT OF BENEFITS; PROVIDING CONDITIONS OF ISSUANCE; EMERGENCY BENEFIT FUND AND EXTRA CONTRIBUTIONS; REVOCATION AND STATUS OF CERTIFICATES OF MEMBERSHIP; PROVIDING EXEMPTIONS; PROVIDING REGULATION BY COMMISSIONER OF INSURANCE; PROVIDING FEES TO BE PAID; CONSOLIDATION OF COMPANIES; FOREIGN BENEFIT ASSOCIATIONS DOING BUSINESS IN THIS STATE; PROVIDING PENALTIES FOR VIOLATIONS, AND REPEALING ALL ACTS IN CONFLICT THEREWITH, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 117 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 200*, by Mr. Maw, entitled: "AN ACT REPEALING SECTIONS 4775 AND 4777, COMPILED LAWS OF UTAH, 1917, AND SECTIONS 76-1-1 AND 76-1-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 52, LAWS OF UTAH, 1933; AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 76-1-1 AND 76-1-3, REVISED STATUTES OF UTAH, 1933; PROVIDING FOR CHANGE OF NAME FROM PUBLIC UTILITIES COMMISSION TO PUBLIC SERVICE COMMISSION; AND PROVIDING FOR THE MEMBERSHIP, APPOINTMENT, TERM OF OFFICE, SALARY TO BE RECEIVED BY MEMBERS OF THE PUBLIC SERVICE COMMISSION; AND TERMINATING THE TERMS OF OFFICE OF THE PRESENT PUBLIC UTILITIES COMMISSIONERS", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 200 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 127*, by Mr. Holbrook, entitled: "AN ACT TO AMEND SECTION 80-12-2, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A TAX UPON ESTATES", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 127 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 15*, by Mr. Bamberger, entitled: AN ACT RELATING TO THE PROTECTION OF HIGHWAYS AND REGULATING THE TRAFFIC THEREON; AND PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND THE DISPOSITION OF FINES AND FORFEITURES COLLECTED HEREUNDER; PROVIDING PENALTIES FOR THE VIOLATIONS OF THIS ACT; AND ADDING NEW SECTIONS TO BE KNOWN AS 36-1-20X, 36-1-21X, 57-7-10X, 57-7-23X, 57-7-50X, 57-7-64X, 57-7-64X1, 57-7-64X2, 57-7-64X3, 57-7-64X4 AND 57-7-64X5; AMENDING SECTIONS 36-1-21, 36-1-26, 36-1-32, 36-1-33, 36-1-37, 57-7-6, 57-7-10, 57-7-11, 57-7-12, 57-7-16, 57-7-21, 57-7-23, 57-7-24, 57-7-25, 57-7-29, 57-7-36, 57-7-42, 57-7-44, 57-7-47, 57-7-48, 57-7-56, 57-7-60, 57-7-66, 57-7-74, 57-7-75, AND 57-7-76, REVISED STATUTES OF UTAH, 1933; AMENDING SECTION 57-7-55, REVISED STATUTES OF UTAH, 1933; AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933; AND AMENDING SECTION 36-1-29, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 8, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND AMENDING SECTION 36-1-31, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 9, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND REPEALING SECTION 6 OF CHAPTER 43, LAWS OF UTAH, 1933, AND SECTION 57-7-18, REVISED STATUTES OF UTAH, 1933, have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 15 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House to which has been referred *S. B. No. 74,* as amended, by Mr. Bamberger, entitled, AN ACT RELATING TO MOTOR VEHICLES, TRAILERS AND SEMI-TRAILERS, THE OWNERSHIP THEREOF AND OTHER INTERESTS THEREIN; AND TO PROVIDE FOR THE REGISTRATION THEREOF AND THE ISSUANCE OF CERTIFICATES OF TITLE THEREFOR UPON PAYMENT OF CERTAIN FEES; AND TO LICENSE PERSONS IN THE BUSINESS OF WRECKING SUCH VEHICLES OR DEALING IN SUCH VEHICLES OR PARTS THEREOF; AND TO PROTECT OWNERS OF SUCH VEHICLES AGAINST THEFT, EMBEZZLEMENT OR OTHER LOSS THEREOF; AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF MOTOR VEHICLE LAWS BY A DEPARTMENT OF MOTOR VEHICLES; AND IMPOSING PENALTIES FOR VIOLATIONS OF THIS ACT; AND TO MAKE UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING CHAPTERS 1, 2, 3, 5, 6, 9 AND 11, TITLE 57, REVISED STATUTES OF UTAH, 1933; AND CHAPTERS 43 AND 44, LAWS OF UTAH, 1933, AND ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THE PROVISIONS OF THIS ACT, have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 74 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which has been referred *S. B. No. 186,* by Banking and Commerce Committee, entitled: "AN ACT TO AUTHORIZE ANY BANK, SAVINGS BANK OR TRUST COMPANY NOW OR HEREAFTER ORGANIZED UNDER THE LAWS OF THIS STATE OR THE CONSERVATOR OR LIQUIDATOR THEREOF, TO ENTER INTO SUCH CONTRACTS, INCUR SUCH OBLIGATIONS AND GENERALLY TO DO SUCH ACTS AS MAY BE APPROPRIATE OR NECESSARY TO TAKE ADVANTAGE OF ANY AND ALL MEMBERSHIPS, LOANS, SUBSCRIPTIONS, CONTRACTS, GRANTS, RIGHTS OR PRIVILEGES WHICH MAY, AT ANY TIME, BE AVAILABLE OR ENURE TO AID BANKING INSTITUTIONS OR THEIR DEPOSITORS OR STOCKHOLDERS, OR THEIR CONSERVATORS OR LIQUIDATORS, BY VIRTUE OF ANY ACT OR RESOLUTION OF THE CONGRESS OF THE UNITED STATES TO AID, REGULATE OR SAFEGUARD BANKING INSTITUTIONS AND DEPOSITORS, INCLUDING THE ACT CREATING THE FEDERAL DEPOSIT INSURANCE CORPORATION; TO EMPOWER ANY SUCH BANKING INSTITUTION TO SUBSCRIBE TO AND

ACQUIRE ANY STOCK OR DEBENTURES OR BONDS OR OTHER TYPES OF SECURITIES OF SAID CORPORATION AND TO COMPLY WITH ITS REGULATIONS AND REQUIREMENTS TO AUTHORIZE THE APPOINTMENT OF THE FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER OR LIQUIDATOR OF ANY SUCH INSURED CLOSED BANKING INSTITUTION, AND TO AUTHORIZE SAID CORPORATION TO DO ANY AND ALL THINGS APPROPRIATE IN THE SALE OR ACQUIREMENT OF THE ASSETS OF SUCH INSTITUTIONS AND IN THE LIQUIDATION OF SAME; TO MAKE LOANS TO SAME AND TO ITS LIQUIDATORS AND THE STATE BANK COMMISSIONER THEREFOR; TO PROVIDE FOR THE SUBROGATION OF SAID CORPORATION TO THE RIGHTS AGAINST SAID CLOSED INSTITUTIONS OF ALL INSURED DEPOSITORS, WHOSE DEPOSITS HAVE BEEN PAID, OR FOR THE PAYMENT OF WHICH FUNDS HAVE BEEN MADE AVAILABLE: TO RECOGNIZE THE RIGHT OF SAID CORPORATION TO MAKE EXAMINATIONS OF AND TO REQUIRE REPORTS FROM SUCH INSTITUTION, AND THE STATE BANK COMMISSIONER TO ACCEPT SAME IN LIEU OF ANY EXAMINATION OR REPORT AUTHORIZED TO BE MADE TO SAID OFFICIAL; TO PROVIDE FOR DISCLOSURE BY SAID STATE BANK COMMISSIONER TO SAID CORPORATION OF THE CONDITION AND AFFAIRS OF SUCH INSURED INSTITUTION AND ACCESS TO INFORMATION REGARDING SAME; TO PROVIDE FOR THE VESTING OF TITLE IN SAID CORPORATION OF ASSETS OF SUCH CLOSED INSTITUTIONS AND THE RIGHT FOR THE CORPORATION, AS LIQUIDATOR, TO ENFORCE THE INDIVIDUAL LIABILITY OF STOCKHOLDERS AND DIRECTORS THEREOF", have examined same and have carefully compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 186 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 14, 1935.

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. 178,* by Mr. Richards, entitled, AN ACT AMENDING SECTION 7, ARTICLE 2, CHAPTER 53, LAWS OF UTAH, 1933, RELATING TO CERTIFICATES OF CONVENIENCE AND NECESSITY FOR COMMON MOTOR CARRIERS OPERATING IN INTRASTATE COMMERCE, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 178 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 14, 1935.

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. 196,* by Mr. Richards, entitled, AN ACT RELIEVING THE OWNER OR DRIVER OR PERSON RESPONSIBLE FOR THE OPERATION OF ANY VEHICLE UPON ANY OF THE PUBLIC HIGHWAYS FROM ANY LIABILITY TO A GUEST, INCLUDING A MINOR, OR TO HIS HEIRS OR PERSONAL REPRESENTATIVES; PROVIDING THAT LIABILITY SHALL NOT BE RELIEVED WHEN INJURY TO OR DEATH OF GUEST SHALL PROXIMATELY RESULT FROM THE INTOXICATION OR WILFUL MISCONDUCT OF SUCH OWNER, DRIVER OR PERSON RESPONSIBLE FOR THE OPERATION OF SUCH VEHICLE; AND DEFINING THE TERM "GUEST", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 196 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 14, 1935.

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. 211,* by Mr. Hummer, entitled, AN ACT DEFINING AND RELATING TO NARCOTIC DRUGS TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, AND TO REPEAL SECTIONS 79-12-24 AND 79-12-27, REVISED STATUTES OF UTAH, 1933, REGULATING SALE OF NARCOTICS AND REVOCATION OF LICENSES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 211 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 14, 1935.

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. T. W. Jensen, entitled, MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA FOR

THE PURPOSE OF OPPOSING PASSAGE OF (1) H. B. NO. H. R. 3263 WHICH BILL HAS FOR ITS OBJECTIVE THE REPEAL OF THE LONG AND SHORT HAUL PROVISIONS OF SECTION 4 OF THE INTERSTATE COMMERCE ACT; OR (2) ANY OTHER BILLS THAT MAY BE INTRODUCED IN THE CONGRESS HAVING FOR THEIR OBJECTIVE THE REPEALING OR MODIFICATION OF THE SAID LONG AND SHORT HAUL PROVISIONS OF SECTION 4 OF THE INTERSTATE COMMERCE ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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.

March 14, 1935.

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. 226*, by Mr. Holbrook, entitled, AN ACT AUTHORIZING THE STATE LAND BOARD OR THE INDUSTRIAL COMMISSION OF UTAH TO LOAN NOT EXCEEDING $30,000 TO THE UTAH STATE AGRICULTURAL COLLEGE WITH WHICH TO PURCHASE STATE-OWNED LANDS AND PROVIDING FOR THE PAYMENT OF SAID LOAN, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 226 was transmitted to the Governor.

March 14, 1935.

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. Neslen, entitled, AN ACT AMENDING CHAPTER 6 OF TITLE 79, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF DENTISTRY; SETTING FORTH THE QUALIFICATIONS NECESSARY FOR THE PRACTICE OF DENTISTRY, REQUIREMENT FOR OBTAINING A LICENSE, RIGHTS, DUTIES AND PRIVILEGES OF LICENSED PRACTITIONERS, DEFINING PRACTICING DENTISTRY, DEFINING UNPROFESSIONAL CONDUCT, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ACT AND REPEALING SECTION 79-6-3, REVISED STATUTES OF UTAH, 1933, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 9 was transmitted to the Governor.

March 14, 1935.

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. 125*, by Mr. Maw, entitled, AN ACT AMENDING SECTION 80-5-54, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A RECORD ASSESSMENT OF PUBLIC UTILITIES; AND CREATING A NEW SECTION TO BE KNOWN AS 80-5-54X; DEFINING THE DUTIES OF THE STATE TAX COMMISSION AND PROVIDING FOR THE ASSESSMENT OF THE TANGIBLE PROPERTIES OF PUBLIC UTILITIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 125 was transmitted to the Governor.

Senator Huggins moved that all rules to the contrary be suspended, that *H. B. No. 86* be recalled from the Sifting Committee and that said bill be considered by the Senate.

Motion carried.

H. B. No. 86 was read the second time.

On motion of Senator Wallace the rules were suspended and *H. B. No. 86* 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 28 and page 7, line 3, change the word "five" to "seven" and delete the word "working".

Page 14, line 13, between the words "of" and "bonds" insert the words "general obligation".

Page 16, line 26, beginning with the words "if a" strike to and including line 29.

Renumber Section 39 to read Section 40.

Renumber Section 40 to read Section 41.

On the last page strike the new house Section 42, and add a new Section 42 to read as follows:

"Section 42. The governor is hereby authorized and empowered to declare by proclamation the effective date of this act after passage and approval of the federal legislature of a law establishing unemployment reserves or compensation."

