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CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal of the Twenty-fourth 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 13, 1941, and continuing for sixty legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL.

J. LAMBERT GIBSON,
Secretary of the Senate.

ROY DRUSHALL,
Minute Clerk.

JOINT RULES OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES

of the Twenty-fourth Legislature

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 prepare to receive the senate and of the senate to proceed to the hall of the house of representatives at the time fixed by resolution or to which the joint convention may have adjourned.

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

JOINT MEETINGS OF COMMITTEES

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

12. **Preference Given to Bills of Other House** During the third and fourth days of each week the House shall give preference to the consideration of Senate bills appearing upon the House Calendar, and likewise, the Senate shall give preference to House bills appearing on the Senate Calendar.

13. **Appropriation Bills, Referred To.** All bills carrying an appropriation originating in either House shall be referred to the Appropriations Committee or else be committed to the Appropriations Committee after having been given consideration by any other committee.

BILLS AND RESOLUTIONS, ETC.

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

15. **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 concurrence of the governor.

16. **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

17. **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:

18. **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.

19. **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.

20. **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.

21. **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."

22. **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.

23. **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, Article 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

24. **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 reference to the corresponding bill of the other house, except upon specific vote of the majority of such house.

25. **Bill Referred to Committee.** 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.

26. **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.

27. **Endorsement of 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

28. **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.

29. **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.

30. **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

31. **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.

32. **Disagreement. Conference Committee.** If the senate refuses to concur (if it be a senate bill), or the house refuses to concur (if it be a house bill), the secretary or the chief clerk shall notify the house making the amendments of such refusal, and ask that it recede from its amendments. If it refuses to recede, the presiding officer shall appoint a committee of three on conference, and the secretary or chief clerk shall immediately notify the other house of the action taken, and request the appointment of a like committee, which committee shall thereupon be appointed by the presiding officer of the other house. The first senator named on the conference committee shall act as chairman of the committee from the senate, and the first representative named on such committee shall act as chairman of the committee from the house, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committees shall report in writing and shall be authorized to report such modifications or amendments as they think advisable. But no committee of conference shall consider or report on any matter except those directly at issue between the two houses. The papers shall be left with the conferees of the house having possession of the bill, and they shall present the report of the committee to their house. When such house shall have acted thereon, it shall transmit the same, and the papers relating thereto, to the other, with a message, certifying its action thereon. Every report of a committee of conference shall be read through, in each house, before a vote is taken on the same.

33. **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.

34. **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

35. **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.

36. **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.

37. **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). Three copies of the engrossed bill shall be made, one of which shall be filed with the secretary or chief clerk, one given to the author of the bill and one given to the secretary of state.

38. **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.

39. **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

40. **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.

41. **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

42. **How Paid.** Each house shall have full control of its own expenses. All bills, claims or pay rolls shall be certified by the president or chairman of the committee on contingent expenses and the 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.

43. **Inspection Tours.** On all tours of inspection to state institutions, the respective house shall determine who shall be the employees to accompany the members on such tours of inspection. It shall be the duty of the sergeant-at-arms or assistant to make all arrangements for transportation and accommodation of members.

44. **Appropriation Committee Report Date.** 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 part of his general duty by the rules.

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

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

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

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

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

mediately after their passage or adoption by the senate.

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

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

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

(g) To sign jointly with either the president or the chairman of the committee on rules and contingent expense, all requisitions on the state auditor for warrants to pay the expenses of the senate.

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

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

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

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

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

RIGHTS AND DUTIES OF MEMBERS

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

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

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

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

ORDER AND DECORUM

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

ken 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 Ayes and Nos.** No senator or other person shall visit or remain by the secretary's desk while the ayes and nos 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 except 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 the 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 the 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 ayes and nos, the names of the senators to be called alphabetically, except that the president shall be called last. The ayes and nos shall be ordered on other questions when demanded by five senators present. In recording the votes taken by ayes and nos, the secretary shall report those absent or not voting.

56. **Voting or Changing Vote After Decision Announced.** When the ayes and nos are taken on any question, no senator shall be permitted to vote or to change his vote after the decision is announced by the chair.

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

58. **Senators Required to Vote.** Every senator present when a question is put, or when his name is called, shall vote, unless the senate shall, for a special cause, excuse him, or unless he has a direct personal or pecuniary interest in the event of such question. In case the vote is by ayes and nos, 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 put questions in this form, to-wit:

"As many as are in favor (as the question may be) say aye," and after the affirmative vote is expressed, "As many as are opposed say no." If he doubts the result of the vote, or if a division be called for, the senate shall divide; those in the affirmative shall first rise from their seats and be counted, and 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 ayes and nos, and the motion to suspend further proceedings under the call shall not be adopted unless a majority of all the senators present vote in favor thereof. A majority of those present may adjourn, but upon reconvening, the senate shall not be considered to be under the call, but the call of the senate may again be ordered in the same manner as above described.

66. **Sergeant-at-arms May Report.** The sergeant-at-arms may make a report of his proceedings, at any time, which report may be accepted, and further proceedings under the call thereby dispensed with; but the motion to accept such report shall be determined by ayes and nos, 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 ayes and nos 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, ten 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.

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 report to the regular committee, may be appointed to take charge of any part of the committee's business.

If any Senator appointed to any committee shall fail, without giving notice of the reason thereof, to attend three consecutive meetings of any committee of which he is a member, his membership shall be automatically cancelled in such committee. The President of the Senate shall, when so notified by the chairman of the committee, appoint another Senator to fill the vacancy in such committee.

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. A committee making a request for an extension of time shall name the day on which the bill will be reported to the senate.

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

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

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

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

BILLS, RESOLUTIONS, ETC.; PROCEDURE

84. **Ten Copies of Bill Required.** Ten 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.

86. **Introduction and First Reading of Bill.** Any senator desiring to introduce a bill shall present the same to the secretary. The secretary shall 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 assent of the author, 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, punctuation, 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. 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 longer than three legislative days unless by the approval of the author.

89. **Bills Ordered Printed and Referred to Standing Committee.** When the report of the committee on revision and enrolling has been read, the bill shall be referred to a standing committee by the president, and 500 copies thereof, unless otherwise ordered by the senate, shall be printed. A printed copy of the bill, bearing the written approval of the secretary of the senate 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 the day following 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 aye and no 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. No bill shall be read the third time until the day following its second reading.

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 and 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 standcommittee 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.

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.

COMMITTEES OF THE WHOLE

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

109. **Procedure in Committee of Whole.** In forming a committee of the whole, the president, unless otherwise ordered by the senate, shall appoint a chairman to preside, who shall for the time being exercise all the powers of the president necessary to the conduct of the business of the committee. The rules of the senate shall govern as far as practicable, except that a senator may speak more than twice on the same subject, that a call for the ayes and nos 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 thoroughout 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 Nominations.** When executive 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. **Robert's Rules of Order to Govern.** The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules and order of the senate.

PRIVILEGES

116. **Admission to Senate Chamber.** No person shall be admitted within the senate chamber (galleries excepted) or the corridors directly to the east or the west of the Senate Chamber between 9 a. m. and the time of adjournment, unless especially 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.

REGULAR SESSION

of the

TWENTY-FOURTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,
Salt Lake City, Utah, January 13, 1941.

Pursuant to the provisions of the Constitution of the State of Utah, the holdover Senators and the Senators-elect of the Twenty-fourth Session of the Legislature of the State of Utah convened in the Senate Chamber at 12 o'clock noon.

Prayer was offered by President David O. McKay.

Secretary of State E. E. Monson read the following proclamation:

CERTIFICATE OF MEMBERSHIP OF THE TWENTY-FOURTH LEGISLATURE OF THE STATE OF UTAH
1941

State of Utah
Office of the Secretary of State

I, E. E. MONSON, 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 5th, 1940, the following named persons were chosen by the electors as members of the Twenty-fourth legislature of the State of Utah, to serve in the Senate from the several districts and for the respective terms as follows:

First District—Abel S. Rich, County of Box Elder. For the term of four years.

Fourth District—Dexter Farr, County of Weber. For the term of four years.

Fifth District—Lynne Ashton, Counties of Duchesne and Uintah. For the term of four years.

Sixth District—George A. Christensen, Wendell Grover, Charles W. Spence and Ed H. Watson, County of Salt Lake. For the term of four years.

Tenth District—McKinley Morrill, Counties of Sevier, Garfield, Wayne, Kane and Piute. For the term of four years.

Eleventh District—Claud Hirschi, Counties of Iron and Washington. For the term of four years.

Thirteenth District—Thomas Bailey, Counties of Juab and Tooele. For a term of four years.

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

Fifteenth District—William A. Dawson, County of Davis. For the term of four years.

AND I FURTHER CERTIFY that by virtue of an election held on Tuesday, November 8th, 1938, 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 term, from the several districts, to-wit:

Second District—James A. McMurrin, County of Cache. For the term of four years.

Third District— Alonzo F. Hopkin, Counties of Rich, Summit, Wasatch, Daggett and Morgan. For the term of four years.

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

Sixth District—Gordon Weggeland, Stanley N. Child and Grant Macfarlane, County of Salt Lake. For the term of four years.

Seventh District—Francis S. Lundell and Arthur O. Ellett, County of Utah. For the term of four years.

Eighth District—F. D. Williams, Counties of Beaver and Millard. For the term of four years.

Ninth District—Ed Johnston, County of Sanpete. For the term of four years.