H. B. No. 86 then passed on the following roll call:

Yeas, 12; Nays, 5; Absent, 6.

Those voting in the affirmative were: Senators Frischknecht (explained vote), Griffin (explained vote), Hammond, Hopkin, Huggins, Miller, Musser, Parratt, Royle, Wallace, Woodward, Mr. President.

Those voting in the negative were: Senators Bamberger, Bowman, Ray, Stevens, Stewart.

Absent and not voting: Senators Calder, Day, Fennell, Fowles, Holbrook, Holmgren.

H. B. No. 86 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 224*, by Mr. Huggins, entitled: "AN ACT TO AMEND SECTIONS 4, 5 AND 8, CHAPTER 23, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO PUBLIC WORKS PROGRAM FOR PARTICIPATION UNDER THE NATIONAL INDUSTRIAL RECOVERY ACT AND ANY OTHER ACT OF THE CONGRESS OF THE UNITED STATES; AND TO CHANGE THE DATE OF TERMINATION THEREOF," and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 224 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 17*, by Mr. Royle, entitled, AN ACT AMENDING SECTIONS 44-0-1 AND 44-0-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LEGAL AND MAXIMUM RATES ALLOWED TO BE CHARGED FOR A LOAN OR FOREBEARANCE OF 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 INTEREST ON THE SAID LOAN OR CONTRACT EXCEEDING 10 PER CENT PER ANNUM OF THE PURCHASE PRICE OF SAID GOODS, WARES OR MERCHANDISE; AND PROVIDING FURTHER THAT NO ADDITIONAL CHARGE FOR SERVICE FEES OR DISCOUNT CHARGES SHALL EXCEED FOUR PER CENT PER ANNUM UPON THE PURCHASE PRICE OF SAID

GOODS, WARES AND MERCHANDISE OR UPON THE PRINCIPAL OF ANY LOAN and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH.
Chief Clerk.

Communication filed.

S. B. No. 17 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 15,* by Mr. Bamberger, entitled: "AN ACT RELATING TO THE PROTECTION OF HIGHWAYS AND REGULATING THE TRAFFIC THEREON; AND PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND THE DISPOSITION OF FINES AND FORFEITURES COLLECTED HEREUNDER; PROVIDING PENALTIES FOR THE VIOLATIONS OF THIS ACT; AND ADDING NEW SECTIONS TO BE KNOWN AS 36-1-20X, 36-1-21X, 57-7-10X, 57-7-23X, 57-7-50X, 57-7-64X, 57-7-64X1, 57-7-64X2, 57-7-64X3, 57-7-64X4 AND 57-7-64X5; AMENDING SECTIONS 36-1-21, 36-1-26, 36-1-32, 36-1-33, 36-1-37, 57-7-6, 57-7-10, 57-7-11, 57-7-12, 57-7-16, 57-7-21, 57-7-23, 57-7-24, 57-7-25, 57-7-29, 57-7-36, 57-7-42, 57-7-44, 57-7-47, 57-7-48, 57-7-56, 57-7-60, 57-7-66, 57-7-74, 57-7-75, AND 57-7-76, REVISED STATUTES OF UTAH, 1933; AMENDING SECTION 57-7-55, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933; AND AMENDING SECTION 36-1-29, REVISED STATUTES OF UTAH, 1933; AS AMENDED BY CHAPTER 8, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND AMENDING SECTION 36-1-31, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 9, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND REPEALING SECTION 6 OF CHAPTER 43, LAWS OF UTAH, 1933, AND SECTION 57-7-18, REVISED STATUTES OF UTAH, 1933." and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 15 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 200,* by Mr. Maw, entitled: "AN ACT REPEALING SECTIONS 4775 AND 4777, COMPILED LAWS OF UTAH, 1917, AND SECTIONS 76-1-1 AND 76-1-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 52, LAWS OF UTAH, 1933; AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 76-1-1 AND 76-1-3, REVISED STATUTES OF UTAH, 1933; PROVIDING FOR CHANGE OF NAME FROM

PUBLIC UTILITIES COMMISSION TO PUBLIC SERVICE COMMISSION; AND PROVIDING FOR THE MEMBERSHIP, APPOINTMENT, TERM OF OFFICE, SALARY TO BE RECEIVED BY MEMBERS OF THE PUBLIC SERVICE COMMISSION; AND TERMINATING THE TERMS OF OFFICE OF THE PRESENT PUBLIC UTILITIES COMMISSIONERS", and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 200 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 74*, by Mr. Bamberger, entitled: AN ACT RELATING TO MOTOR VEHICLES, TRAILERS AND SEMI-TRAILERS, THE OWNERSHIP THEREOF AND OTHER INTERESTS THEREIN; AND TO PROVIDE FOR THE REGISTRATION THEREOF AND THE ISSUANCE OF CERTIFICATES OF TITLE THEREFOR UPON PAYMENT OF CERTAIN FEES; AND TO LICENSE PERSONS IN THE BUSINESS OF WRECKING SUCH VEHICLES OR DEALING IN SUCH VEHICLES OR PARTS THEREOF; AND TO PROTECT OWNERS OF SUCH VEHICLES AGAINST THEFT, EMBEZZLEMENT OR OTHER LOSS THEREOF; AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF MOTOR VEHICLE LAWS BY A DEPARTMENT OF MOTOR VEHICLES; AND IMPOSING PENALTIES FOR VIOLATIONS OF THIS ACT; AND TO MAKE UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING CHAPTERS 1, 2, 3, 5, 6, 9 AND 11, TITLE 57, REVISED STATUTES OF UTAH, 1933; AND CHAPTERS 43 AND 44, LAWS OF UTAH, 1933, AND ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THE PROVISIONS OF THIS ACT", and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 74 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 127*, by Mr. Holbrook, entitled: "AN ACT TO AMEND SECTION 80-12-2, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A TAX UPON ESTATES", and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 127 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 233,* by Committee on Social Relations and Relief, entitled AN ACT CREATING A STATE DEPARTMENT OF PUBLIC WELFARE; PROVIDING FOR THE APPOINTMENT OF A STATE BOARD OF PUBLIC WELFARE; AUTHORIZING THE APPOINTMENT OF A DIRECTOR AND OTHER ASSISTANTS AND EMPLOYES OF THE DEPARTMENT AND PROVIDING FOR THEIR COMPENSATIONS; DEFINING THE POWERS AND DUTIES OF SUCH BOARD AND SUCH DIRECTOR; AUTHORIXING THE BOARD TO ACT AS THE OFFICIAL AGENCY OF THE STATE IN THE ADMINISTRATION OF ANY STATE OR FEDERAL FUNDS MADE AVAILABLE FOR RELIEF AND WELFARE PURPOSES; PROVIDING FOR THE CREATION OF COUNTY OR DISTRICT DEPARTMENTS OF PUBLIC WELFARE AND DEFINING THEIR POWERS AND DUTIES; AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH, and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 233 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 73,* by Mr. Bamberger, entitled AN ACT REPEALING SECTION 22, CHAPTER 45, LAWS OF UTAH, 1933, AND SECTIONS 57-4-1 AND 57-4-2 REVISED STATUTES OF UTAH, 1933; AMENDING SECTIONS 1, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21 AND 28, CHAPTER 45, LAWS OF UTAH, 1933, 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 PERTAINING THERETO; AND ADDING A NEW SECTION TO CHAPTER 45, LAWS OF UTAH, 1933, TO BE KNOWN AS SECTION 8X, RELATING TO THE ISSUANCE OF SPECIAL RESTRICTED OPERATORS' LICENSES and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 73 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of of the House has this day signed in open session, *S. B. No. 232,* by Com-

mittee on Social Relations and Relief, entitled: "AN ACT AMENDING SECTION 1, CHAPTER 88, LAWS OF UTAH, 1933, AUTHORIZING THE STATE DEPARTMENT OF PUBLIC WELFARE TO ADMINISTER EMERGENCY RELIEF IN AID OF DESTITUTE RESIDENTS OF THE STATE", and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 232 was transmitted to the Governor.

March 14, 1935.

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. 231*, by Messrs. Woodward and Wallace, entitled AN ACT CREATING THE GREAT BASIN AUTHORITY BOARD CONSISTING OF THE GOVERNOR AND FOUR OTHER MEMBERS TO BE APPOINTED BY HIM; DEFINING THE POWERS AND DUTIES OF SAID BOARD; AUTHORIZING SAID BOARD TO BORROW AND OBTAIN GRANTS OF MONEY FROM THE FEDERAL GOVERNMENT OR ANY FEDERAL AGENCY FOR THE PURPOSE OF CONSTRUCTING DIKES IN GREAT SALT LAKE, ROADS TO AND ALONG SAME, PARKS, RESTING AND NESTING PLACES FOR WILD FOWL, CHANNELS AND PONDS FOR FISH AND MUSKRATS AND OTHER IMPROVEMENTS INCIDENTAL TO THE CREATION OF A FRESH WATER LAKE BETWEEN SAID DIKES AND THE DIVERSION AND USE OF WATER TO BE IMPOUNDED BETWEEN SAID DIKES AND FOR THE PURPOSE OF BUYING LAND AND EASEMENTS; AUTHORIZING SUCH CONSTRUCTION AND THE ACQUIRING OF ALL LAND AND EASEMENTS NECESSARY TO ACCOMPLISH SUCH PURPOSES AND THE PURCHASE OF ADJOINING LAND AND LAND UPON WHICH WATER FROM SAID FRESH WATER LAKE MAY BE USED; AUTHORIZING SAID BOARD TO ASSUME CONTROL AND SUPERVISION OVER ALL IMPROVEMENTS CONTEMPLATED IN THIS ACT AND OVER ALL LAND AND WATER WITHIN THE MEANDER LINE OF GREAT SALT LAKE; AUTHORIZING THE EXACTION OF RENTALS AND TOLLS; AUTHORIZING CONTRACTS FOR EXTRACTION OF MINERALS UPON A ROYALTY BASIS FROM LAND AND WATER WITHIN MEANDER LINE OF GREAT SALT LAKE; AUTHORIZING BOARD TO ORGANIZE OR CAUSE TO BE ORGANIZED A CORPORATION OR CORPORATIONS FOR THE PURPOSE OF CARRYING ON WORK AND PERFORMING DUTIES THERETOFORE IMPOSED ON BOARD WITH AUTHORITY IN BOARD TO DELEGATE ITS RIGHTS AND POWERS UNDER THIS ACT TO SUCH CORPORATION OR CORPORATIONS; WITHDRAWING FROM ENTRY APPROPRIATION OR SALE ALL WATER IMPOUNDED OR TO BE IMPOUNDED BY SAID DIKES AND ALL WATER AND LAND WITHIN MEANDER LINE OF GREAT SALT LAKE INCLUDING MINERALS CONTAINED THEREIN EXCEPT AS PROVIDED IN THIS ACT; AND REPEALING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT WITH THIS ACT IN SO FAR AS SUCH OTHER ACTS

AFFECT THE SPECIFIC PROPERTY MENTIONED OR THE OPERATIONS CONTEMPLATED BY THIS ACT and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 231 was transmitted to the Governor.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, *S. B. No. 212*, by Mr. Holbrook, entitled: "AN ACT AUTHORIZING THE STATE LAND BOARD TO COMMENCE LEGAL PROCEEDINGS AGAINST THE OWNER OR LANDS WITHIN WATERSHEDS FOR THE PROTECTION OF LIFE AND PROPERTY," and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 212 was transmitted to the Governor.

On motion of Senator Huggins the Senate resolved itself into Executive Session.