Twelfth District—Byron A. Howard, Counties of Emery, Grand and San Juan. For the term of four years.

As appears 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 13th day of January, A.D., 1941.

E. E. MONSON,
Secretary of State.

(Seal)

Roll Call—All Senators present.

Justice Roger I. McDonough 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 Wendell Grover.

Senator Hopkin moved that the rules be suspended and that Senator Grover be named President of the Senate by acclamation.

Motion carried.

A committee consisting of Senators Weggeland, Hopkin and Macfarlane was appointed to escort the President-elect to the chair and the oath of office was administered by Justice Roger I. McDonough.

President Grover expressed his gratitude for the confidence placed in him and addressed the Senate briefly.

On motion of Senator Ellett the following were elected as officers and employees of the Twenty-fourth Legislature of the State of Utah.

Secretary of Senate—J. Lambert Gibson.

Sergeant-at-Arms—Ed D. Clyde.

Reference Attorney—Glenn Y. Richards.

Minute Clerk—Roy Drushall.

Docket Clerk—Melvin Engstrom.

Stenographers—Mrs. A. C. Jensen, Joyce Williams, Merrebelle Stevenson, Fern Olsen, Betty Rosenbaum, Beverly Barney, Della Loveridge, Jeanne Krause.

Mailing Clerk—Jeanette Garner.

Messengers and Door Keepers—Lawrence Carrigan, W. S. Scott, Francis Eynon, Bernard Bradshaw, Fred Timmins, Don Wakefield, Knud Fonnesbeck, P. J. Sanders.

Chaplain—J. A. Cornwall.

Justice Roger I. McDonough then administered the oath of office to the officers and employees of the Senate.

On motion of Senator Farr, the following order of business for the day was adopted:

ORDER OF BUSINESS

1. Appointment of a committee on Senate Rules.
2. Appointment of Senate members on Joint Rules.
3. Recess for ten minutes.
4. Report of committee on Senate Rules and action thereon.
5. Report of committee on Joint Rules.
6. Reports of other committees.
7. Miscellaneous business.
8. Adjournment.

The President appointed a committee to revise the Senate rules consisting of Senators Watson, Christensen and Morrill.

The President appointed a committee to revise the Joint Rules consisting of Senators Farr, McMurrin and Hirschi.

On motion of Senator Ellett the Senate recessed for ten minutes.

The Senate reconvened at 1:30 p.m.

Senator Watson moved that the Senate Rules of the Twenty-third Session of the Utah State Legislature be adopted with the following amendment:

Paragraph 6, Section G to read as follows:

"To sign jointly with either the president or the chairman of the committee on rules and contingent expense, all requisitions on the state auditor for warrants to pay the expenses of the senate."

Motion carried.

Senator Farr moved that the Joint Rules of the Twenty-third Session of the Utah State Legislature be adopted.

Motion carried.

The President appointed a committee consisting of Senators Johnston, Bailey, and Dawson to notify the House that the Senate was organized and ready to do business.

On motion of Senator Macfarlane a vote of thanks was extended to Justice Roger I. McDonough, Secretary of State E. E. Monson, and President David O. McKay.

The President appointed a committee consisting of Senators Hopkin, Rich and Williams to act with a like committee from the House to notify the Governor that the Legislature was organized and ready to do business and determine the time when he will deliver his message.

Senator Hopkin moved that the prayer of invocation uttered by President David O. McKay be printed at length in the Journal.

Motion carried.

PRAYER OF INVOCATION

"O God, our Heavenly Father, at the opening of this the 24th Legislature of the sovereign State of Utah, we approach Thee earnestly and humbly for divine guidance.

"Experience of mankind has proved that governments that honor Thee and strive to live righteously grow strong and prosper, and that those which reject Thee, and deny Thy existence have within themselves the elements of disintegration and decay.

"And what dost Thou require but to 'Deal justly, to love mercy, and to walk humbly with Thee.'

"The founders of this great nation had faith that 'God governs in the affairs of men'; and the motivating force in the hearts of the Utah Pioneers was the desire to do God's will. For this faith of our fathers we are this day thankful.

"We are grateful, too, for this land of America, 'choice above all other lands,'—grateful for the liberty and freedom vouchsafed by the Constitution of the United States. Guard us, we implore Thee, from the totalitarianism that is now devastating Europe and Asia.

"Deprivation of the individual of his rights, subjugation of inoffensive peoples, tyranny in any form are all contrary to Thy will.

"By Thy divine guidance help America to keep free from these evils, and increase her power to overcome and to subdue them.

"To this end we beseech Thee to aid honest officers of the Law to ferret out subversive, and traitorous groups who would undermine the principles of our democratic form of government.

"If any representatives of such groups attempt to introduce or direct legislation in this Legislature, blight their influence and bring their efforts to naught.

"Bless this Senatorial body, individually and collectively. May all their acts be prompted by *sincerity, clear vision, sound judgment,* and a *purpose devoid* of *personal, sectional,* or *party selfishness.*

"Inspire them with the single motive of serving the best interests of the State as a whole. Give them wisdom to develop the resources of the State; Economically to handle State funds; to lighten the burden of taxation; and yet maintain the efficiency in government. This is their task—make them equal to it, we pray.

"We pray for the Governor. Give him wisdom, give him intellectual acumen, and discernment commensurate with the great responsibilities of his high and noble office.

"Bless the *President* of the *Senate* that his rulings may be fair and impartial, his decisions just.

"May every officer, clerk and attendant of this body be animated with a single motive to perform well his or her duties.

"We beseech Thee so to influence, and overrule matters that when the term of this Legislature shall have ended, every Senator will be able to look back upon his or her acts with a high sense of honor, a conscience clear.

"To this end we render to Thee our gratitude, and invoke Thy blessings."

Senator Huggins moved that the Republican members of the Senate be given first choice of seating of the Senators and that the Democratic members be given second choice.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

January 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Twenty-fourth Session of the House of Representatives of the State of Utah has this day organized, and the Speaker has appointed Representatives H. A. Macfarlane, Sol J. Selvin, and Joseph I. Nichols to advise the Senate that it is ready to do business.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

January 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed Representatives Maude B. Jacob, Mrs. Albert Jensen, and Milton Twitchell 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. WALDO PARRY,
Chief Clerk.

Communication filed.

A committee from the House consisting of Representatives Macfarlane, Selvin and Nichols appeared and notified the Senate that the House is organized and ready to do business.

A committee consisting of Representatives Elswood, Reid and Redd appeared and invited the Senate to meet with the House in Joint Convention tonight at 8 o'clock to hear the Governor's message.

The President accepted the invitation.

Senator Weggeland moved that each member of the Senate be allowed a mailing list of fifteen names.

Motion carried.

The President asked each Senator to submit a list of committees upon which he would like to serve, naming at least six, and his preference.

On motion of Senator Farr the President appointed Senators Miller, Christensen and Williams to revise the Journal for the week ending January 18, 1941.

On motion of Senator Ellett the President appointed a committee consisting of Senators Ellett, Hopkin and Johnston to draw up a Resolution fixing the salaries of employees.

On motion of Senator Farr the Senate recessed until 7:45 p.m.

The Senate reconvened at 7:45 p.m.

Roll Call—All Senators present except Senators Farr and Huggins, excused.

Senator Hopkin moved that the Senate stand adjourned at the conclusion of the Joint Convention.

Motion carried.

The Senate then proceeded 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.

On motion of Senator Hopkin the President appointed a committee consisting of Senators Miller, Bailey and Williams and Representatives Hainsworth, Milliman and Bench to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

The Committee returned escorting His Excellency, Governor Herbert B. Maw, who was introduced to the Joint Convention by President Grover.

GOVERNOR'S MESSAGE

INTRODUCTION

Ladies and Gentlemen of the Legislature:

It is with an humble spirit that I address you this evening, for I realize that it becomes my duty to request you to solve problems and make reforms which will require greater courage and clearer thinking than has been expected of any other legislature of our State. Business, agriculture, industry, labor, the aged, the unemployed, our youth, and all other groups of citizens are hopefully anticipating that both you and I will lift our gaze beyond the realms of special interests, and close our ears to the demands of selfish organizations, and forget our own personal prejudices so that we might be in a position to confer upon the people more abundantly the economic benefits of a liberal democracy and at the same time bring state spending under control and thereby put a stop to the perpetual increasing cost of government.

It shall be my purpose to discuss general administrative policies with you and to present general problems for your consideration. Time will not permit me to consider, at this time, any specific legislative matters. I do, however, direct your attention to the thought that the future economic security of our State will be largely dependent on a helpful industrial program—by industry I mean both capital and labor. Laws which discourage capital investments in our State should be carefully examined with the view of eliminating objectionable features, and special attention should be given to legislation which will improve conditions of the laboring classes both on the farms and in the industries of the State. There is no justification during times like these for requiring men and women to work for wages too low for them to purchase adequate livelihoods for their families, or to require them to work under conditions that are injurious to their health, or to require farmers to work long hours for little or no return. As the prosperity of the laboring classes controls to a large degree the prosperity of business. I recommend for your favorable consideration those measures which will raise incomes and improve the working conditions of labor, and those

measures which will stimulate industry and improve agriculture. Utah is blessed with a plentiful supply of efficient and high class labor, and I am happy to say, that the relationship between agriculture, labor and capital in our State is a happy one.