On motion of Senator Huggins the Executive Session dissolved

REPORT OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Appointments, to whom was referred the letter of His Excellency, the Governor, dated February 8, 1935, wherein John A. Malia of Salt Lake City, was appointed to the office of state bank commissioner of the State of Utah to serve for a term of four years ending April 1, 1937, beg leave to report and advise that the appointment of Mr. John A. Malia to the office named be not confirmed.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 86*, by Mrs. Bosone.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 186*, by Banking and Commerce Committee, entitled: "AN ACT TO AUTHORIZE ANY BANK, SAVINGS BANK OR TRUST COMPANY NOW OR HEREAFTER ORGANIZED UNDER THE LAWS OF THIS STATE OR THE CONSERVATOR OR LIQUIDATOR THEREOF, TO ENTER INTO SUCH CONTRACTS, INCUR SUCH OBLIGATIONS AND GENERALLY TO DO SUCH ACTS AS MAY BE APPROPRIATE OR NECESSARY TO TAKE ADVANTAGE OF ANY AND ALL MEMBERSHIPS, LOANS, SUBSCRIPTIONS, CONTRACTS, GRANTS, RIGHTS OR PRIVILEGES WHICH MAY, AT ANY TIME, BE AVAILABLE OR ENURE TO SAID BANKING INSTITUTIONS OR THEIR DEPOSITORS OR STOCKHOLDERS, OR THEIR CONSERVATORS OR LIQUIDATORS, BY VIRTUE OF ANY ACT OR RESOLUTION OF THE CONGRESS OF THE UNITED STATES TO AID, REGULATE OR SAFEGUARD BANKING INSTITUTIONS AND DEPOSITORS, INCLUDING THE ACT CREATING THE FEDERAL DEPOSIT INSURANCE CORPORATION; TO EMPOWER ANY SUCH BANKING INSTITUTION TO SUBSCRIBE TO AND ACQUIRE ANY STOCK OR DEBENTURES OR BONDS OR OTHER TYPES OF SECURITIES OF SAID CORPORATION AND TO COMPLY WITH ITS REGULATIONS AND REQUIREMENTS; TO AUTHORIZE THE APPOINTMENT OF THE FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER OR LIQUIDATOR OF ANY SUCH INSURED CLOSED BANKING INSTITUTION AND TO AUTHORIZE SAID CORPORATION TO DO ANY AND ALL THINGS APPROPRIATE IN THE SALE OR ACQUIREMENT OF THE ASSETS OF SUCH INSTITUTIONS AND IN THE LIQUIDATION OF SAME; TO MAKE LOANS TO SAME AND TO ITS LIQUIDATORS AND THE STATE BANK COMMISSIONER THEREFOR; TO PROVIDE FOR THE SUBROGATION OF SAID CORPORATION TO THE RIGHTS AGAINST SAID CLOSED INSTITUTIONS OF ALL INSURED DEPOSITORS, WHOSE DEPOSITS HAVE BEEN PAID, OR FOR THE PAYMENT OF WHICH FUNDS HAVE BEEN MADE AVAILABLE; TO RECOGNIZE THE RIGHT OF SAID CORPORATION TO MAKE EXAMINATIONS OF AND TO REQUIRE REPORTS FROM SUCH INSTITUTION, AND THE STATE BANK COMMISSIONER TO ACCEPT SAME IN LIEU OF ANY EXAMINATION OR REPORT AUTHORIZED TO BE MADE TO SAID OFFICIAL; TO PROVIDE FOR DISCLOSURE BY SAID STATE BANK COMMISSIONER TO SAID CORPORATION OF THE CONDITION AND AFFAIRS OF SUCH INSURED INSTITUTION AND ACCESS

TO INFORMATION REGARDING SAME; TO PROVIDE FOR THE VESTING OF TITLE IN SAID CORPORATION OF ASSETS OF SUCH CLOSED INSTITUTIONS AND THE RIGHT FOR THE CORPORATION, AS LIQUIDATOR, TO ENFORCE THE INDIVIDUAL LIABILITY OF STOCKHOLDERS AND DIRECTORS THEREOF." and the same is returned herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 186 was transmitted to the Governor.

March 14, 1935.

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. Kiefer, 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 FURNISHING OF INSURANCE BY MOTOR CARRIERS, AND REPEALING CHAPTER 53, LAWS OF UTAH, 1933, AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

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. Edman, entitled, AN ACT AMENDING SECTIONS 85-7-10, 85-7-14, 85-7-27, 85-7-30 AND 85-7-38, REVISED STATUTES OF UTAH, 1933, AND SECTION 85-7-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, RELATING TO THE UTAH STATE HOSPITAL, PERTAINING TO PERSONNEL ADDING TO THE DUTIES OF THE STEWARD; AND REPEALING SECTIONS 85-7-8 AND 85-7-9, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW SECTION PROVIDING FOR THE BOARDING OUT OF PATIENTS OF THE HOSPITAL UNDER CERTAIN PROVISIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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.

March 14, 1935.

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, entitled, AN ACT TO PROVIDE FOR THE BONDING, LICENSING, REGULATION, AND SUPERVISION OF PRODUCE DEALERS ENGAGED IN THE HANDLING, RECEIVING, OR SELLING OF FARM PRODUCTS AND TO CREATE A PRODUCE DEALERS' LICENSE FUND; TO DEFINE THE PURPOSE OF THIS ACT AND THE TERMS USED THEREIN; TO DEFINE THE POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE WITH REFERENCE THERETO; TO PROVIDE FOR THE KEEPING OF CERTAIN RECORDS CONCERNING THE SALE OF FARM PRODUCTS; TO PROVIDE FOR THE REVOCATION OF PRODUCE DEALERS' LICENSE; TO DECLARE CERTAIN ACTS TO BE OFFENSES AND TO FIX THE PENALTIES THEREOF, AND TO REPEAL TITLE 3, CHAPTER 9, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1933, AS FURTHER AMENDED BY CHAPTER 1, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION; AND ALL CONFLICTING ACTS OR PARTS OF ACTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 14, 1935.

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. Holbrook, entitled, AN ACT TO AMEND SECTIONS 3-10-14, 3-10-15, 3-10-16, 3-10-17, 3-10-19, 3-10-20, 3-10-23, 3-10-24, AND 3-10-26, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DAIRY AND FOOD PRODUCTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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.

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 14, 1935, and passed *H. B. No. 41*, and is transmitted herewith for further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President and Mr. Speaker:

We, your Conference Committees on *H. B. No. 41*, by Mr. Holbrook and Mr. Edman, report:

Lines 8 and 9 of the title, strike "AND TO PROVIDE FOR LOCAL OPTION".

Strike all Senate amendments except as indicated herein.

Page 2, strike lines 31, 32 and 33.

Page 3, line 25, change "alcoholic beverages" to "liquor".

Page 5, strike lines 1, 2 and 3.

Page 8, line 19, change the word "brands" to "qualities".

Page 10, line 8, after "any" insert "city or county ordinances," and strike "law or of" and insert "laws".

Line 9, strike "any ordinance".

Page 10, line 19, strike the words "shall transmit the same to the state board of education which".

Page 10, line 29, strike "state board of education" and insert "commission".

Page 10, line 32, strike "board of education" and insert "commission".

Strike House amendment known as "Section 11a".

Page 11, strike lines 5, 6, and 7, and insert "mittees composed of three persons appointed by the commission."

Page 11, line 13, strike "board of education" and insert "commission".

Page 11, line 13, commencing with the word "The" strike the remainder of the paragraph.

Page 12, line 14, after "annually" insert "before October first".

Page 13, strike lines 6 to 12 inclusive and insert in lieu thereof Senate amendment as new section.

Page 13, line 14, strike "borrow money", and on line 15, strike to and include the word "of" and insert "make requisition on the state board of loan commissioners for money to administer" and between the words "act" and "for" insert the word "and".

On line 22, strike "money up to the" and insert "not to exceed the above named."

Line 27, change "one year" to "two years".

On page 15, line 14, at the end of the line add "and the governor."

On page 15, line 20, strike "the general fund" and insert "a special fund to be known as the liquor control fund".

Page 15, line 21, add Senate amendment.

On page 20, at the end of line 4, add Senate amendment.

Page 20, lines 10, 11, 13 and between lines 14 and 15, adopt Senate amendments.

Page 21, line 17, after the word "liquor" strike the remainder of the line and the first word of line 18.

Page 26, lines 11 and 12, adopt Senate amendment.

Page 29, strike lines 17 to 29 inclusive.

Page 35, line 24, between "distributed" and "shipped" insert "bottled,".

Page 36, line 9, between "distributed" and "shipped" insert "bottled,".

Page 37, at the end of line 17, add Senate amendment.

Page 37, line 28, strike "or other place of amusement,".

Page 38, line 9, strike the word "the" and insert "or change a".

Page 39, line 20, strike "like" and insert "proportionate".

Page 40, line 11, preceding the word "to" insert "knowingly".

Page 51, strike lines 13, 14 and 15.

Page 53, strike lines 32 and 33 and insert in lieu thereof "and provided further that advertising of light beers shall be permitted under such regulations as the commission may make".

Page 67, in the third line of the House amendment, inserted after line 30, strike the word "such" between the words "and" and "other".

Page 68, strike lines 24 to 28, inclusive and insert in lieu thereof House amendment which was inserted on page 77, line 22, instead of placing it as indicated by the House.

Page 75, line 21, put a period after "misdemeanor" and strike the balance of the line.

Sections which are to be properly renumbered and cross references changed accordingly; as follows:

Change Section 34 to Section 33 and similarly thereafter, change all following sections to and including Section 74.

Change Section 83 to Section 74, and similarly thereafter change all following sections to and including Section 87.

Change Section 89 to Section 79 and similarly thereafter change all following sections to and including Section 123.

Change Section 124 to Section 114 and similarly thereafter change all following sections to and including Section 135.

Change Section 136 to Section 126 and similarly thereafter to the end of the bill.

On page 54, line 22, change 156 to 146.

On page 56, line 20, change 126 to 116.

On page 56, line 26, change 127 to 117, 128 to 118, 129 to 119.

On page 56, line 29, change 131 to 121, 132 to 122.

On page 56 line 30, change 133 to 123,

On page 56, line 33, change 138 to 128.

On page 57, line 1, change 139 to 129, 140 to 130.

On page 57, line 6, change 137 to 114.

On page 57, line 11, change 130 to 120.

On page 57, line 16, change 44 to 43, 45 to 44, 67 to 66, 70 to 69.

On page 57, line 17, change 71 to 70, 125 to 115, 139 to 129, 143 to 133, 148 to 138, 149 to 139.

On page 57, line 23, strike "135 or" and change sections to singular.

On page 57, line 23, change 136 to 126.

On page 58, line 11, change 166 to 156.

On page 62, line 18, change 175 to 165.

On page 62, line 23, change 174 to 164, 175 to 165.

On page 53, lines 22 and 23, strike "to prohibit newspaper or other printed advertising, and".

Respectfully submitted,

E. M. ROYLE,
Chairman Senate Committee.

STANLEY CHILD,
Chairman House Committee.

Report adopted and filed.

H. B. No. 41 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger (explained vote), Bowman (explained vote), Frischknecht (explained vote), Griffin (explained vote), Hammond (explained vote), Hopkin (explained vote), Huggins (explained vote), Miller (explained vote), Musser (explained vote), Parratt (explained vote), Ray (explained vote), Royle (explained vote), Stevens (explained vote), Wallace (explained vote), Woodward (explained vote), Mr. President (explained vote).

Absent and not voting: Senators Calder, Day, Fennell, Fowles, Holbrook, Holmgren, Stewart.

H. B. No. 41 was returned to the House.

Upon unanimous consent of the Senate all rules to the contrary were suspended and the following bill was introduced.

S. B. No. 240 By Mr. Maw

AN ACT TO PROVIDE REVENUE FOR THE SUPPORT OF THE GOVERNMENT OF THE STATE, AND FOR HIGH SCHOOL PURPOSES, FOR THE FISCAL YEARS OF 1935 AND 1936, was read the first time.

On motion of Senator Parratt the rules were suspended and *S. B. No. 240* was read the second and third times and placed on its final passage.

S. B. No. 240 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bamberger, Calder, Fowles, Frischknecht, Griffin, Hammond, Hopkin, Musser, Parratt, Ray, Royle, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Bowman, Day, Fennell, Holbrook, Holmgren, Huggins, Miller.

S. B. No. 240 was transmitted to the House.

Senator Parratt moved that it be the wish of the Senate that President Maw, after consultation with the Governor as to the membership of the new Committee of Nine, appoint himself as one of the senatorial members of said committee and that we ask him to exercise no hestitancy in appointing himself as a member thereof.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 231,* by Mrs. Bosone, entitled, AN ACT TO PROVIDE REVENUE FOR THE SUPPORT OF THE GOVERNMENT OF THE STATE, AND FOR HIGH SCHOOL PURPOSES, FOR THE FISCAL YEARS OF 1935 AND 1936, and the same is transmitted herewith for your action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 231 was read the first time.

On motion of Senator Ray the rules were suspended and *H. B. No. 231* was read the second and third times and placed on its final passage.

H. B. No. 231 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Bamberger, Bowman, Calder, Frischknecht, Hammond, Hopkin, Miller, Parratt, Ray, Stevens, Stewart, Wallace, Woodward, Mr. President.

Absent and not voting: Senators Day, Fennell, Fowles, Griffin, Holbrook, Holmgren, Huggins, Musser, Royle.

H. B. No. 231 was returned to the House.

REPORTS OF STANDING COMMITTEE

March 8, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, to whom was referred *S. B. No. 128,* by Mr. Stevens, recommend that the same be reported to the Sifting Committee, and that the enacting clause be stricken.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report adopted and filed.

March 8, 1935.

Mr. President:

We, your Committee on Appropriations and Claims, beg leave to report back the following bills: *S. B. No. 20,* by Mr. Calder, *S. B. No. 163,* by Mrs. Musser, *S. B. No. 146,* by Mr. Miller, *S. B. No. 169,* by Mr. Woodward, *S. B. No. 154,* by Mr. Fowles, and recommend that the enacting clauses of the same be stricken.

Respectfully,
WARD C. HOLBROOK,
Chairman.

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEE

March 14, 1935.

Mr. President:

We, your Sifting Committee, recommend that the Enacting Clause be stricken on the following House Bills:

H. B. Nos. 3, 9, 16, 18, 21, 27, 30, 46, 51, 52, 54, 59, 67, 69, 97, 102, 109, 111, 126, 134, 135, 136, 143, 145, 146, 174, 179, 183, 189, 190, 192, 194, 199, 206, 216, 217, 220, 221, 223, 243, 265, H. C. M. Nos. 1, 7, 8, H. J. M. No. 5, H. J. R. No. 16, H. C. R. No. 4.

Respectfully submitted,
E. M. ROYLE,
Chairman,

Report adopted and filed.

All House Bills above referred to returned to the House.

March 14, 1935.

Mr. President:

We, your Sifting Committee, recommend that the Enacting Clause be stricken on the following Senate Bills:

S. B. Nos. 3, 11, 13, 25, 31, 53, 54, 61, 62, 64, 67, 70, 71, 75, 76, 77, 78, 79, 81, 83, 85, 87, 89, 90, 97, 100, 103, 104, 106, 108, 115, 116, 117, 119, 120, 122, 123, 124, 130, 131, 133, 135, 136, 138, 139, 145, 147, 149, 150, 157, 158, 161, 164, 167, 168, 170, 175, 177, 179, 181, 182, 190, 191, 192, 194, 195, 196, 198, 201, 202, 207, 208, 209, 214, 216, 218, 219, 221, 230, 235, S. J. R. Nos. 10, 12, 15, 17, 18, S. J. M. No. 4, S. C. M. No. 1, S. B. No. 128.

Respectfully submitted,
E. M. ROYLE,
Chairman.

Report adopted and filed.

On motion of Senator Parratt the enacting clause was stricken on *H. B. No. 63* and *H. B. No. 5* and *S. B. No. 63.*

H. B. No. 63 and *H. B. No. 5* were returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day stricken the enacting clause on *S. B. No. 240,* by Mr. Maw.

Respectfully,
J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. 274,* by Mr. Maw, entitled, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1935; AND ENDING JUNE 30, 1937; CONFERRING CERTAIN POWERS ON THE GOVERNOR RELATING THERETO; REQUIRING REPORTS FROM STATE OFFICERS; FORBIDDING DEFICITS; AND RESTRICTING OUT-OF-STATE TRAVEL, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 274 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 14, 1935.

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. 86,* by Mrs. Bosone, entitled, AN ACT ESTABLISHING AN UNEMPLOYMENT RESERVE FUND AND CREATING AN UNEMPLOYMENT RESERVE FUND DEPARTMENT UNDER THE SUPERVISION OF THE INDUSTRIAL COMMISSION OF UTAH; MAKING AN APPROPRIATION THEREFOR; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND FOR OTHER PURPOSES, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 86 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 14, 1935.

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. 231,* by Mrs. Bosone, entitled, AN ACT TO PROVIDE REVENUE FOR THE SUPPORT OF THE GOVERNMENT OF THE STATE, AND FOR HIGH SCHOOL PURPOSES, FOR THE FISCAL YEAR OF 1935 AND 1937, and the same is transmitted herewith for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

H. B. No. 231 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 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day stricken the enacting clause of the following Senate Bills:

S. J. R. No. 6, S. J. R. No. 8, S. J. R. No. 13, S. J. M. No. 2, S. C. M. No. 2, S. C. M. No. 3, S. B. Nos. 4, 5, 6, 7, 16, 55, 57, 66, 82, 84, 86, 95, 98, 102, 105, 109, 110, 113, 121, 126, 134, 143, 151, 152, 155, 160, 162, 171, 174, 176, 183, 184, 185, 187, 188, 189, 193, 197, 199, 210, 213, 217, 220, 222, 236, 237, S. J. R. No. 14, S. C. M. No. 4.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

March 14, 1935.

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. Holbrook and Mr. Edman, entitled: "AN ACT TO PROVIDE A SYSTEM OF STATE CONTROL OF THE MANUFACTURE, PURCHASE, SALE, IMPORTATION, EXPORTATION, TRANSPORTATION AND USE OF ALCOHOL AND ALCOHOLIC BEVERAGES; TO CREATE A LIQUOR CONTROL COMMISSION, AND TO PROVIDE FOR THE SALE OF ALCOHOL AND ALCOHOLIC BEVERAGES BY SUCH COMMISSION, TO MAKE AN APPROPRIATION THEREFOR; TO PROVIDE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT; AND REPEALING TITLE 46 OF THE REVISED STATUTES OF UTAH, 1933, CHAPTER 35 OF THE LAWS OF UTAH, 1933, AND CHAPTER 10 OF THE LAWS OF UTAH, 1933, SECOND SPECIAL SESSION", and the same is transmitted for the signature of the President.

Respectfully,

J. EDWARD LYNCH,
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 14, 1935.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 228*, by Mr. Woodward and Mr. Bamberger, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 228 was referred to the Committee on Revision and Enrolling to be engrossed.

March 14, 1935.

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. 11*, by Mrs. Musser, and the same is returned herewith for your further action.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 11 was referred to the Committee on Revision and Enrolling to be engrossed.

The President appointed a committee consisting of Senators Musser, Stevens and Hammond to wait upon the Governor and ascertain if he has any further business to be transacted.

The President appointed a committee consisting of Senators Stewart, Calder and Miller to notify the House that the Senate has concluded its business and is ready to adjourn sine die.

REPORTS OF STANDING COMMITTEE

March 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. B. No. 228*, by Mr. Woodward and Mr. Bamberger entitled: "AN ACT CREATING A STATE PLANNING BOARD; PROVIDING FOR THE APPOINTMENT OF OFFICERS AND EMPLOYES OF SAID BOARD; DELEGATING TO SUCH BOARD THE DUTY OF PREPARING STATE PLANS AND PLANS IN COOPERATION WITH THE UNITED STATES FOR THE MATERIAL, SOCIAL AND ECONOMIC DEVELOPMENT OF THE STATE", have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. B. No. 228 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 14, 1935.

Mr. President:

We, your Committee on Revision and Enrolling, together with a like committee from the House, to which was referred *S. J. R. No. 11*, by Mrs. Musser, entitled: "AN ACT PROVIDING FOR THE PLACING OF

A STATUE IN ONE OF THE NICHES OF THE ROTUNDA OF THE STATE CAPITOL." have examined same and have compared the bill as passed with the enrolled and engrossed copy and find it correct, and return the same for the signature of the President.

Respectfully,

GEO. M. MILLER,
Chairman.

Report filed.

S. J. R. No. 11 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 14, 1935.

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. 11,* by Mrs. Musser, entitled, AN ACT PROVIDING FOR THE PLACING OF A STATUE IN ONE OF THE NICHES OF THE ROTUNDA OF THE STATE CAPITOL," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. J. R. No. 11 was transmitted to the Secretary of State.

March 14, 1935.

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. 228,* by Mr. Woodward and Mr. Bamberger, entitled, AN ACT CREATING A STATE PLANNING BOARD; PROVIDING FOR THE APPOINTMENT OF OFFICERS AND EMPLOYES OF SAID BOARD; DELEGATING TO SUCH BOARD THE DUTY OF PREPARING STATE PLANS AND PLANS IN COOPERATION WITH THE UNITED STATES FOR THE MATERIAL SOCIAL AND ECONOMIC DEVELOPMENT OF THE STATE and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. EDWARD LYNCH,
Chief Clerk.

Communication filed.

S. B. No. 228 was transmitted to the Governor.

A committee consisting of Representatives Monson, Jensen and Taylor appeared and notified the Senate that the House had concluded its business and was ready to adjourn sine die.

COMMUNICATION FROM THE GOVERNOR

March 14, 1935.

TO THE SENATE,

Ladies and Gentlemen:

You have officially advised me that the business of the Twenty-first Legislature has been completed, and that you are ready for adjournment.

I have the honor to inform you that I have no further legislative matters to lay before you at this time.

This opportunity must not be allowed to pass without my expressing personally and on behalf of the State of Utah sincere appreciation of the unselfish devotion you have shown in the performance of the duties imposed upon you as representatives of the people of the State. Those who have been in daily contact with you, as I have been, are in a position to know how conscientiously you have endeavored to do your full duty.

My task has been made easier by reason of the cordial relationships that have existed between the officers and members of both houses and my office. It has been a real pleasure frequently to sit in counsel with you, individually and in groups.

I sincerely hope that the work performed will receive the general approval of the people of the State, and that it will be found wise and helpful.

May I ask that each of you carry to your home my sincere good wishes for health, prosperity and happiness.

Very respectfully yours,

HENRY H. BLOOD,
Governor.

Communication filed.

The committee appointed by the President to wait upon the House reported the House had no further business and was ready to adjourn.

On motion of Senator Miller the Twenty-first Session of the Utah State Senate was adjourned sine die.

GENERAL INDEX

REFERENCES

	Page
Certification	3
Members	5
Officers	7
Order of Business	8
Governor's Message	11
Joint Rules	113
Senate Rules	115
Standing Committee Appointments	45, 155
Sifting Committee	279
Senate Bills	669 to 683
Senate Joint Resolutions	684
Senate Joint Memorials	685
Senate Concurrent Memorials	685
House Bills	686 to 692
House Joint Resolutions	693
House Joint Memorials	693
House Concurrent Memorials	694
House Concurrent Resolutions	694
Governor's Action on Senate Bills	695 to 697
Governor's Action on House Bills	698 to 700
Resolutions and Memorials Passed	701, 702
Communications from the Governor	703
Committees and Members	704

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—Corporation Excise Tax	38	43	96	194	204	206	309	548	556		139, 319, 331, 410, 443, 445, 466
2	Holbrook—Increase Individual Income Tax	38	43									287
3	Miller—Cancelling Penalties and Interest on Delinquent Taxes—1928 to 1934	38	44	318								326, 660
4	Homgren—Requiring County Treasurer to Distribute Prepaid Taxes	39	59	151	227	227	228	662				
5	Holbrook—Procedure for Nomination of Candidates to Public Office	39	56	162	244	275	275	662				245
6	Holbrook—Public Officers as delegates to political Conventions	40	57	162	261	275	280	662				279
7	Holbrook—Procedure for Conducting Primary Elections	40	57	163	262	280	281	662				274
8	Huggins—Period of Limitation for Commencement of Actions on Obligations	40	52	65	70	70	70	99	102	105	158	
9	Neslen—Prohibiting Dentists from Advertising	40	60	107	210	218	219	557	615	644		
10	Bamberger—Creating a State Planning Board	41	53									318, 319
11	Neslen—Taxing Reciprocal Insurance Exchanges	41	53									221, 660
12	Neslen—Taxing Fraternal Insurance Companies	41	60									110
13	Neslen—Raising Taxes on Insurance Companies from 1½ to 2%	42	80									660
14	Holbrook—Tobacco Sales Tax	46	60	101	139							
15	Bamberger—Traffic Safety	46	61	95	112	126	127	607	640	647		
16	Huggins—Placing Title Insurance Companies Under Insurance Law	46	62	96	139	218	218	662				172, 180, 192, 209
17	Royle—Fixing Legal Interest Rates for Goods, Money, etc.	47	62	155	229	259	260	606	632	646		232, 233, 244

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
18	Holbrook—Enable U. S. to Purchase Land for Flood and Erosion Control	50	62	80	99	102	103	156	161	176	232	
19	Holbrook—Payment of Property Taxes in Installments	50										52
20	Calder—Appropriation—$1,000 to Uintah Basin Industrial Convention	51	62	660								
21	Calder—Providing for Motor Fuel Inspection	51	63	81	103	112	138	500	523	539		125, 126, 138
22	Calder—Excise Tax on Motor Fuels	51	63	81	104							112
23	Calder—Enlarging Duties of State Road Commission	51	63	106	209	210	210	519	562	572		
24	Miller—License System of State Control for Liquor	51										98
25	Musser—Extermination of Slot Machines	51	63	97	139							660
26	Holbrook—Extend Period of Redemption from Tax Sale	52			52	52						65
27	Frischknecht—Reducing Publication Costs on Delinquent Taxes	58	71	312	391							326, 346, 350, 365
28	Stevens—Empowering Fish and Game Commissioner to Borrow Money	58	71	76	91	92	92	144	157	175	232	
29	Miller—Jeopardy Assessment of Mining Properties	58	71	256	360	365	365	580				312, 326, 350
30	Musser—Registration of Beauty Culturists	58										111
31	Holbrook—Assessment of Mines	58	72	318								660
32	Hammond—Defining School Population for Annual Census	66	81									287
33	Judiciary Com.—Defendant's Statement at Preliminary Hearing	66	81	185	281	281	281	512	541	551		280
34	Judiciary Com.—Waiver of Any Defects or Irregularity	66	81	185	281	281	282	511	543	551		280
35	Judiciary Com.—Failure to Arraign Unless Objection is Raised	66	82	185	282	282	282	511	540	550		280
36	Judiciary Com.—Bail Bonds in Criminal Cases	66	135	186	282	298	299	512	557	575		280