NATIONAL ADMINISTRATION

I am sure that this legislature joins me in commending the national government on its program of human uplift. We are proud of the manner in which Utah Senators and Congressmen in Washington are supporting the program of the President. It shall be my policy, and, I feel sure, yours to cooperate fully with our Congressional representatives and with the President in their efforts to preserve the security of our nation, and the blessings of Democracy.

Under the leadership of President Roosevelt the nation is now engaged in a program of rearmament for national defense. Utah stands ready and willing to do her part in the mobilization of its industries, and its vast resources and its people for national security. If, in order to properly accomplish these ends, special legislation may be deemed advisable, I shall present it to you, from time to time, knowing that you will be willing to cooperate in a program to expedite national defense.

The people of the entire State are grateful for the establishment of army bases, arsenals, and flying units by the Federal Government within our borders. We welcome the officers and soldiers who have recently come to our State. It has been brought to my attention that some of our laws—particularly those relating to our schools—somewhat discriminate against the children of our visiting soldiers and friends. I urge that you make all amendments necessary to provide the facilities of State schools for the military forces and their families without discrimination.

STATE FINANCES

The financial condition of our State government is exceptionally good. Eight years ago, when Governor Henry H. Blood took office, there was a nearly two million dollar deficit in the general fund, plus a bonded indebtedness of $10,510,000, with $5,875,000 in the sinking fund, making a net bonded indebtedness in 1933 of $4,635,000. Because of a wise and careful administrative policy Governor Blood has been able to balance the State Budget during every year of his administration, make up the general deficit, and reduce the bonded indebtedness to a net of $2,155,000. His financial policy has given the State so excellent a credit rating that it was possible for him to refund State bonds which were then paying 4½ to 5½ per cent interest for other issues drawing 1½ per cent.

It shall be my policy to follow in the footsteps of my predecessor in these matters. I believe that the State should get out of debt as soon as possible and thereafter should stay out of debt. I have already been urged several times to recommend to this legislature the issuance of new State bonds with which to provide revenues for various projects. Similar requests will probably be made of you, in which case I most earnestly recommend that you adhere strictly to the doctrine that the State of Utah shall be kept out of debt. The wisdom of such a policy can be appreciated when we realize that since 1922 the State has paid the sum of $8,170,627.50 interest on outstanding bonds.

TAXATION

Because I believe that this legislature will cooperate with the executive department in a program which will bring State expenditures under more control, I am prepared to state that there is no need for additional taxation at this time. Our responsibility is to reduce State expenditures to a point where they come within the present estimated revenues, and to equalize the tax burdens, rather than to place additional taxes on the people to provide moneys for an increased spending program. I, therefore, urge that with two exceptions, you consider no taxation measures during this session of the legislature. The two exceptions are: (1) Inasmuch as State employees have, by Congressional enactments, been brought under the provisions of the Federal Income Tax Statutes, our income tax laws should be amended so as to include Federal employees residing within our State; (2) The income tax laws should also be amended so as to bring under their provisions non residents of Utah who receive salaries or incomes from Utah industries. I am advised that ours is one of only a few states in the Union whose income tax laws do not include such a provision. It is my opinion that any other taxation at this time will impose unnecessary additional burdens upon the industry and people of the State.

COST OF GOVERNMENT

Having told you that the credit of our State is exceptionally good and that there is no need for additional revenues to maintain the present program, I now declare to you, even at the risk of appearing inconsistent, that the financial condition of the government is very poor. I base this declaration on my belief that the financial structure of no state is sound, no matter how well that state is able to meet its fiscal obligations, so long as the cost of maintaining the state is too great. I regret to inform you that the citizens of Utah are now paying far too much for the benefits they are receiving. We have more government than we can afford to maintain.

During most of the remainder of my message I shall attempt to point out the weakness of the administrative system we have allowed to grow up—a system which is both wasteful and inefficient and also to point the way toward corrective action. No one major political party can be blamed for it, because both are responsible for it. One of these parties gave birth to it and nurtured it from infancy to maturity, while the other has maintained it in regal splendor until the present. No individual or particular group of individuals is responsible for it, for it is a product which has grown and developed for several decades. I feel free to criticize it and to expose its weakness to you because I am not free from blame for its existence. For ten of the past twelve years I was a member of the Senate and for four of those years presided over that body. I must, therefore, assume my share of whatever blame there is for what is. Your responsibility as legislators and mine as chief executive is not to be concerned with the history of its development. Our problem is to discover what is wrong and then correct it. To that end, and with no spirit of fault finding, I herewith submit to you my findings and my conclusions, and urge you to cooperate with me in a program of reform which will eliminate waste and increase efficiency.

Let me also emphasize the fact that my attack is on a system of administration and finance, and intends to cast no reflection on any officer or employee in any department of government. In fact, I am

convinced that this State has been blessed with many exceptionally efficient and faithful public servants—men and women who have given freely of their time and talents, many of them without remuneration—for the benefit of the State and its people. They are deserving of the appreciations of all of us for their services.

Most of the objectionable features of past administrations can, I believe, be traced to the factors I shall now discuss. These sum themselves up to the following: (1) It has been the past policy of legislatures to create new departments and commissions and to provide for their organization without making adequate investigation and without having accurate information as to what sort of organization plan will provide the most efficiency; (2) Commissions, departments, and institutions have been permitted to grow and expand without appreciable legislative or executive control or guidance; (3) They have been financed without adequate legislative or executive investigation of their financial needs; (4) They have been permitted to operate as independent units of government without inter-department coordination or proper legislative or executive supervision.

Let us now consider each separately.

CREATION OF NEW COMMISSIONS

What actually happens when a new commission or institution is created by the legislature? Some person or organization becomes convinced that the State government should render a new service, and a bill creating a new agency to administer that service is prepared and presented to the legislature. My experience in the Senate has proved to me that the legislature devotes most of its attention, when it considers that bill, to whether the new service is desirable, and makes few investigations as to what sort of an organization should be created to administer the service. For instance, when the Public Service Commission, and the Liquor Commission, and the Tax Commission, and the other commissions were created, very little was done by the legislatures that created them to discover whether there would be enough work to keep three or four full-time commissioners in each of those divisions busy, or what sort of a departmental organization would produce the greatest amount of efficiency. The size of the commissions and the nature of the organization of them received far too little legislative or executive attention or supervision. The subsequent growth of the commissions was unhampered except for restrictions in appropriations.

In the next place, when the creation of a new commission is proposed, the legislature seldom investigates the feasibility of permitting an already functioning department to render the new service, instead of setting up an entirely new organization. Furthermore, when a new department is once created it "endureth forever," for most legislatures are willing to add to the functions of government, but few are willing to abandon a service.

As a result of these practices, the State government has grown and expanded until the original divisions defined in the Constitution have increased in numbers until today, well over a hundred institutions, commissions, divisions, and organizations will petition this legislature in their budget requests for funds with which to carry on their several activities.

My investigations have convinced me:

A. That there are too many administrative divisions of our State government, and too many administrative officers. In fact, the business of the State is spread over so wide a field and is supervised by so many executives *that many of the commissioners and department heads do not have enough work to justify a continuation of the offices as now set up.*

B. That because of a complete lack of supervision over department activities and functions there is a considerable duplication of services which is resulting in thousands of dollars of unnecessary expenditures each month. As an example of what department activities cost where someone with authority does not supervise and regulate them, let us take the travel bill of the State—an item which is usually considered small and unworthy of much attention. During the last fiscal year the State paid for travel the sum of $352,073.40. That amounts to $704,146.80 per biennium, or about ten per cent of the estimated revenue for the general fund during the next two years.

C. Several of the boards, commissions, and divisions created through past legislative authority are now rendering insufficent services to justify their existence and should, therefore, be consolidated or possibly abolished.

DEPARTMENT EXPANSION

As I pointed out above, the only limitation in intra-department expansion is the amount of revenue appropriated by the legislature each biennium. Except for a few general regulations which need not be mentioned here, each commission and board may build up as elaborate an organization as their appropriations will allow. The heads of the various units receiving State appropriations are on the whole making continuous efforts to expand their services and enlarge their departments. Two factors contribute to this tendency: (1) The human desire of the department heads to make their organization large and efficient; (2) The pressure of National government agencies and national organizations. Every administration created by Congress to assist states offers a variety of services to the states through state boards and commissions. The Federal administration usually sets up a separate division for each of the many services it renders. The supervisors and inspectors of these divisions visit the state department with which they function and naturally they enthusiastically urge that the state departments organize themselves along the same lines as the Federal agencies and divide themselves into divisions as numerous as those in the Federal setup. Being anxious to cooperate with the Federal administration, and being unsupervised by the State, department heads and commissioners are inclined to follow these suggestions. The more divisions they create the more money they need for administration, and the greater the cost of State government. Such a tendency may be all right for states with large populations and multitudinous demands for service, but for a state the size of Utah with a half a million people to adopt the organization patterns of the type that are successful in New York, Illinois, Pennsylvania, and other states with large populations is *ridiculous. We cannot afford that much government in Utah.*

Members of Utah commissions whose departments receive no Federal aid are often members of voluntary national organizations created to improve the efficiency of their services. The tendency of these national

organizations is to recommend divisions of responsibilities within the departments of the various states, resulting in addition after addition to state costs. Here again we are face to face with the fact that a small state like ours cannot afford the complicated governmental structure which would be appropriate for large states.