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	Judiciary Com.—Challenging of Jurors in Criminal Cases	66	82	186	282	283	283	512	542	551		280
38	Judiciary Com.—Pleas in Criminal Cases	66	82	186	283	299	299	513	543	552		280
39	Judiciary Com.—Inquiry Into the Sanity of a Defendant	67	83	186	283	283	284	515	540	552		280
40	Judiciary Com.—Causes Against Judgment in Criminal Cases	67	83	187	284	284	284	514	543	556		280
41	Judiciary Com.—Requiring Notice of Criminal Defense by Alibi	67	83	187	284	284	284	514	544	550		280
42	Judiciary Com.—Trial of Defendants Jointly Charged	67	83	187	284	284	285	514	542	552		280
43	Judiciary Com.—Removal of Criminal Action by One or More but not All Defendants	67	84	187	285	285	285	514	514	553		280
44	Judiciary Com.—Authorizing a Summons Instead of a Warrant	67	84	187	285	285	285	514	541	553		280
45	Judiciary Com.—Permitting Waiver of Jury in Criminal Cases	67	84	188	285	285	286	513	540	554		280
46	Judiciary Com.—Change of Judge in Criminal Cases	67	84	188	286	286	286	523	548	555		280
47	Judiciary Com.—Appeal by State in Criminal Cases	68	84	188	293	293	293	519	559	576		280
48	Judiciary Com.—Entry of Judgment and Judgment Roll	68	85	189	293	293	294	520	563	572		280
49	Judiciary Com.—Absence of Defendant for Removal of Action Before Trial	68	85	189	294	294	294	520	562	573		280
50	Judiciary Com.—Time Allowed Defendant to Answer Charges in Criminal Cases	68	85	189	294	294	295	520	544	553		280
51	Judiciary Com.—Rules of Pleading in Criminal Cases	68	136	189	291	291	292	522	601	608		280, 286
52	Judiciary Com.—Permitting Divided Verdict in Criminal Cases	68	97									
53	Judiciary Com.—Punishment of Hit-and-Run Drivers	68	85									660

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
54	Musser—Providing for State Board of Education of Nine Members	68	85									660
55	Hammond—Free Education of Children Who Attend School Outside Home District	69	86	144	219	225	226	662				
56	Rev. and Tax Com.—Distribution of Prepaid Taxes by County Treasurer	69	97									98
57	Rev. and Tax Com.—Reduce License Fee for Sale of Cigarettes, etc.	69	86	135	210	211	211	662				
58	Rev. and Tax. Com.—Facilitate Collection of Taxes, etc.	69	86	191	360	365	365	520	561	574		350
59	Rev. and Tax Com.—Relating to Fees of the County Treasurer	69	86	151	228	228	229	521	561	574		227
60	Neslen—Restrict Bank Commissioner Voting by Proxy	69	87	266	406	406	406	549	603	609		369
61	Royle—Garnishment and Attachment Issued by Small Claims Court	69	93	101								660
62	Rev. and Tax. Com.—Defining Net Annual Proceeds of Metalliferous Mines	70	87	317	369							350, 660
63	Rev. and Tax. Com.—Basis and Method of Assessing Metalliferous Mines	70	87									350, 371, 660
64	Rev. and Tax. Com.—Increase Estate Tax Rates	70	87	224								660
65	Rev. and Tax. Com. — Fixing the Situs of Tangible Property for Taxation	72	87	238	352	352	353	521	559	575		350
66	Rev. and Tax Com.—Collection of Taxes Assessed Metalliferous Mines	72	88	317	353	364	364	662				350, 660
67	Rev. and Tax. Com.—Inheritance Tax Appraisals	73	88	238								141, 312, 326, 332
68	Holbrook—Creating Legislative Reference Bureau	73	108	164	327	331						
69	Hammond—Providing State Board of Education Be Elected by Local School Boards	73	88	191	414	414	414	547	602	609		369

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
70	Holbrook — Declaring Judiciary and Local School Boards Non-political	73	108	200								211, 301, 660
71	Hammond—Repealing State High School Levy of .2 Mills	73	88	145								220, 660
72	Holmgren—Reducing Discount Allowed for Prepayment of Taxes	73	89	151	220	227	227	535	561	574		226
73	Bamberger — Licensing of Motor Vehicle Operators and Chauffeurs	74	93	152	229	235	235	574	634	649		233 312, 326, 350, 351, 364,
74	Bamberger—Motor Vehicle Registration Law	74	94	246	345	485	510	605	641	648		383, 392, 397, 416, 505 660
75	Bamberger—Personnel of Board of Pardons	75	89	312								
76	Hammond—Changing Basis for Distribution of State District School Fund	77	89	145								220, 660 660
77	Miller—Excise Tax on All Natural Gas	77	94	207								287, 306, 321, 336, 660
78	Calder—Tax Levies for School Equalization Purposes	78	94	172	318							
79	Hammond—Fixing State District School Fund at $20 Per Capita	78	94	207								220, 660 141
80	Stewart—Consolidation of School Districts	78										220, 660
81	Hammond—Increasing Sales Tax to 3%	78	95	207								
82	Fowles—Permitting Manufacturing and Storage in Utah of Beer Over 3.2% Alcohol	90	100	199	529	529	529	662				442, 504
83	Hammond—Permitting School Districts to Levy a Maximum of 15 Mills	90	100	207								220, 660
84	Fowles—Placing Abstractors Under Supervision of Board of Abstract Commissioners	90	108	189	351	351	351	662				326, 350
85	Fowles—Permitting County Commissioners to Levy for Libraries	90	108	190								660 414, 504, 529
86	Fowles—Firemen's Pension Fund	91	109	221	544	544	545	662				

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
87	Fowles—Lien of Taxes on Personal Property	91	109	163								660
88	Rev. and Tax. Com.—Individual Income Tax Rates	91		96	156	194	204	311	496	522		92, 139, 173, 180, 196, 203, 321, 323, 330, 331, 410, 443, 445, 480
89	Neslen—Increasing Salary of Adjutant General.	98	101	312								660
90	Miller—Private Liquor License System.	98	200	201								660
91	Bowman—Powers and Duties of Fish and Game Commissioner	98	110	164	383	383	383	571	615	617		350
92	Woodward—Surplus Sales Tax Funds to Be Used for Deficiency in State School Funds	101	145	199	310	321	341	500	527	537		287, 306, 316, 327, 335, 340
93	Hammond—Redemption of Property Sold to County	101	136	191	351	359	359	387	563	571		326, 346, 350, 358, 401, 495, 521
94	Huggins—Remodeling and Perpetuating State Industrial Recovery Law	101	157									
95	Bowman—Abolishing Office of School Board Treasurer	103	145	191	346	346	346	662				326, 350
96	Huggins — Permitting Unequal Assessment Against Water Shares	110	146	265	306	328	328	374	380	388	503	280, 310, 311, 315, 323
97	Neslen—Taxation of Fraternal Insurance Companies	110	137	266								660
98	Huggins—Relating to Barbers	111	166	290	438	438	439	662				369
99	Fowles—Sale and Lease of Farm Lands Acquired by State of Utah	111	166	214	329	332	333	530	566	595		287, 306, 312, 326
100	Trade Reg. Com.—Sale of Liquor by Commission	111	200	200								660
101	Hammond—Requiring Taxing Units to Proffer Bonds for Sale to Land Board	111	166	276								278

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
102	Musser—Renewing License of Hairdressers or Cosmeticians	111	176	212	343	343	344	662				306, 312, 326
103	Hammond—Bonds for Sale to Be Offered to Board of Loan Commissioners	111	166	276								660
104	Woodward—Amending Statutes to Facilitate Sales Tax Collection	125	137	238								660
105	Huggins—Regulation of Practice of Shorthand Reporting	125	137	190	439	439	440	662				369
106	Miller-Holbrook—Extending Tax Redemption Date to June 1, 1935	125	137	317								326, 660
107	Musser—Registration of Musicians	127	176									224, 225
108	Royle—Requiring Bonds of Mining Companies for Payment of Taxes	127	176									660
109	Royle—Re-defining Net Proceeds Used in Mine Taxation	127	177		369	389	389	662				371, 376, 378, 380, 382
110	Neslen—Abolishing Legal Status of Assistant Pharmacists	138	177	214	439	439	439	662				369
111	Huggins—Regulate Practice of Professional Engineering	138	157	291	438	438	438	554	614	617		369
112	Fennell—Construct a Home for the Governor	138	177									308
113	Fowles—Appropriation for Education of Children of World War Veterans	138	167	221	398	398	398	662				397
114	Fowles—Payment of Expenses of State Land Office	139	167	297	336	341	342	532	581	596		306, 312
115	Stevens—Licensing of Oleomargarine and Cigarette Dealers	141	177	214								660
116	Stewart—Investigate School District Consolidations	141	167	206								660
117	Hopkin—Taxing Bachelors	146	167	264								660

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
118	Royle—Centralizing Work of State Parole and Probation Officer	146	168									321
119	Royle—Re-organizing State Land Board	147	178	298								660
120	Hopkin—Creating a Board to Coordinate work of U. of U. and U. A. C.	147	168	312								660
121	Hammond—Distribution of State Bounty Fund	147	168	237	445	445	445	662				369
122	Woodward-Holbrook-Huggins — Taxing Metalliferous Mines on Combination Basis of Gross and Net Proceeds	147	169									660
123	Woodward-Holbrook-Huggins — Taxing Metalliferous Mines on Basis of Average Net Proceeds over Period of Five Years	147	169									660
124	Maw—Funds and Reserves for Accrued Depreciations	147	169	214								660
125	Maw—Basis of Assessment for Utility Companies	148	169	199	343	350	351	573	628	645		312, 326, 344, 350
126	Holbrook—Tax on Motor Fuels	149	170	213	344	344	345	662				312, 326, 350
127	Holbrook—Increase of Tax on Estates	149	170		365	376	377	597	640	648		350, 377, 613, 629, 635
128	Stevens—Appropriation—Cove Fort	149	170	659								660
129	Bowman—Classification of Cities and Towns	150	170	221	414	414	415	572	615	617		369
130	Huggins—Misdemeanor to Circulate Papers Simulating Court Process	150	171	213								660
131	Musser — Disbursement of Funds Appropriated for Civil War Veterans	150	171	264								660
132	Musser—Relating to the G. A. R.	150	171	325	326	326	327	393	404	428		
133	Holbrook—Licensing Games of Skill	155	178	301								660
134	Hopkin—Tax on Cigarettes and Olemargarine	172	183	265	451	452	452	662				398, 442
135	Royle—Limiting Pawn Broker's Charges	172	185	266								660

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
136	Royle—Regulating the Making of Small Loans	172	184	266								660
137	Day—Establish Pure Beet Seed Districts	172	184	237	342	342	342	538	560	578		306, 312, 326
138	Woodward—Reducing Cost of Administration of Contract Motor Carriers	173	183	224								660
139	Bowman—Designating a State Song	173	184	320								451, 660
140	Stevens—Relating to Native and Imported Birds	179										209
141	Highways Com.—Additions to State Highway System	179	228	245	398	404	409	535	604	609		350, 408
142	Bamberger—Control of Underground Water	179	192	296	307	310	316	495	558	575		280, 287, 306, 311, 315
143	Highways Com.—Tax on Motor Fuels and Distribution of Same	179	183	310	399	399	400	662				350
144	Miller—Appropriation—Carbon County	192	215	324	331	341	371	521	560	577		326, 327, 370
145	Stevens—Excluding Masseurs from Classification of Practicing Medicine or Healing Arts	192	217	257								660
146	Miller—Appropriation—Carbon College	193	217	660								
147	Miller—Creating a Junior College at Price	193	216	298								660
148	Frischknecht—Equalize Benefits and Correct Errors in Drainage Districts	193	222	277	442	460	460	573	603	610		369
149	Hopkin—Creating a State Board of Higher Curricula for Junior Colleges	193	216	298								660
150	Hopkin—Creating a Junior College Board	193	222	298								660
151	Bowman—Re-writing Securities Commission Act	193	238	313	415	415	415	662				369
152	Maw—Licenses to Sell Motor Fuels	196	239		352	352	352	662				350
153	Fowles — Land Board to Pay Necessary Costs for Maintaining State Property	201	216	265	338	339	339	531	560	577		306, 312, 326
154	Fowles—Appropriation—Utah Humane Society	201	215	660								
155	Fennell—Limiting Liability to Guests in Accidents	201	222	301	458	458	458	662				441