Of course, it is essential for us to make the administration of our various departments as efficient as possible, and we must and want to comply with Federal requirements in order to participate in Federal funds. But we must remember that our responsibility is to eliminate all unnecessary expenditures. We should, therefore, not attempt to set up complicated intra-department organizations which are beyond our ability to maintain, even though such organizations are recommended by Federal agencies and national groups.

METHODS OF FINANCING DEPARTMENTS

Inasmuch as the amount of revenues a department receives on which to operate is the only material factor on which its size and the scope of its activities hinges, it will be interesting to note the practice for determining the amounts to be appropriated to each. To do this, will you now permit me to preview for you an account of what you and I will probably do during the next sixty days in this matter, unless the policy of the past is changed.

You will soon appoint an Appropriations Committee from both Houses. That Committee will sit jointly. Within twenty days the Governor will submit his budget for the various departments to be considered by you. That budget, if it is similar to the pattern set by previous administrations, will tell you the estimated revenues for the general fund for the next biennium, the request made by the various departments who receive their appropriations from the general fund, and appropriations made to the same departments during previous bienniums, and the recommendations of the Governor as to how much he thinks each department should have. The Governor's figures will be lower than the department requests, for he must keep within the estimated revenues—they need not. Then the lobby will begin. Each department and commission will have its representatives work on you for increased appropriations. You will—either in body or by committee—visit each institution and commission. Elaborate plans will be made for your reception in each place. Department heads, in their eagerness to enlarge their revenues, will make good hosts. You will be entertained royally, and fed well. By the time they are through with you you will be ready to begin looking around for new taxes to provide revenues to boost their appropriations over the Governor's estimate. In this you will find plenty of encouragement, for their lobby will continue with renewed vigor until the appropriations bill is finally passed. Then they will go home to work out ways and means for spending all that you appropriated, for an unused surplus at the end of the biennium would cramp their style with the next legislature.

This is the process that has been going on in this State since Statehood. *The department or institution which puts on the most convincing lobby gets the cream of the appropriations.* Why shouldn't they all put on a good show for you?

According to the State Budget Officer, no careful or systematic investigation of actual department needs has never been made by the budget department as a guide for the Governor. The legislature has never provided revenues for such an investigation. Consequently, when the Gov-

ernor recommends a reduction of the department requests he of necessity does so arbitrarily, in order to bring his recommendations within the estimated revenues. Under the present system he has not been able to determine just how much each really needs to carry on its statutory assignment. The legislature, on the other hand, has so much to do during the sixty days of its session that it would be humanly impossible for it to acquire accurate information as to the amounts actually needed by the various government units. The whole proceedure is a hit and miss one—one that is resulting in astounding sums of unnecessary expenditures.

INDEPENDENT DEPARTMENT ACTIVITIES

The fourth factor which should meet with your disapproval is the independence of each of the departments. Each carries on its own lobby for funds, does its own planning and expanding, and operates as a separate and independent unit. As a result, an attitude has grown in some quarters that certain departments are more powerful and more important that the State itself, and that the welfare of the department is more vital than is that of the people of the State. There is substantially no coordination of department activities except what is required by statute, and no cooperative planning of State programs by department heads. *In fact, ours is not a State government. Rather, it is a government of a hundred separate units.*

I need not convince you that such an organization results in numerous duplications of services, and that each duplication is wasteful and unnecessary. So also is it obvious that enormous savings will follow an elimination of these duplications. As an illustration of what might be accomplished through cooperative planning by departments, let us take as an example the Road Commission and the State Board of Public Welfare. Each of these units spend in excess of $7,000,000 per year. The Road Commission, on the one hand, is unable, because of shortage of funds, to meet the demands of the public for an enlarged road building program. On the other hand, we find that the Welfare Board set up in its 1941 budget an item of $964,837.00, all of which is paid from state revenues, for aid to employables. Employables are adults who are able to work but can find no work. Most of them would rather earn their livings than receive direct aid. If the Road Commission and the Welfare Board would coordinate their efforts while preparing their respective programs, most of these employables could be given employment on the roads and be permitted to earn the $964,000 now set up from the revenues from the sales tax by the Welfare Board for their direct relief. By that cooperation, these men would be restored to the desirable state of earning their living, the Welfare Department would be put to no extra expense for aid to employables, and the State would have nearly a million dollars of additional roads each year. Numerous other examples of liberal saving or extended benefits growing out of a policy of inter-department planning, benefits which cannot be enjoyed under the present practice of complete separation of department activities, might be cited. Certainly, this legislature should be willing to cooperate in bringing about these reforms.

So that you might be advised on the importance of this problem, I desire to state at this time that the department requests for appropriations from the general fund for the next biennium are in excess of ten million dollars. The estimated revenues for the same fund for the same period is $7,438,500.00, or more than two and one-half million dollars less than the requests. If this legislature does not adopt some plan such

as the one I shall propose herein to bring State expenditures under more definite legislative or executive control and to eliminate duplication of services it will be a difficult task to carry on present State activities without material increase in taxation. On the other hand, I can say without hesitation that with a systematic method of appropriation, plus careful State supervision of expenditures, together with effective governmental reorganization, this State can administer the part of its present program now paid from the general fund without any decrease in efficiency, and still keep well within the estimated revenues for the general fund.

UNAPPROPRIATED FUNDS

There is another matter on this subject to which I must direct your attention. The sums of money which you would normally appropriate from the general fund for the next biennium will amount to about $8,000,000. This is less than twenty-five per cent of the sum which will actually be spent by various commissions and departments of the State during the same period, and less than ten per cent of the total amount spent each biennium by all government units in Utah. For your information, I am causing to be printed at the close of this message an itemized statement under Schedule No. 1 of the Source of State and Local Government Revenue in Utah for the Fiscal Year ended June 30, 1939, and under Schedule No. 2 the Expenditures of State and Local Government Units in Utah for the same period. More than $30,000,000 from State funds in excess of what you appropriate from the general fund will be disposed of by the State departments who are not required by law to depend on this legislature for these revenues and over which this legislature would ordinarily exercise no control. The funds I refer to include the revenues obtained from the gasoline tax and the automobile license fees by the State Road Commission, and the returns from the sales tax which go to the State Board of Public Welfare, plus Federal Government appropriations to these two departments. In addition, the Fish and Game Commissioner disburses all of the revenues from the sale of hunting and fishing licenses. The Securities Commission has authority to spend all of the fees collected by it. The State Land Board has for its use twenty per cent of all interest and rentals collected by it from the sale and rentals of State land. The Bank Commissioner operates on the fees collected from the institutions he serves.

I personally favor very much the use of all fish and game funds for the promotion of hunting and fishing and all the sales tax revenues for relief, and it may be advisable to use all gasoline tax funds for roads, but I declare to you that it is against the principles of sound economy to permit a few commissions and department heads to expend three-fourths of all of the State's revenues without any adequate legislative and executive control over such expenditures.

It is natural for human beings to be less careful in their budgeting and in their spending when they have large sums of money at their disposal and are responsible only to themselves for mistakes or poor judgment in their methods of spending. Economies amounting to hundreds of thousands of dollars can be made if the legislature will: (1) Repeal all laws which make these funds available to the commissions and boards referred to herein; (2) Budget and appropriate definite amounts to each of them for administrative purposes; and (3) Appropriate the remainder of the revenues from each of the above-named sources to a public official or a group of public officials who are elected directly by the people, and who are clothed with authority to control the manner in which the gasoline

tax shall be spent on the roads, the sales tax be spent for relief, and the hunting and fishing license fees be spent by the Fish and Game department. In addition, there should be appropriated to the Land Board a definite amount from the funds administered by it and not a per cent of those funds, to cover their administrative costs.

APPROPRIATIONS TO SPECIAL GROUPS

It has been the policy of past legislatures to make appropriations of moneys to certain private or semi-public organizations, and to special commissions created by the legislature for definite purposes, to carry out certain activities for which the appropriations were requested. The expenditure of those funds is usually made without any State supervision. My investigations have convinced me that much of the moneys so appropriated are poorly spent. Much of it is used for extra salaries for citizens who already have adequate incomes in payment for services many of which could be assigned at no extra cost to people already employed by the State. Much of it is spent for travel. Large portions of it are not carefully spent.

Great savings would come to the State if this legislature would appropriate no more funds to special groups. If the legislature desires to make funds available for certain purposes or organizations, those funds should be appropriated to some elective officials, for whatever purpose the legislature declares, who in turn should be given authority to control the manner in which the special commissions or private organizations spend the amounts alotted for their use.

SUGGESTIVE REORGANIZATION PLAN

All of the faults described above can be corrected through:

(1) The elimination of the scores of boards, commissions, departments, and other official agencies created by past legislatures which now carry on the State's functions and spend the State's money; (2) The classification of the State's activities into as few units as possible; and (3) The creation of an organization to administer each classification. Similar reforms have been made by many states of the Union, with resultant vast savings of the State's revenues, and marked improvement in the State's efficiency. The plan which I shall now propose is a product of the recommendations of the Committee of Nine created by the 1935 Legislature, the reorganization structure plans of several other states, and the recommendations of authorities in the field of political science.

I recommend this plan not as a finished product, but as a working model, with the hope that before you adjourn you will have reduced the departments of state to fewer than twenty, and that you will then have either appointed a permanent committee from both Houses, or created a temporary committee with authority to set up after you have adjourned with the help of efficiency experts, an efficient and economical organization in each of the newly created departments. The task of doing this may require several months, but when it is completed it will reduce the cost of government by hundreds of thousands of dollars per year.