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
156	Maw—Continuation of Committee of Nine	202	239	313	321	322	323	401	431	436		306, 312, 408
157	Musser—Making it a Felony to Pay Ransom to Kidnappers	203	240	302								660
158	Huggins—New Motor Transport Act	208	223	324								350, 383, 397, 416, 485, 510, 660
159	Holbrook—Authorizing Issuance of State Refunding Bonds	208	228		243	259	259	301	310	319	337	309
160	Musser—Supervision of Persons on Probation	208	215	264	383	383	383	662				350
161	Stevens—Relating to the Preservation of Bird Life	209	215	256								660
162	Holbrook—Permitting a Majority of Landowners to Disorganize Drainage District	218	223	302	440	460	460	662				369
163	Musser—Providing a Receptacle for the State Constitution	218	223	660								
164	Day—Establish a State Museum	218	224	313								660
165	Musser—Placing Music Profession Under Department of Registration	224	240									321
166	Royle—Placing Conditional Sales and Title Retaining Notes Under Small Claims Court	225	240									287
167	Huggins—Requiring Cemeteries to File Reports with State Treasurer	225	257									660
168	Ray—Allowing Insurance Agents to Sell Insurance in Companies not Registered in Utah	225	241	290								660
169	Woodward—Appropriation—Utah Academy of Sciences	231	241	660								
170	Musser—Giving Hospitals a Lien on Patient's Accidents	231	241	302								660
171	Holbrook—Examination of Reports of Mines and Mining Claims	236	241	318	371	371	371	662				350

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
172	Ray—Permitting Boards of Education to Set up but 2% Sinking Funds	242	288		346	346	346	570	602	610		312, 326, 350
173	Miller—Establish a National Employment System	242	288		459							458
174	Huggins—Taxing Motor Caravans	242	288		437	438	438	662				369
175	Maw—Powers of Utilities Commission	242	288									660
176	Stevens—Arranging for Interstate Compacts in Crime Control	242	288		413	413	413	662				369
177	Stevens—Date of Fishing Season	250	288									458, 660
178	Fowles—Confirming Bonds for Public Works Projects	256	264		295	295	295	556	603	610		
179	Calder—Appropriation—Uintah County	258	288									660
180	Frischknect—Appointment of Committee to Study Utah Road Situation	258	288		353							326, 350, 356
181	Maw—Tax on Telephones	258	288									660
182	Maw—Tax on Electric Power	259	288									660
183	Holbrook—Placing Tax Commission Members on Full Time	267	288		352	364	406	662				350, 371, 405
184	Ray—Payment and Acceptance of Negotiable Paper	267	288		346	347	347	662				326, 350
185	Ray—Writs of Attachment on Banks and Branches	268	288		347	347	347	662				326, 350
186	Banking Com.—Authorizing Banks to take Advantage of Federal Agencies	268	288		437	437	437	613	642	652		424
187	Fennell—Appropriation—Upkeep of Governor's Home	269	288		376	376	377	662				331, 336, 350, 365
188	Woodward—Special Improvement Warrants	269	288		452	452	453	662				398
189	Woodward—Contributions of Materials and Labor for Special Improvement Districts	269	288		453	453	453	662				398
190	Woodward—Metalliferous Mines to Be Assessed at Their Full Cash Value	269	288									660

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
191	Woodward—Creating Great Basin Authority	269	288									660
192	Woodward—Creating State Fish and Game Commission of Five Members	270	302									660
193	Hopkin—Covering Sales of Delinquent Stock in Water Companies	270	288		342	342	342	662				287, 306, 312, 326
194	Hopkin—Permit Taxpayers to Inspect Accounts of Any Public Funds	270	288									660
195	Stewart—Requiring Complete Report of Funds of U. S. A. C. and U. of U.	270	288									414, 660
196	Miller—Taxing Metal Mines at 3% of Gross Proceeds	270	288									660
197	Woodward—Extending Period of Limitation for Commencement of Action	271	292		505	505	505	662				504
198	Woodward—Penalties for Failure to File Sales Tax Returns	271	292									660
199	Woodward—Method of Collection of Delinquent Sales Tax	271	288		443	443	443	662				369
200	Maw—Reorganizing Public Utilities Commission as Public Service Commission	271	288		400	400	400	596	639	647		369, 611, 626, 635
201	Maw—Empowering Public Utilities Commission to Alter Rates Temporarily	272	288									660
202	Maw—Methods for Financing Public Utilities Commission	272	288									350, 369, 660
203	Royle—Permitting State Land Board to Sell Without Mineral Reservation	272	288		339	339	339	532	563	571		306, 312, 326
204	St. & Mun. Affairs Com.—Convey Certain Lands on Margin of Utah Lake to the United States	272			304	304	304	368	376	388	472	280

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
205	St. & Mun. Affairs Com.—Validating Contracts Between Water Users Association and U. S. Government	272	289		304	305	305	330	338	349	430	280
206	St. & Mun. Affairs Com.—Survey of Underground Water Supply	272	288	314	320	320	320	494	501	526		280, 287, 306, 312
207	St. & Mun. Affairs Com.—Requiring County Treasurer to Keep Prepaid Taxes in Separate Accounts	273	288									660
208	Hammond—Distribution of Equalization Fund	273	288									660
209	Hammond—Placing Mine Assessment in Tax Commission	273	288									660
210	Fowles—Placing of Real Estate Department Under Securities Commission	273	293		458	458	459	662				
211	Bamberger—State Engineer to Adjudicate Water Rights	273	288		320	320	320	495	500	525		280, 287, 312
212	Holbrook—Permitting State Land Board to Protect Watersheds by Court Action	273	288		489	489	528	597	633	651		490, 524
213	Holbrook—Creation and Control of Fire Districts	273	288		517	517	517	662				504
214	St. & Mun. Affairs Com.—Investment of Funds for State Land Board	278	289									660
215	Ray—Establishing Ports of Entry on Highways Entering Utah	278	288									321
216	Judiciary Com.—Requiring District Attorneys to Represent State in All Felony Prosecutions	278										660
217	Huggins—Officers of Veterans to Act as Notary Public	279	290		455	455	455	662				414
218	Frischknecht—Care of the Needy Blind	279										660
219	Royle—Calling for Bids on Contracts for Public Improvements	279	288									660

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
220	Royle-Woodward—Increasing Levy for Indigent from 1 to 2 Mills	307	325		459	459	459	662				442
221	Fowles—Repealing Annual Appropriation for the Military Fund	307										660
222	Huggins—Permitting Foreign Corporations to Consolidate with Utah Corporations	307	326		353	353	353	662				350
223	Bamberger—Creating a State Planning Board	318	334									354, 386
224	Huggins—Extending Governor's Power to Operate Under P. W. A.	337	349		359	359	359	613	633	646		350
225	Huggins—Relating to the Issuing of Bonds Under Public Works Projects	337	349		359	359	360	367	375	388	471	350
226	Holbrook—Authorizing Loan to U. S. A. C.	354			454	454	454	596	616	644		398
227	Woodward—Creating Great Salt Lake Corporation	354										385, 386
228	Woodward and Bamberger—Creating a State Planning Board	354			456	456	456	662	663	664		414
229	Holbrook—Extending the Period of Redemption from Tax Sales	372			454	460	497	538	581	596		398
230	Woodward—Registration Fees for Non-resident College Students	373										660
231	Woodward-Wallace—Creating Great Salt Lake Improvement Board	385			457	457	458	570	628	650		386, 414, 441
232	Social Rel. Com.—Allowing for State Department of Social Welfare to Administer Relief	385			451	451	452	613	635	649		386, 398
233	Social Rel. Com.—Creating a State Department of Social Welfare	385			451	451	451	612	634	649		386, 398
234	Fowles—Authorizing Taxing Units to Bond Unrestricted	391										398, 432

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
235	Griffin-Woodward — Authorizing Armory Board to Borrow Money	393										414, 660
236	Ray—Regulation of Municipally Owned Utilities	409			456	456	456	662				414
237	Ray—Giving Power of Eminent Domain on P. W. A. Projects	409			456	461	461	662				414
238	Royle—Authorizing U .of U. to Deed Part of Campus to United States	409			457	457	457	515	527	538		414
239	Maw—Sharing profits with United States Sale of state lands improved by CCC work	489			489	489	489	494	501	526		
240	Maw—Revenue for Support of State Government	658			658	658	659					660

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
1	Musser—Ratifying Child Labor Amendment	37	43	63	74	75	75	129	141	150		
2	Fowles-Huggins—Exempting Homes up to $2,000.00	45	64	89	98	102	102	151	183	198		
3	Parratt—Granting Governor Power to Appoint Superintendent of Public Schools	57	64	106	140	148	148	515	549	555		
4	Parratt—Relating to the State Board of Education	58	64	106	140	148	149	516	524	539		
5	Parratt—Duties of the Officers, State Executive Department	58	64	105	139	148	148	516	528	538		
6	Hammond—Providing $30 Per Capita District School Fund	65	93	164	453	454	454	662				414, 480, 606
7	Judiciary Com.—Allowing Appointment of Supreme and District Court Judges	72	108	291	295							280, 299
8	Stewart—Relating to Organization of School Districts	77	90	157	243	243	244	662				250
9	Judiciary Com.—Trial by Jury	148	178									
10	Judiciary Com.—Permitting Divided Jury Verdict	155	165	213								458, 660
11	Musser—To Place Bust of Governor Bamberger in Rotunda of Capitol Building	178	184	267	413	413	413	663	664	664		369
12	Maw—County Attorney to Serve 4 Instead of 2 Year Term	195	216	303								660
13	Huggins—Relating to Duration of Franchise or Charter of Any Corporation	217	224	303	529	529	529	662				504
14	Fennell—Naming Construction of Governor's Mansion a Public Works Project	267	288		333	341	341	662				331
15	Woodward—Permitting legislature to assess mines	269	288									660
16	Holbrook—Permit Legislature to Assess Property	271	288		383	407						350, 391, 398, 404
17	Bamberger—Taxation of Tangible Property	307	326									660
18	Holbrook—Establish Utah Trails and Centennial Exposition in 1947	331	338									549, 660

SENATE JOINT MEMORIALS

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	Frischknecht, et al—Requesting Readjustment with the Settlers Under Irrigation Projects	225	241	265	327	327	328	531	558	577		287, 306, 312, 326
2	Holmgren—Grant Consent to Taxation by the Several States of Certain Interstate Sales	258	288		445	445	446	662				398
3	Parratt—Relating to Junior Colleges within the State of Utah	337	350		360	364						
4	Musser-Holbrook—Relating to the State Prison	344										660

SENATE CONCURRENT MEMORIALS

1	Neslen—Appreciation for Accomplishments in Relieving Distress	75	90									660
2	Maw—Urging Approval of H. R. 2855	208	217		217	217	217	662				
3	Highway Com. — Urging Appropriation for Public Works Improvement Be Set Aside for Highway Purposes	271	288		413	413	414	662				369
4	Royle—Re-establishment of Silver	279	288		455	455	455	662				414
5	Day, et al—Memorial of Condolence	381			382	382	382	390	392	392	400	

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
1	Maw—Appropriation—Legislative Expense	36		36	36	36	53	53	198	42, 47
2	J. W. Jensen—Regulate Sale of Commercial Fertilizer	182	237	491	491	491	564	565		486, 516
3	Twitchell—Licensing of Lands Secured by Counties Through Tax Deeds	129	165							660
4	Child—Workmen's Compensation	349		579		580				504
5	Paul Peterson—Regulating Working Day of Miners	79	106	141	149	150				175, 181, 257, 258, 323, 324, 330, 335, 660
9	Paul Peterson—Limiting Power of Governor to Call Militia in Labor Disputes	175	314							660
10	Macfarlane—Powers of Towns to License and Regulate Business	231	277	485	485	485				369, 493, 494, 533, 578, 606
11	Macfarlane—Increasing City Tax Levy for Contingent Purposes by 1 Mill	99	264	584	584	585	622	622		578
12	Macfarlane—Power of Cities to License, Tax and Regulate Business	220	277	485	485	486	623	623		369, 493, 494, 533, 579, 604
14	J. W. Jensen—Extend Period of Redemption from Tax Sales	54		54	54	55	56	56	198	55
16	Bosone—Tax on Natural or Artificial Gas	333								660
17	Holbrook—Increasing Legal Container Weights of Small Fruits	134	165	491	492	492	564	564		486
18	Holbrook—Designating Tourists Camps Under Rules Governing Hotels	231	236							660
19	Holbrook—Relating to the Sale of Eggs	143	190	569	569	569	618	618		549
21	Holdaway—Moratorium on Water Stocks	143	257							660
22	Murdoch—Requiring Setting of Cash Value on Trading Stamps	124	182	528	566	566	618	619		486, 529, 530
23	Murdoch—Requiring License for Issuing or Trading in Stamps or Coupons	124	182	530	566	567	622	622		486, 529

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
24	Hall—Licensing produce dealers	300		492	511	511	654	654		486, 532, 533, 550, 608, 616
25	Holbrook—Relating to Dairy and Food Products	433		581	581	581	654	654		549
26	Holbrook—Amending Statutes on Commercial Feed	134	190	569	569	569	623	623		549
27	Edman—Pension for Mental Hospital Employees	144	165							660
28	Edman—State Hospital Board to Collect Expenses of Inmates	156	191	583	583	583	619	619		578, 604
29	Edman—Providing for Boarding out Certain Patients of State Hospital	230	314	583	584	584	653	654		549, 611
30	Lamoreaux—Creating the Great Basin Authority	363								660
33	Luke—Permitting Towns with 100 Population to Incorporate	197	222	486	486	486	535	536		369
41	Edman-Holbrook—Providing a State Store System for Control of Liquor	299	393	432	497	498	662	662		369, 437, 459, 461, 462, 472, 515,532, 570, 601, 616, 655, 658
46	Lamoreaux—Regulation of Gas, Electric and Telephone Public Utilities	427								660
48	Lamoreaux—Preventing Merger, Lease or Purchase of Utilities Without Permission of Utilities Commission	435		588	589	589	637	638		549, 612
51	Lamoreaux—Holding Companies Performing Services in Utah to Qualify Under Utah Laws	402								660
52	Lamoreaux—Prohibition of Foreign Corporations from Engaging in Intrastate Utility Business	402								660
54	Lamoreaux—Prohibiting Special Services for Utilities from Foreign Corporations	404								660
55	Lamoreaux—Regulation Fee on Public Utilities	355		372	390	390	428	429		369, 377, 401