The State Constitution makes a continuance of the seven elective state offices mandatory. The legislature should, however, bring each of these departments within its program of intra-department reorganization, and it should consider the advisability of giving elective officials definite assignments of responsibilities in newly created departments.

It is recommended that now existing commissions, boards, and other government units created by past legislatures be dissolved and that all of the functions of the State be assigned to the following newly created departments—Department of Finance, Department of Engineering, Department of Public Welfare, Department of Lands and Water, Department of Service and Inspection, Department of Health, Board of Higher Education, Tax Commission, Industrial Commission, Liquor Commission, and Department of Publicity and Industrial Development.

DEPARTMENT OF FINANCE

This department should be given charge of the administration of all State funds, including purchasing, state budgets, income from State lands, all State investments, State insurance fund, firemen's fund, teachers' retirement fund, and all other State funds now administered by State agencies. It should be assigned all of the duties now performed by the Board of Supplies and Purchases, Teachers' Retirement Board, Land Board, as well as some of the functions of the Industrial Commission and other commissions including the Board of Examiners.

This board should consist of three full-time commissioners and should be divided into as many divisions as efficiancy and economy require.

DEPARTMENT OF ENGINEERING

All State construction and engineering projects such as highway construction and maintenance, dams, construction of public buildings, together with all engineering surveys should be brought under the direction of one commission, whose duties should include the services now performed by the Road Commission, State Engineer, Aeronautics Commission, Building Commission, State Planning Board and the Water Storage Commission. Flood control ,snow surveys, ground and underground water surveys, stream measurements, small reservoir, and other similar projects should be administered by this department.

The Department of Engineering should be presided over by three full-time commissioners, and should include a division of general engineering, a division of roads, and such other divisions as efficiency and economy will require.

DEPARTMENT OF PUBLIC WELFARE

It is recommended that the administration of all projects and institutions created to look after the needs of all classes of citizens be consolidated under one authority. These will include the services now performed by the State Board of Public Welfare, Board of Trustees of the School for Deaf and Blind, Board of Corrections, Board of Trustees of Utah State Hospital, State Industrial School, Board of Trustees of State Training School for Feeble Minded, Juvenile Court and Probation Commission, Tuberculosis Hospital Board and Self-Help Associations.

This department should be under the direction of a three-man commission, and should be divided into four or more divisions, including a division of Permanent Assistance, division of General Welfare, division of Public Institutions, and a division of Corrections.

The division of Permanent Assistance would include the services now rendered to the aged, to crippled children, to the blind, to dependent children, and other services which are partly paid for by the Federal Govern-

ment. These services must be administered under general rules and regulations imposed by Federal agencies to classes of citizens whose disabilities are more or less permanent in nature.

The division of General Welfare would include aid to unemployables, aid to those dependent children who are not eligible for Federal assistance, aid to employables and others who are assisted wholly from State funds. Federal regulations need not apply to this group, a large percentage of whom are not in as much need of social welfare service as they are of State cooperation in securing employment.

The division of Public Institutions would include the activities of all institutions administering aid to various classifications of needy. The business of formulating policies and supervising the activities of public institutions has become so great that non-paid boards whose members meet only every two or four weeks are unable to function as efficiently as should be. Efficient supervision of these institutions requires the full-time services of a division head, as well as the direction of a full-time commission.

The division of Corrections would direct the activities of penal institutions, juvenile courts, social service for delinquents, and similar activities.

DEPARTMENT OF LANDS AND WATER

The interests of farmers, sportsmen, and livestock men are becoming so involved that it seems essential for all of the State activities in these fields to be consolidated under one commission, who should supervise the State program for farmers, sportsmen, and livestock men. It should be composed of three full-time commissioners with a division of Agriculture, a division of Livestock, and a division of Fish and Game.

The divisions of Agriculture and of Livestock should carry out the State's program for farmers, livestock men and related industries. The security of a great portion of the State's population is largely dependent on the prosperity of tillers of the soil and tenders of flocks. To increase the productive security of these groups will confer benefits on most of our industries, trades and professions. Agricultural and livestock programs should be planned and administered through the cooperative efforts of the Land and Water department and the groups who are affected.

The Fish and Game division should be administered so far as conflicting interests will permit in accordance with the desires and best interests of the sportsmen of the State. All of the funds from the sale of hunting and fishing licenses should be expended by this division and should not be diverted to any other activity.

When the present law placing the control of fish and game funds under one commissioner was passed, only a comparatively few thousand dollars were received each year from the sale of sportsmen licences. The revenues from that source have increased so much since then that today it amounts to almost three-fourths of a million dollars per biennium.

As I have repeatedly stated in this message, it is against the best principles of economy for one individual to have complete control over such a large sum of money, without any State supervision of his spending program and policies. For that reason, the expenditure of the funds

of this department, as well as of every other department, should be carefully supervised. The sportsmen themselves should be heard in the formulation of spending policies. The type of general organization I have proposed herein will accomplish these ends.

To the Department of Land and Water should be assigned the duties now performed by the Board and Commissioner of Agriculture, Fish and Game Commissioner, Soil Conservation Commission, State Fair Board, Park Commission, as well as related services.

DEPARTMENT OF SERVICE AND INSPECTION

It is proposed that all police and inspection services, regulation of business be consolidated into one department. This would include the present functions of the Fair Trades Board, the Public Service Commission, the State Banking Department, the State Insurance Commissioner, the Department of Registration, the State Securities Board, as well as the Highway Patrol activities now directed by the Road Commission, the Liquor Commission and Department of Agricultural inspectors, the inspection service of all other departments, and all other services which regulate business institutions. A full-time three-man commission can perform the duties of this entire program.

There is more unnecessary duplication of service resulting in astounding wastes in our inspection setup than most any other service of the government. To have all inspectors go out from one headquarters will save thousands of dollars each year. Close cooperation between this department with other departments proposed herein will place this service on an economical basis.

DEPARTMENT OF HEALTH

The health of our citizens is so essential that it seems advisable that a department of health be maintained as a separate unit of government organization. I recommend therefore that a Department of Health be created, and that the duties now performed by the Board of Health and by the State Chemist be assigned to it. I recommend that the department be directed by one commissioner appointed by the Governor plus a non-paid advisory board similar to the present board of health. There should be assigned to this department wider responsibilities for more stringent inspection of foods and food stuffs.

TAX COMMISSION

Because the Tax Commission is set up in the Constitution, it is recommended that the Tax Commission continue as at present constituted, but that a careful investigation be made of its activities with the view of cutting down on the costs of its operations.

INDUSTRIAL COMMISSION

It is recommended that the Industrial Commission continue its present organization, except that the administration of the State insurance fund and Firemen's fund and other such funds now administered by it, be transferred to the Department of Finance. This commission also should be investigated with the view of reducing administrative overhead.

LIQUOR COMMISSION

I recommend that the Liquor Control Commission as now constituted be dissolved, and that the sale and regulation of intoxicating beverages be controlled by a part-time commission of not to exceed five members, each of whom to be paid on a per diem basis for work actually done or performed, and with the monthly income of any one commissioner to be limited to one hundred dollars.

It is furthermore recommended that the law provide for a manager who will work under the direction of the commission. The sale of liquor in Utah will always be of great concern to the public. A commission of five men will be large enough to give the people confidence that its distribution and sale is being properly supervised and directed. I recommend a part-time commission for two reasons: (1) There is not a suffiicient amount of work involved to keep three full-time commissioners busy, (2) Part-time service will permit the appointment on the commission of skilled businessmen who would not feel justified in giving up their private businesses for full-time employment, but who would be willing to devote a part of their time to the State service. I recommend a manager because a good merchandising man can direct the business more efficiently than can a commission.

The present independence of this commission should be eliminated. Definite appropriations should be made for its administration, and all revenues from the sale of intoxicating beverages and from other sources should be deposited in the name of the State Treasurer, and all checks authorized by the commission should be issued by the State Auditor, who should maintain a careful and continuous audit of all accounts of the commission.

HIGHER EDUCATION

The 1939 Legislature provided for the appointment of a Fact Finding Body to investigate public education in Utah and appropriated $25,000 to defray the expenses of the investigation. That body was appointed, conducted its investigation, and submitted its findings in the form of a printed report which was prepared by experts in the field of education. The report recommends the combining of the administration of the University of Utah, the Utah State Agricultural College, and the State Junior Colleges under one board with one administrative head to be known as a chancellor.

I propose that you give the recommendations of the fact finding body your serious consideration and I sincerely urge that before you adjourn you devise some plan which will end the future uncontrolled expansion of universities and colleges in the State, as well as their schools, departments, and curriculi. Our two universities—the Utah State Agricultural College and the University of Utah—are credits to our State. They maintain scholastic standards and operate on levels of efficiency which make their credits acceptable by all of the leading universities of the nation. The prestige of their reputations is very helpful to their students. This legislature should do whatever is necessary to assist them to maintain their high levels of efficiency, and they, as well as all of our Junior Colleges, should be given sufficient financial support to enable them to offer outstanding educational advantages to our citizens. *But their future expansion and the future expansion of all higher educational institutions must be brought under control.* We cannot afford to enlarge the scope of

higher education. Let us maintain well what we now have, but let us frown upon further haphazard expansion. I urge you, therefore, to create some new agency in place of or in addition to the boards of the respective schools as now constituted, which is given authority to control, supervise, and regulate all expansions of higher education in this State.

DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT

A discussion of this department will be considered later.

CONCLUSIONS ON REORGANIZATION

I have submitted this plan of reorganization of the State to you because I believe it will not only increase the efficiency of our government, but will also reduce the cost of government to such a degree that we can easily operate within our estimated revenues without increased taxation. In doing this, I am acting on the assumption that the people, in electing me to the office of Governor, have confidence in me and believe in my program, and I am willing to take personal responsibility for all I propose. The State organization should, therefore, be of such a nature as to make each department head directly responsible to the Governor, who in turn will be held accountable to the people. No governor can possibly direct or supervise with much efficiency the activities of over a hundred agencies which spend the State money—hence the necessity of a consolidation of the State services.

As you investigate the feasibility of the above plan you may find that it will be advisable to provide non-paid advisory boards of capable citizens for several or perhaps each of the departments of government. In such case I recommend that you provide for them. In fact, I suggest such boards to assist in the administration of the more important of them. In all cases, however, the various commissions should be responsible to the Governor, rather than the advisory board.

GREATER STATE SERVICE

The above program will take care of the economics of administration, but there is another need which the people are looking to the legislature to provide—a program which will enable a substantial portion of our population to increase their standards of living. Our aged and unemployables and afflicted need greater security, our young people more opportunities, and many of our farmers and unskilled laborers the ability to supplement their incomes. These are of more vital importance to both industry and citizens than either taxation or economics. Let us consider each of these problems separately.

OLD AGE ASSISTANCE AND RELIEF

In studying the problems of old age assistance and general relief one comes face to face with two conflicting philosophies as to how assistance should be administered. These might be defined briefly as follows: On the one hand, there is the belief that the State should carefully supervise how a recipient of relief shall spend the moneys given him each month. On the other hand, there is the theory that the duty of the State should be to determine the amount needed by the recipient, and then permit him to spend what he receives in whatever way he would if he had earned his monthly check instead of receiving it from the State and

that only in exceptional cases where dependents of the recipient suffer because of careless budgeting and wasteful expenditures should the State interfere. Under the first system the cost of administration is excessive because large numbers of social workers are necessary to maintain a thorough check on each recipient, and many office clerks must be employed to keep a detailed case record of each. Under the other system, few social workers and office clerks are essential to efficient service.

Utah, at the present time, is operating under the first philosophy—that of careful supervision. This policy is extended to the old age program. Consequently, the cost of administering the welfare program in Utah is high. There are over 200 case workers and supervisors serving recipients. The system has become so complicated that over 100 different forms are used on which to record the case records of applicants and recipients of aid. In one of the counties, 125 such forms are in use. The filling of forms consumes so much of the time of the case workers, that it is difficult for them to visit each month the clients assigned to them, so additional amounts have been set up in the 1941 budget with which to employ more workers. In our State, also, the keeping of records and files has become so involved that the services of an average of one office clerk is required to record the information supplied by each one and 11/15 case workers.

The laws of Utah passed by the 1937 legislature took the administration of aid to the aged out of the class of general relief and provided that all residents of the State over 65 years of age who were qualified to receive aid under the Federal laws, and who did not have a private income of $30 per month or more were in need. The statutes provide that if the private income of an applicant was in excess of $30 per month the State would give him no aid. If it was less than $30, he was entitled to the difference between his private income and $30. If he had no private income, he was entitled to $30 per month. The theory of this law was that no old person should be required to live on less than $30 per month, and that if his income was less than that he was in *need.*

It seems apparent that when a client over 65 years has once been investigated and his income determined, the presumption is that such income will not materially fluctuate. There is no need for a monthly check on him. A visit by a social worker every six or twelve months would be sufficient for his needs and would satisfy Federal requirements. For a social worker to attempt to apply rules of living or of spending to such person is useless. Old people should be permitted to spend their meager incomes as they like. They are not social problems.

It is very questionable as to whether general relief cases need the amount of supervision now offered in our Social Service setup, but it is definitely against the desires of a majority of the people of this State for the State to apply the same principles of social service to the aged as it does to general relief cases.

It shall be the policy of this administration to give full effect to the present statutes. Grants to the aged should be increased at once in order to restore the 20 per cent cut made some months ago. The rules and regulations of the department as they apply to the aged should be changed so as to eliminate the need for more than semi-annual visits by social workers.

It is recommended that this legislature amend the laws so as to permit an old person to earn or receive as gifts up to $10 per month

without having such increases interfer with his right to State aid. This will make it possible for each old person to have $40 per month, a maximum of $30 of which is to be supplied by the County, State and Federal Governments. In view of the fact that the Federal Government will now match State and County funds for aid to the aged up to $20 per month, such an amendment would be in harmony with the Federal policy. It would furthermore make it possible to restore to the aged who live with relatives or friends most of the reductions which have been made in their grants on the theory that free rent and food is income. To make it possible for the aged to receive their full $30 per month, without having their private affairs constantly pried into, and to permit them to supplement their incomes through gifts and personal industry to the extent of $10 per month will meet with the approval of a large majority of the citizens of this State.

FINANCING THE RELIEF PROGRAM

Of course, the matter of financing such a program is a point of great importance to every taxpayer. During the past political campaign so much was said about the impossibility of giving such benefits to the aged, that many people are skeptical as to the advisibility of such a program.

After very careful investigation, I am prepared to inform you that there is more than enough income from the sales tax, plus Federal and County grants as provided in the now existing laws, to continue all of the benefits now given to all classes of relief clients, and in addition provide the additional benefits described above for the aged. The auditors of the Welfare Board inform me that the demands for relief have leveled off. As long as economic conditions continue as they now are, there will probably be no material upward trend in numbers of recipients. Everyone knows that, with the stimulation of business which will probably result from the Federal spending program for defense, the numbers on relief will be more inclined to decline than to increase.

In 1940, the sum of $7,566,977.77 was spent in Utah for general relief and administration. Of this, $2,566,162.12 was contributed by the Federal Government, $3,921,503.57 by the State (from sales tax) and $1,079,312.08 by the Counties. During the same year the income from the sales tax was $4,390,080.90, or $468,577.33 more than was spent for direct relief by the State during the same year. Two or three years ago a 20 per cent cut was made in the grants to the aged. Five per cent of this was restored during 1940. According to the Welfare Board auditors, it will take the sum of $619,272.00 to restore the remaining 15 per cent, and thereby bring benefits for those over 65 to the $30 per month level. Of this, the Federal Government would contribute $325,117.00, the State $201,265.00 and the Counties $92,890.00. In order to eliminate reductions now made to grants to the aged for board and room, gifts, private incomes, etc., up to $10 per month as provided in the amendment proposed above, an additional sum of 368,000.00 would be required—$192,250.00 of which would be paid by the Federal Government, $120,750.00 by the State, and $55,000.00 by the Counties. An adoption of the policy recommended in this message for administration of relief to the aged would save, according to the figures supplied by the Welfare Board auditors, the sum of $208,213 per year in administration costs. This figure, I am told, is very conservative, for it does not include savings in reductions in printing costs and other expenses which would grow out of such a policy. Of

this amount $37,470.00 would be saved the Federal Government, $139,518.00 the State and $31,225.00 the Counties. To maintain relief on its present level with no reductions in administrative costs for any service except that of old age assistance and to give to the aged all of the additional benefits described herein would cost the sum of $8,346,036.77 per year. Of this, $3,046,059.12 would be contributed by the Federal Government, $4,104,000.57 by the State, and $1,195,977 by the Counties. Even though the revenues from sales taxes do not increase over 1940 and the probability that they will increase by at least 5 per cent is almost a certainty, there will still be a surplus in the Welfare Board funds at the end of 1941, including present reserves and less present diversions, an amount in excess of $275,000.00 plus an amount equal to the increased revenues from the sales tax over 1940. The $1,195,977.08 to be contributed by the Counties under this program is $185,611.00 less than the requirements imposed on them by the 1941 estimated budget of the Welfare Department.

A budget control policy for administration of relief such as the one I have proposed in my reorganization program will undoubtedly greatly reduce the administrative costs of other welfare services. For instance, the expenditure of the $964,000.00 set up in the budget for aid to the 4,656 employables, will require substantially no social service supervision if work is provided for employables as recommended in this message in lieu of having them kept on relief. This one item will result in large-scale savings in administrative cost.

I, Therefore, repeat that a change in the social service policy of the State plus a reorganization of the Welfare department and legislative appropriations to that department for administration will make it possible to continue the present relief benefits and in addition provide all of the benefits outlined in my program for the aged without increased taxation. In case the sales tax revenues become insufficient because of a sudden drop in business activities to carry on the program, then the amounts of grants should be reduced as the law now provides in order to keep within the revenues now provided.

I, therefore, recommend: (1) That all of the revenues from the sales tax be appropriated for relief and that there be no diversions from this fund; (2) That, after careful investigation, definite appropriations be made from the sales tax for administration of the Welfare Department; and (3) That the law be amended so as to permit private income of recipients of old age grants up to $10 per month, as recommended above. In order to prepare for future depressions when the relief burdens on government increase, I furthermore recommend that the present law be amended to provide for a reserve fund into which shall be deposited, at the end of each fiscal year, all unused portions of the sales tax revenues for that year, said fund to be used as the governor shall direct for aid to the needy during times when the income for relief purposes is insufficient to supply the needs.