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
59	Lamoreaux—Unclaimed Meter Deposits to Revert to General Fund of State	448								660
62	Farr—Annual Statement and Tax of Insurance Companies	309		371	382	382	468	468		350, 376, 390, 391, 401, 431, 432
63	Bosone—Limiting Length of Freight and Passenger Trains	263		383						350, 397, 431, 545, 660
64	Cook—Tenure of Office and Election of Boards of Education in County Districts	435		501	501	502	537	537		486, 525
67	Lamoreaux—Requiring Gas and Electric Companies to Show Rate Schedule and Apportionment on Monthly Bills	230	314							660
68	Lamoreaux—Requiring Approval of Commission Before Payment of Utilities Dividend	434		585	585	585	637	637		549, 612
69	Child—Providing for Consumers Corporations	450		545						504, 660
70	Romney—Service on Unkown Defendants	363		585	585	586	621	621		549, 605
71	Romney—Civil Action Against Unknown Defendants	363		586	586	586	622	622		549
75	Hendricks—State Insurance Commissioner to Appoint Assistants and Fix Pay	362		586	586	586	624	624		549, 605
77	Kiefer—Motor Trucking Act	334		392	498	504	653	653		350, 383, 397, 416, 417, 418, 437, 474, 484, 533, 550, 582, 605
80	Macfarlane—Misdemeanor to Use Slugs in Vending Machines, Telephones, etc	230	303	586	586	587	624	624		578
81	Nicholes—Declaring 5½ Day Week for County Offices	197	212	545	545	546	597	598		504
83	Marthakis—Increasing Scope of Teacher's Retirement Fund	466		502	502	503	565	565		486
84	Farr—Relating to Municipal Elections	212	267	587	587	587	623	623		549
86	Bosone—Unemployment Reserve Fund	448		645	645	646	661	661		652

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
97	Richards—Board of Correction Empowered to Employ Social Case Workers	197	314							660
98	Child, et al—Continuation of State Industrial Recovery Act	374		547	567	568	620	620		504
102	Edman—Giving Preferential Employment to Veterans	483								660
108	Taylor—Providing for Teacher's Retirement and Benefit Associations	481		554	554	555	621	621		504
109	Monson—Division of Cities of the First and Second Class	434								660
111	Hummer—Prohibiting Corporations from Practicing Certain Professions	481								660
117	Holmes—Organization of Benefit Associations	467		568	568	568	638	639		504, 595
119	J. W. Jensen—Increasing Bonding Power of School Districts from 3 to 4% Valuation	402		502	502	502	564	564		486, 525
122	J. W. Jensen—Exempting Poultry, Dairy and Livestock Feed from Taxation	362		492	516	517	598	598		486, 533
126	Paul Peterson—Requiring Physicians to File Copies of Their Findings	481								660
128	J. W. Jensen—Relating to Selection of Text Books	408		503	503	503	565	565		486, 534
132	Bosone, et al—Metropolitan Water Districts	286		299	304	304	461	462	499	280, 432
134	Monson—Providing for Two Additional School Board Members in Case of Six Municipal Wards	434								660
135	Monson—Increasing Number of School Board Members in Cities of the First Class to Twelve	433								660
136	Richards—Relating to Revision of Ownership of Maps and Plats	465								660
137	Farr, et al—Removing Authority of Governor to Appoint Ex-officio member of State Road Commission	319		405	405	405	449	450		369
138	Farr, et al—Prohibiting Ex-officio Member of State Road Commission	330		405	405	405	450	450		369

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
143	Monson—Examination of Banks	429								660
144	Monson—Increasing Fees Charged by State Banking Department	426		591	591	591	620	620		
145	Monson—Number of Call Reports for Banks Per Year	429								660
146	Monson—Relating to Banks' Quarterly Reports	430								660
147	Monson—Extending Time in Which Banks May Hold Real Estate	430		487	487	487	536	536		486
148	Monson—Permitting Banks to Own and Sell Stock Shares in Federal and Other Banks	426		487	487	488	536	536		486
149	Monson—Reserves Required to Be Carried by Savings Banks	426		488	488	488	536	536		486
150	Monson—Interest on Public Money to Be Fixed by State Depository Board	427		489	489	490	537	537		486
151	Monson—Authorizing Banks to Issue Capital Debentures	427		490	490	490	534	534		486
153	Gibson—Exempting from Tax Motor Fuels Made from Utah Coal, Oil Shales, etc	407		587	587	588	637	637		549
156	Lindstrom—Creating a Coal Miners' Examining Board	355		589	589	590	638	638		549, 612
161	Romney—Conversion of Building and Loan Associations into Federal Savings Associations	367		465	465	465	499	499		
162	Romney—Acceptance of Membership Certificates or Shares in Payment for Loans or for Property	367		517	517	517	598	598		486
163	Requiring Building and Loan Companies to Designate Agent on Whom Notice Can Be Served	368		517	517	518	598	599		486, 534
164	Romney—Reduction of Liability in Building and Loan Companies	368		518	518	518	599	600		486
165	Romney—Providing for Consolidation, Merger or Sale of Building and Loan Companies	379		518	518	518	599	599		486
166	Romney—Reorganization of Building and Loan Associations	368		519	519	519	600	601		486, 534

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
167	Romney—Safeguarding Rights of Creditors in Building and Loan Companies	373		524	524	524	600	600		486
168	Romney—Relating to Powers and Duties of Bank Commissioner	374		524	524	524	600	600		486
170	Romney—Permitting Institutions Under Bank Commissioner Supervision to Take Advantage of Federal Housing Act	251		260	260	261	308	309	348	
174	Nicholes—Financial Responsibility of Owners and Operators of Motor Vehicles	469								660
178	Richards—Certificates of Convenience and Necessity for Common Motor Carriers	379		590	590	590	642	643		549, 611
179	Farr—Requiring State Industrial Commission to File Reports	467								660
182	Macfarlane—Reversion of Water Rights if not Used for Five Years	292		306	310	310	348	349	428	280, 287
183	Lamoreaux—Relating to Payment of Old Age Pensions	449								660
189	Luke, et al—Relating to Publication of Delinquent Taxes	433								660
190	Romney—Defining Common Motor Carriers of Passengers	483								660
191	Paul Peterson—Creating a Self-help Cooperative Board	484		545	567	567	618	618		504, 595
192	Bletzacker, et al—Direct Primary Election	436								549, 660
194	Child—Regulating Practice of Contracting	482								660
196	Richards—Relief of Owner from Liability to a Guest	449		590	590	590	643	643		549
197	Bletzacker—Powers of Towns to Establish and Maintain Public Play Grounds	361		546	546	546	636	636		504, 570
199	Gammeter—Imposing a Franchise Tax on Corporations	469								660
206	Richards—Relating to Bonds and Obligations Issued for Public Works	466								660
211	Hummer—Uniform Narcotic Control Law	471		591	591	591	643	643		549
212	Bletzacker, et al—Relating to Municipal Corporations	354		528		528				486

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
216	Hummer—Repealing Present Narcotic Control Laws	469								660
217	Hummer—Relating to the Possession of Narcotics	470								660
220	Hummer—Relating to Seizure and Disposition of Narcotics	470								660
221	Maw—Regulating the Payment of Warrants	482								660
223	Macfarlane—Relief Special Tax Assessment	389								660
224	Nicholes—Unlawful Cohabitation a Felony	555		585	585	585	636	636		578
230	Nicholes—Regulating Competition in Financing Automobiles	425		546	546	547	599	599		504
231	Bosone—Provide Revenue for Support of the State Government	659		659	659	659	661	662		
242	Bosone—Authorizing State Land Board to Issue Prospecting Permits	387		590	590	591	636	636		578
243	Spence—Seven Hour Day for Miners and Underground Workers	429								549, 660
265	Low—Authorizing Land Board to Dispose of Wells	480								660
268	Kiefer, et al—Extending Period for Obtaining 1935 Automobile Licenses	311		315		315				312
271	Appropriation Com.—Appropriation—Legislative Expense	425		425	425	426	468	468	525	
272	Bryan—Committee to Investigate Charges Against Secretary of State	403		417		418				408
273	Bryan—Appropriation — Investigate Charges Against Secretary of State	403		418		418				408
274	Maw—Appropriations for Support of State Government for Next Biennium	631		632	632	632	661	661		

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	Joint Com.—Employees Compensation	48		50	50	50	59	59		
4	T. W. Jensen—Relating to State Funds	469				607				480, 606
16	P. M. Peterson—Relating to Hours of Work on All Public Works	362								660
17	Monson—Relating to Liability of Stockholders of Banks	448		490	490	491	563	564		
19	Sorenson—Relating to Compensation of Member of the Legislature	436		582	582	582	635	635		578
24	Gibson, et al—Condolence to Representative Bosone	442		442	442	442	470	470		

HOUSE JOINT MEMORIALS

1	T. W. Jensen—Urging Passage of Long and Short Haul Measure	379		587	587	587	643	644		578
4	Marthakis—Urging Passage of Anti-lynching Laws	263		568	568	569	619	619		549
5	Peterson, et al—Urge Passage of Frazier Lemke Farm Refinance Bill	483								660

HOUSE CONCURRENT 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	Gammeter—Requesting Creation of Navajo National Park	128	155	235		-				304, 660
2	Pectol—Requesting Creation of National Park in Wayne County	125	135	180	180	180	212	212	287	181
6	Luke, et al—Determine Most Economical Means for Treating Alunite Ores	355		486	487	487	535	535		493
7	J. W. Jensen—Requesting Information and Aid Relative to the Sugar Beet Industry	435								660
8	Spence—Relating to Old Age and Social Insurance	482								660

HOUSE CONCURRENT RESOLUTIONS

1	Gibson, et al—Condolence to Representative Slaugh	54		54	54	55	65	65	198	
2	Gibson, et al—Congratulating President Roosevelt on 53rd Birthday	79		79	79	79	105	105	199	
4	Gibson—Condolence to Citizens of St. George	387								660

GOVERNOR'S ACTION ON SENATE BILLS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Holbrook	Corporation excise tax	March 25	
8	Huggins	Period of limitation for commencement of actions on obligations	Feb. 6	
9	Neslen	Prohibiting dentists from advertising	March 22	
15	Bamberger	Traffic safety	March 23	
17	Royle	Fixing legal interest rates for goods, money, etc.	March 26	
18	Holbrook	Enable U. S. to purchase land for flood and erosion control	Feb. 16	
21	Calder	Providing for motor fuel inspection	March 23	
23	Calder	Enlarging duties of state road com	March 21	
28	Stevens	Empowering Fish & Game Commissioner to borrow money	March 16	
33	Judiciary Com.	Defendant's statement at preliminary hearing	March 20	
34	Judiciary Com.	Waiver of any defects or irregularity	March 20	
35	Judiciary Com.	Failure to arraign unless objection is raised	March 20	
36	Judiciary Com.	Bail bonds in criminal cases	March 20	
37	Judiciary Com.	Challenging of jurors in criminal cases	March 20	
38	Judiciary Com.	Pleas in criminal cases	March 20	
39	Judiciary Com.	Inquiry into the sanity of a defendant	March 20	
40	Judiciary Com.	Causes against judgment in criminal cases	March 20	
41	Judiciary Com.	Requiring notice of criminal defense by alibi	March 20	
42	Judiciary Com.	Trial of defendants jointly charged	March 20	
43	Judiciary Com.	Removal of criminal action by one or more but not all defendants	March 20	
44	Judiciary Com.	Authorizing a summons instead of a warrant	March 20	
45	Judiciary Com.	Permitting waiver of jury in criminal cases	March 20	
46	Judiciary Com.	Change of judge in criminal cases	March 20	
47	Judiciary Com.	Appeal by state in criminal cases	March 20	
48	Judiciary Com.	Entry of judgment and judgment roll	March 20	
49	Judiciary Com.	Absence of defendant for removal of action before trial	March 20	
50	Judiciary Com.	Time allowed defendant to answer charges in criminal cases	March 20	
51	Judiciary Com.	Rules of pleading in criminal cases	March 20	
58	Rev. & Tax. Com.	Facilitate collection of taxes, etc.	March 22	
59	Rev. & Tax. Com.	Relating to fees of the county treasurer	March 21	
60	Neslen	Restrict bank commissioner voting by proxy	--	March 26
65	Rev. & Tax. Com.	Fixing the situs of tangible property for taxation	March 25	
69	Hammond	Providing state board of education be elected by local school boards	March 19	