INDUSTRIAL EXPANSION

The relief policies discussed above will bring great additional benefits to large numbers of our citizens and to businesses of all types, but they will not solve the basic economic problems of our State. The greatest needs we have today are: (1) To make possible an increase in the income

of thousands of our citizens who are able to earn enough to keep off relief, but who cannot earn enough to provide their families with adequate livings; and (2) To provide employment opportunities for our young people. In this group of low income earners are most of the farmers of the State. Though past legislatures have spent millions of dollars in the aggregate to assist farmers, their plight is about as bad today as it has been during any time in the State's history. The Federal program has helped them considerably, but so far as I have been able to determine, the millions of dollars spent by the State to help them have done little or nothing to improve their living conditions. A careful study should be made by this legislature to discover whether a continuation of our present farm policies will be profitable. The major problems of marketing, and of prices of commodities are national in scope. If through full cooperation with the national agricultural program, agriculture in Utah can be made profitable we will all rejoice. Until that is accomplished, however, our responsibility is to help farmers supplement their farm incomes so as to make it possible for them to remain on their lands. Thousands of unskilled laborers who are far more anxious to work for their livelihood than to receive assistance have been forced to reduce the living standards of their families through no fault of their own to levels that cannot meet with the approval of a democratic society. Over 3,000 of our young men and women leave our State each year because there are insufficient opportunities in Utah for them to apply their talents in pursuits comparable to their training. These conditions create problems which are of great importance to the future of our state—problems which require the best attention of this legislature. The answer to all of them is increased employment.

Utah is blessed with a greater variety of natural resources than most of the states of the Union—yet few states do less with what they have than do we. The time has come when the people are looking for the State government to take the lead in developing our resources to the benefit of the citizens of Utah and for the purpose of creating additional employment for our people. To do this, a careful study should be made (1) of our laws, to discover which ones, if any, discourage capital investments within our State; (2) of what resources there are in our State, and what potential industries exist upon which development could begin at once; (3) of a program for promoting and financing their development; and (4) of the natural handicaps which must be overcome to make them successful adventures.

In connection with this last matter, may I call to your attention two factors. (1) Being in a sparsely populated section of the United States, we are far from the consuming markets—this is a distinct handicap. The reduction in freight rates to the markets of the nation, particularly the rates on finished and manufactured products, should receive our unanimous support. Freight rates here are now such as to permit the shipment of our raw materials to the manufacturing centers of the east and west; there is no freight rate encouragement for the establishment of manufacturers, refiners, or finishers of these raw products within the bounds of the State of Utah. For every man necessary to produce these raw materials, there are ten, or more, men necessary to refine and finish them; therefore, the efforts of the State should be directed toward the establishment of industries to manufacture, refine and finish the raw materials that are produced here (or at least partially complete these operations). (2) The second problem, is that of the cost of power. We

live on an island of high electric power rates. All around us our neighbors enjoy very much lower rates. For some reason or other, our manufacturers and our citizens have received few, or no benefits, or advantages, in the way of lower electric power rates from Boulder Dam and other governmental projects. For some reason, possibly our own fault, our natural sites for power plants have not experienced Federal development. The cost of power to a manufacturer is such an important item that Utah industry cannot hope to be developed on a large scale so long as our citizens must pay rates that are materially higher than rates in adjacent territories. It will, therefore, be necessary to do everything possible, as part of our development program, to obtain cheap electric power for our State. Federal projects account for the cheap power in the states surrounding us. It, therefore, becomes our duty to direct our united efforts toward inducing the Federal government to consider and undertake projects to accomplish this end, so that Utah can receive the benefits to which it is rightfully entitled. The facilities of our local utilities could be well utilized in the distribution of such power.

A comprehensive Utah program for the development of the Colorado river system for the purpose of benefiting Utah industry and agriculture is of paramount importance, and such a program should be developed and placed in the hands of Utah's congressional delegation in Washington without delay.

DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT

To become a part of the reorganization scheme of our State government, there should be created a Department of Publicity and Industrial Development, composed of three full-time commissioners, plus a non-paid advisory board of outstanding citizens who are interested in the development of our State. It should be the duty of this commission to proceed at once to cooperate with county and city officials in a program of industrial development. Wherever, through State cooperation and assistance, a new industry can be brought into existence in any county of the State, or the markets for an industry already existing can be expanded, this commission should be charged with the duty of attempting to secure such new industry as well as to aid and abet industries already in existence within the State. For instance, the Utah coal industry is one of our largest and important ones; the matter of processing of Utah coal, with its myriad of valuable by-products, should be thoroughly investigated by such a commission; the feasibility of the establishment of paint manufacturing plants in the Uintah Basin, of rock asphalt plants in Carbon and Uintah Counties, and raisin or grape juice industry in Southern Utah; of the development of the great alunite deposits around Marysvale; of the huge chemical resources in the Great Salt Lake Basin, and the establishment of refining and finishing plants (which would employ thousands of men) for the copper, zinc, lead and iron, now largely shipped out of the state as raw materials, should all be looked into and if proved to be practical, then their realization should be brought about; not through a State ownership plan, but through a scheme of sufficient State cooperation to encourage and enable capital to be invested here. Home markets provide the greatest net return to the farmer for his products, therefore,

the development of our industrial resources would also greatly aid in the solution of the farm problem of this State by providing increased home markets for our agriculture production.

The scenic wonders of our State should be exploited. This commission, with the cooperation of the Department of Engineering, should work out a program for the construction of roads into our scenic centers, provide camping facilities, and then launch an advertising campaign, which will not only bring tourists to our State, but in addition inform the world as to our industrial and mining advantages. The revenues made available for this program should be used to employ as large a number of citizens, who are now in the low income brackets, as possible, with the view of supplementing their family incomes.

Before recommending to you a means of fincancing this program, let me bring to your attention the matter of revenues from the sale of automobile license plates. In 1937 the legislature passed the homestead exemption bill. As a part of its plan of reimbursing the local units of government for their losses in tax revenues resulting from the homestead exemption, a bill was passed appropriating to the counties and cities $800,000 per year of the revenues from the sale of license plates, to be used by them on their roads. The Governor vetoed the homestead exemption law, but did not veto this bill carrying this appropriation. Since 1937 city and county officials have, therefore, had distributed to them each year $800,000 of this income. It was the intention of the legislature of 1937 in making this apprropriation, to reduce the tax burden of home owners through the homestead exemption law. Instead, it has resulted in an increase in the expenditures of local government units of $800,000 per year without cutting down tax levies in any city or county. If the legislature does not repeal that law at once, the State will forever lose access to one of the most sure means it has for financing a tax reduction program in the future. In spite of the protestations of local officials that this money is well spent by them, the fact still remains that the present method of distributing that sum of money to them has increased the taxpayers burden by $800,000 per year, without any reduction in the levy on his property. I strongly urge, therefore, that this legislature repeal that part of Chapter 40, Laws of Utah, 1937, as amended by Chapter 48, Laws of Utah, 1939, which provides for this appropriation of the revenues from the automobile license plates. In making the above recommendation, I do not want to appear as objecting to having State road funds used on city and county roads. If this legislature feels that local governments should have State funds to assist them in their road building programs, a part of the gasoline tax could be used for that purpose. The automobile license tax, however, should be held under State control until the legislature feels that it should be applied to a tax reduction program. In order to further assist city and county offiicials to maintain their roads, I recommend that provisions be made for employables who are on relief to be permitted to work on city and county streets and roads at the State expense up to the amounts they would otherwise receive as aid.

Part of the revenues from the sale of license plates have been spent during the past in payment of State bonds, the last of which will be retired on April 1, 1941. The total revenues from this and other kindred

sources amount to about $1,125,000 per year. I recommend that this sum, plus other moneys which the United States Government might provide be appropriated to the Department of Publicity and Industrial Development for the building and advertising of Utah and for providing employment to supplement the income of citizens in the low income group until such time as the legislature desires to launch a tax reduction program. Within two or three years remarkable strides can be made with this sum of money in the building of industries.

There has ben some misunderstsanding on the matter of whether a diversion of these funds would interfere with Federal participation in our road building program. Competent legal authorities have advised me that a diversion of Motor Vehicle Registration fees for the purposes proposed herein is permissible under Federal regulation and will not interfere with Federal grants for Utah roads.

If the hopes of many of our citizens are fulfilled, elaborate plans will be made for a 1947 Centennial. Portions of the sums spent by the Department of Publicity and Industrial Development should go into channels which will be in harmony with the program of the Centennial Commission. The projects created for employment could be worked out through the cooperative efforts of both of these groups. The revenues in question would be adequate to carry out both programs. This will eliminate all future need of appropriations for a Centennial.

MILITARY SERVICE OF PUBLIC OFFICERS

Several elective offiicers and judges and other state and local government employees are either members of the National Guard or subject to the draft and will probably be required to receive training in military camps for a year or more. I recommend that you enact necessary legislation to permit the proper state, county and city authorities to grant leaves to such individuals and to make temporary appointments of others to fill their vacancies during such periods as they are engaged in military service.

CONCLUSION

Ladies and gentlemen, I have refrained from recommending specific legislation in many needed fields in order to outline a program which will take courage and foresight for you to create, but which will redound to the credit of this legislature, if adopted, for it will cut the cost of government and increase its efficiency, on the one hand, and provide aid, hope, and indusrty for our citizens on the other hand. If we, as well as city and county officials throughout the state, will follow such a program, material relief will come to the taxpayers of Utah.

In closing may I assure you of my hearty cooperation during this session. We have a big job ahead of us—one that will require the united efforts of all of us. I invite each of you to call on me at any time I may be of assistance. I hope that I might be free to seek your counsel and advice. The facilities of all of the departments of state are at your service.