GOVERNOR'S ACTION ON SENATE BILLS *(Continued)*

No.	Author	Subject	Signed by Governor	Vetoed by Governor
72	Holmgren	Eliminating discount allowed for prepayment of taxes	March 26	
73	Bamberger	Licensing of motor vehicle operators and chauffeurs	March 23	
74	Bamberger	Motor vehicle registration law	March 23	
88	Rev. & Tax. Com.	Individual income tax rates	March 23	
91	Bowman	Powers and duties of fish and game commissioner	March 26	
92	Woodward	Surplus sales tax funds to be used for deficiency in state school funds	March 21	
93	Hammond	Redemption of property sold to county	March 26	
96	Huggins	Permitting unequal assessment against water shares.	March 14	
99	Fowles	Sale and lease of farm lands acquired by state of Utah	March 23	
111	Huggins	Regulate practice of professional engineering	March 22	
114	Fowles	Payment of expenses of state land office	March 26	
125	Maw	Basis of assessment for utility companies	March 26	
126	Holbrook	Tax on motor fuel	March 26	
127	Holbrook	Increase of tax on esates	March 23	
129	Bowman	Classification of cities and towns	March 21	
132	Musser	Relating to the G.A.R.	March 26	
137	Day	Establish pure beet seed districts	March 23	
141	Highways Com.	Additions to state highway system	March 23	
142	Bamberger	Control of underground water	March 22	
144	Miller	Appropriation—Carbon County	March 26	
148	Frischknecht	Equalize benefits and correct errors in drainage districts	March 23	
153	Fowles	Land Board to pay necessary costs for maintaining state property	March 26	
156	Maw	Continuation of Committee of Nine	March 26	
159	Holbrook	Authorizing issuance of state refunding bonds	Feb. 28	
172	Ray	Permitting boards of education to set up but 2% sinking funds	March 23	
178	Fowles	Confirming bonds for public works projects	March 21	
186	Banking Com.	Authorizing banks to take advantage of federal agencies	March 21	
200	Maw	Reorganizing Public Utilities Com. as Public Service Commission	March 26	
203	Royle	Permitting State Land Board to sell without mineral reservation	March 21	
204	State & Mun. Affairs Com	Convey certain lands on margin of Utah Lake to the U. S. of America	March 11	
205	State & Mun. Affairs Com	Validating contracts between water users assn. and U. S. Government	March 8	

GOVERNOR'S ACTION ON SENATE BILLS *(Continued)*

No.	Author	Subject	Signed by Governor	Vetoed by Governor
206	State & Mun. Affairs Com	Survey of underground water supply	March 21	
211	Bamberger ...	State engineer to adjudicate water rights	March 21	
212	Holbrook	Permitting State Land Board to protect watersheds by court action.....	March 25	
224	Huggins	Extending Governor's power to operate under P.W.A.	March 21	
225	Huggins	Relating to Public Works Projects (issuance of bonds).....	March 11	
226	Holbrook	Authorizing loan to U.S.A.C.....	March 21	
228	Woodward & Bamberger	Creating a state planning board.....	March 26	
229	Holbrook	Extend the period of redemption from tax sales.....	March 25	
231	Woodward & Wallace	Creating Great Salt Lake Improvement Board	March 26	
232	Social Relations Com....	Allowing for state dept, of social welfare to administer relief.....	March 26	
233	Social Relations Com....	Creating a state department of social welfare	March 26	
238	Royle	Authorizing U. of U. to deed part of the campus to U. S.....	March 20	
239	Maw	Pertaining to sale of state lands improved by CCC work, sharing profits with U. S.....	March 23	

GOVERNOR'S ACTION ON HOUSE BILLS

No.	Author	Subject	Signed by Governor	Vetoed by Governor
1	Maw	Appropriation—Legislative expense	Jan. 23	
2	J.W.Jensen	Regulate sale of commercial fertilizer	March 23	
11	Macfarlane	Increasing city tax levy for contingent purposes by 1 mill	March 25	
12	Macfarlane	Power of cities to license, tax and regulate business	March 25	
14	J.W.Jensen	Extend period of redemption from tax sales	Jan. 21	
17	Holbrook	Increasing legal container weights of small fruits	March 23	
19	Holbrook	Relating to the sale of eggs	March 23	
22	Murdoch	Requiring setting of cash value on trading stamps	March 26	
23	Murdoch	Requiring license for issuing or trading in stamps or coupons		March 26
24	Hall	Licensing produce dealers	March 23	
25	Holbrook	Relating to dairy and food products	March 26	
26	Holbrook	Amending statutes on commercial feed	March 25	
28	Edman	State Hospital Board to collect expenses of inmates	March 26	
29	Edman	Providing for boarding out certain patients of State Hospital	March 26	
33	Luke	Permitting towns with 100 population to incorporate	March 21	
41	Edman and Holbrook	Providing a state store system for control of liquor	March 25	
48	Lamoreaux	Preventing merger, lease or purchase of utilities without permission of Utilities Commission	March 26	
55	Lamoreaux	Regulation fee on public utilities	March 25	
62	Farr	Annual statement and tax of insurance companies	March 25	
64	Cook	Tenure of office and election of boards of education in county districts	March 19	
68	Lamoreaux	Requiring approval of commission before payment of utilities' dividend	March 25	
70	Romney	Service on unknown defendants	March 22	
71	Romney	Civil action against unknown defendants	March 22	
75	Hendricks	State insurance commissioner to appoint assistants and fix pay	March 25	
77	Kiefer	Amending ton mile tax on intrastate trucking	March 23	
80	Macfarlane	Misdemeanor to use slugs in vending machines, telephone, etc	March 21	
81	Nicholes	Declaring 5½ day week for county offices	March 23	
83	Marthakis	Increasing scope of teacher's retirement fund	March 25	
84	Farr	Relating to municipal elections	March 25	
86	Bosone	Unemployment reserve fund	March 25	
98	Child, et al	Continuation of state industrial recovery act	March 26	

GOVERNOR'S ACTION ON HOUSE BILLS—Continued

No.	Author	Subject	Signed by Governor	Vetoed by Governor
108	Taylor	Providing for teacher's retirement and benefit associations.....	March 26	
117	Holmes	Organization of benefit associations..	March 26	
119	J.W.Jensen	Increasing bonding power of school districts from 3 to 4% valuation....	March 21	
122	J.W.Jensen	Exempting poultry, dairy and livestock feed from taxation.....	March 25	
128	J.W.Jensen	Relating to selection of text books....	March 21	
132	Bosone, et al.....	Metropolitan water districts.....	March 13	
137	Farr, et al	Removing authority of Governor to appoint ex-officio member state road commission	March 26	
138	Farr, et al	Prohibiting ex-officio member of state road commission	March 26	
144	Monson	Increasing fees charged by state banking department	March 21	
147	Monson	Extending time in which banks may hold real estate	March 22	
148	Monson	Permitting banks to own and sell stock shares in federal and other banks	March 21	
149	Monson	Reserves required to be carried by savings banks	March 21	
150	Monson	Interest on public money to be fixed by state depository board.....	March 21	
151	Monson	Authorizing banks to issue capital debentures	March 22	
153	Gibson	Exempting from tax motor fuels made from coal, oil shales, etc.....	March 26	
156	Lindstrom	Creating a coal miners' examining board	.....	March 26
161	Romney ..	Conversion of building and loan assn. into federal savings associations....	March 21	
162	Romney ..	Acceptance of membership certificates or shares in payment for loans or for property.....	March 22	
163	Romney ..	Requiring building and loan companies to designate agent on whom notice can be served.....	March 20	
164	Romney ..	Reduction of liability in building and loan companies	March 20	
165	Romney ..	Providing for consolidation, merger or sale of building and loan companies	March 20	
166	Romney ..	Reorganization of building and loan associations	March 22	
167	Romney ..	Safeguarding rights of creditors in building and loan companies.....	March 22	
168	Romney ..	Relating to powers and duties of bank commissioner	March 22	
170	Romney ..	Permitting institutions under bank commisisoner supervision to take advantage of federal housing act....	March 2	
178	Richards ..	Certificates of convenience and necessity for common motor carriers	March 23	

GOVERNOR'S ACTION ON HOUSE BILLS—Continued

No.	Author	Subject	Signed by Governor	Vetoed by Governor
182	Macfarlane	Reversion of water rights if not used for five years	March 8	
191	Paul Peterson	Creating a self-help cooperative board	March 25	
196	Richards	Relief of owner from liability to a guest	March 21	
197	Bletzacker	Powers of towns to establish and maintain public play grounds	March 21	
211	Hummer	Uniform narcotic control law	March 23	
224	Nicholes	Unlawful cohabitation a felony	March 21	
230	Nicholes	Regulating competition in financing automobiles	March 26	
231	Bosone	Provide revenue for support of the state government	March 26	
242	Bosone	Authorizing state land board to issue prospecting permits	March 26	
271	Appropriations Committee	Appropriation—Legislative expense	March 14	
274	Maw	Appropriations for support of state government for next biennium	March 26	

RESOLUTIONS AND MEMORIALS PASSED

SENATE CONCURRENT MEMORIALS

No.	Author	Subject	Signed by Governor
5	Bowman, Day, Stewart....	Condolence to St. George on blast disaster.....	March 8

SENATE JOINT MEMORIALS

No.	Author	Subject	Transmitted to Secretary of State
1	Frischknecht, Stevens, Miller.....	Urging sale of Piute, Central and Carbon projects	March 14

SENATE JOINT RESOLUTIONS

No.	Author	Subject	Transmitted to Secretary of State
1	Musser	Ratifying child labor amendment.....	February 5
2	Fowles and Huggins	Exempting from taxation homes up to $2,000.00	Feb. 11
3	Parratt	Granting Governor power to appoint superintendent of public schools.....	March 14
4	Parratt	Relating to the State Board of Education.....	March 14
5	Parratt	Duties of the officers, state executive department	March 14
11	Musser	Place bust of Governor Bamberger in rotunda of the Capitol Building.....	March 14

RESOLUTIONS AND MEMORIALS PASSED

HOUSE CONCURRENT RESOLUTIONS

No.	Author	Subject	Signed by Governor
1	Gibson, et al	Condolence to Representative Slaugh	January 28
2	Gibson, et al	Congratulating President Roosevelt on his 53rd birthday	February 1

HOUSE CONCURRENT MEMORIALS

No.	Author	Subject	Signed by Governor
2	Pectol	To create a national park in Wayne County	Feb. 21
6	Luke, et al	Determine most economical method of treating alunite ores	March 19

HOUSE JOINT RESOLUTIONS

No.	Author	Subject	Transmitted to Secretary of State
1	Joint Committee	Compensation of legislative employes	January 23
17	Monson	Relating to liability of stockholders of banks	March 14
19	Sorenson	Relating to compensation of members of the legislature	March 14
24	Gibson, et al	Condolence to Representative Reva Beck Bosone	March 13

HOUSE JOINT MEMORIALS

No.	Author	Subject	Transmitted to Secretary of State
1	T. W. Jensen	Pass laws repealing long and short haul clauses	March 14
4	Marthakis	Pass adequate anti-lynching laws	March 14

COMMUNICATIONS FROM THE GOVERNOR

Page

Communication (Budget) 129

Appointments 159

Appointments 252

Pardons and Reprieves 252

Communication (Public Works) 254

Appointments 378

Communication (Social Welfare) 384

Appointments 446

Communication (CCC Work) 488

Communication (Refunding Bonds) 592

Appointments 593

Communication (Adjournment) 665

SENATORS AND COMMITTEES ON WHICH THEY SERVE

	Agriculture and Irrigation	Appropriations and Claims	Banking and Commerce	Education	Fish and Game	Health and Labor	Highways	Judiciary	Mining and Smelting	Public Institutions	Revenue and Taxation	Revision and Enrolling	Rules & Contingent Expense	Social Relations and Relief	State and Municipal Affairs	Trade Regulating
Bamberger						+	+	+					C		C	
Bowman		+		+	+		+	+						+		
Calder	+	+		+	+		C									+
Day	+			+					+	+				+		
Fennell					+	C	+		+					+		
Fowles		+	+		+					+				+		C
Frischknecht	+	+								+	+			C	+	
Griffin	+	+	+										+			+
Hammond			+	+					+		+					+
Holbrook	+	C						+			+					
Holmgren							+			+	+				+	+
Hopkin	C				+				+		+					+
Huggins					+			C			+	+			+	
Miller		+				+		+			+	C				+
Musser		+	+							C			+	+		+
Parratt		+		C						+	+	+		+		
Ray			+				+	+		+					+	
Royle		+	+			+			C		+					+
Stevens	+				C	+	+				+					
Stewart				+				+	+					+	+	
Wallace			C						+		+			+		+
Woodward		+		+							C				+	+

C Chairman of Committee + Committee Member.