SCHEDULE No. 1

SOURCE OF STATE AND LOCAL GOVERNMENT REVENUE IN UTAH FOR THE FISCAL YEAR ENDED JUNE 30, 1939

(Does not include amounts disbursed directly by the Federal Government for P.W.A., W.P.A. or N.Y.A. Projects)

1. *Federal Funds*:

Federal Appropriation—U.A.C.	$ 76,210.60	
Federal Mineral Royalties	61,533.05	
Smith-Hughes Fund	37,168.83	
George Deen Fund	82,175.25	
Forest Reserve Fund	34,386.52	
Taylor Grazing Act	86,993.46	
P.W.A. Building Grants	218,709.70	
Federal Appropriation for Roads	2,293,930.30	
Federal Appropriation for Public Welfare	2,463,895.15	
Funds for Administration of Unemployment Compensation Insurance	220,757.42	
State Employment Service	107,783.49	
		$ 5,683,543.77

2. *Miscellaneous Taxes*:

Cigarette Stamp Sales & Licenses	349,543.10	
Oleomargarine Stamp Sales & Licenses	17,417.31	
Insurance Premium Taxes	377,298.40	
Inheritance Taxes	336,284.10	
Beer Taxes & Licenses	112,698.38	
Mine Occupation Taxes	327,699.15	
Public Utility Regulation Fees	38,100.87	
Unclassified (Suspense)	112,834.16	
Fish & Game Fees & Licenses	265,453.45	
		1,937,328.92

3. *Income and Corporation Franchise Taxes*:		
Income Taxes	691,838.47	
Corporation Franchise Taxes	946,391.95	
		1,638,230.42
4. *Sales Tax*		3,634,564.24
5. *Motor Vehicle Taxes*:		
Gasoline Sales Tax	3,600,554.49	
Airplane Fuel Tax	43,978.72	
Motor Vehicle Registration	977,603.97	
Vehicle Control Fund	87,021.25	
Licensed Gross Ton Mile Tax	19.76	
		4,709,178.19
6. *Miscellaneous Revenues*:		
Interest & Rentals—Land Grant Funds	101,665.93	
Special Funds—Agricultural Dept.	87,758.75	
Universities & College Fees, etc.	928,355.70	
Teachers' Retirement—Interest Earned	22,897.83	
State Boards, Institutions & Commissions (Fees, Rent, Interest, etc.)	228,592.75	
Interest on Redemption Fund Investments	204,208.11	
Miscellaneous Fees, etc	119,394.18	
University of Utah—Union Bldg. Fund	32,544.88	
State Power Plant	8,429.17	
Defunct Banks—Trust Fund	895.61	
Financial Institutions Fund	23,282.90	
State Bar	9,182.09	
State Law Library	585.00	
State Trust Fund	1,559.56	

Reclamation Trust Fund	140.00	
Election Filing Fees	2,755.00	
Miscellaneous Receipts	24,822.71	
Building Commission Fund	672.33	
Premiums earned on Sale of Investments	38,572.08	
Miscellaneous Receipts—State Roads	59,200.39	
Miscellaneous Welfare Revenue & Salvage	2,069.43	
State Insurance Fund—Interest	68,013.11	
Unemployment Compensation Insurance—Interest	49,446.94	
		2,015,044.45

7. *Property Taxes* 18,145,581.00

8. *Insurance Premiums and Retirement Contributions, etc.*:

Premiums—State Industrial Insurance	999,371.99	
Teachers' Retirement—Members contributions	413,018.06	
Employees Combined Injury & Benefit Fund	10,170.78	
Fireman's Pension Fund	45,423.15	
Unemployment Compensation Insurance	2,628,745.15	
		4,096,729.13

9. *Liquor Commission Income*:

Gross Profit—Alcohol & Liquor Sales	1,312,761.47	
Liquor Permits, Fees, Licenses, etc.	159,362.15	
		1,472,123.62

10. *City Revenues Other than Property Taxes*:

Income—Water & Power Utilities	1,569,777.00	
Licenses, Fees & Other Revenue	1,516,807.00	
		3,086,584.00

TOTAL REVENUES $46,418.907.74

SCHEDULE No. 2

EXPENDITURES OF STATE AND LOCAL GOVERNMENTAL UNITS IN UTAH FOR THE FISCAL YEAR ENDED JUNE 30, 1939

(Does not include amounts disbursed directly by the Federal Government for P.W.A., W.P.A., or N.Y.A. Projects)

1. *Education*:			
	Expended or distributed by State	$7,539,003.90	
	Collected & Expended by Local School Districts	6,870,706.00	
			$14,409,709.90
2. *State Roads*:			
		7,181,519.34	
			7,181,519.34
3. *Emergency Relief and Related Projects*:			
	Relief, Old Age Assistance, etc.	6,624,875.45	
	War Veterans, Disabled Miners & Welfare Societies	45,904.15	
	Unemployment Service Act	12,300.96	
	Unemployment Benefit Payments	1,955,640.24	
	Unemployment Compensation Administration	225,399.37	
	State Employment Service	111,288.15	
	Industrial Ins. Payments & Adm. Expenses	827,314.14	
	Employees' Injury & Benefit Payments	9,256.56	
	Firemen's Pension Fund	43,169.29	
			9,855,148.31
4. *State Departments*:			
	State Fair Board	57,548.04	
	Administration (Exclusive of Taxes)	718,473.64	
	Planning Board	7,657.81	
	Administration of Tax Commission	363,692.11	
	State Building Commission Projects	755,397.90	
	Adminisration of Liquor Commission	638,007.63	
	Fish & Game	241,659.55	
	Rodent & Predatory Animal Control	19,331.18	
	Livestock Inspection & Control	45,318.40	
	Department of Agriculture	133,527.54	
			2,980,613.80

5. *Miscellaneous Expenditures*:

Interest on Public Debt	341,850.00	
Legislative Expenses	65,773.82	
Forest Reserve Fund	34,386.52	
Military & Defense—National Guard	50,017.29	
State Land Selection Fund	791.00	
Taylor Grazing Districts	89,573.69	
Uniform State Laws	478.77	
State Power Plant	4,868.24	
Defunct Banks Trust Fund	762.02	
Miscellaneous Expense & Refunds	40,992.66	
Golden Gate Exposition	16,641.52	
New York World's Fair	29,750.75	
Expense—Sale of Bonds	1,420.48	
		677,306.76

6. *State Institutions*:

Hospitalization & Training (Feeble Minded and Insane)	470,458.30	
Judicial	295,107.85	
Penal	318,025.93	
		1,083,592.08

7. *Cities and Towns*: (Estimate)

Expenses of Municipal Utilities	911,548.00	
Other Municipal Expenditures	5,267,649.00	
		6,179,197.00

8. *Counties*:

(General Expenditures)	2,395,955.00	
Roads	631,868.00	
Officers Salaries paid by State	68,999.02	
Maps and Plats	4,666.08	
		3,101,488.10
TOTAL		$45,468,575.29

The Joint Committee then escorted the Governor to his office.

The President declared the Joint Convention dissolved.

In accordance with previous motion, the Senate adjourned.

SECOND DAY

January 14, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 14, 1941.

Mr. President:

We, your committee on Revision of the Journal, respectfully report that we have read the Journal for the 1st day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,

GEO. A. CHRISTENSEN,

F. D. WILLIAMS.

Report adopted and filed.

The President appointed Senators Child, Rich and Dawson as the Standing Committee on Revision and Enrolling for the 24th Legislature.

INTRODUCTION OF BILLS

S. B. No. 1 By Mr. Child

AN ACT AMENDING SECTION 75-11-12, REVISED STATUTES OF UTAH, 1933, RELATING TO ENUMERATORS OF SCHOOL POPULATION, was read the first time and referred to the Committtee on Revision and Enrolling.

S. B. No. 2 By Mr. Child

AN ACT AMENDING SECTIONS 75-12-13 AND 75-12-15, REVISED STATUTES OF UTAH, 1933, RELATING TO SCHOOL TAXES AND FUNDS, AND SECTION 75-12-10, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 58, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 80, LAWS OF UTAH, 1937 was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3 By Mr. Weggeland

AN ACT AMENDING SECTION 54-1-35, REVISED STATUTES OF UTAH, 1933, RELATING TO STATE OFFICERS AND EM-

PLOYEES IN MILITARY SERVICE AND PROVIDING THAT ALL OFFICERS AND EMPLOYEES OF THE STATE OR ANY MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION OF THE STATE WHO ARE MEMBERS OF THE NATIONAL GUARD, NAVAL MILITIA, MEMBERS OF THE RESERVE CORPS OR THE UNITED STATES ARMY OR FORCES IN THE FEDERAL, MILITARY, NAVAL, OR MARINE SERVICE MAY BE ABSENT FROM THEIR PLACES OF EMPLOYMENT AND SHALL RECEIVE COMPENSATION FROM THEIR RESPECTIVE EMPLOYERS WHILE SO ABSENT, PROVIDING FOR THEIR REINSTATEMENT AFTER THE TERMINATION OF THEIR SERVICE AND MAKING PROVISION FOR DEPENDENTS OF MEMBERS OF THE NATIONAL GUARD WHILE THEY ARE ENGAGED IN SERVICE, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Hopkin moved that it be the policy of the Senate to refrain from going, as a body, on any so-called "tours of inspection," and that the President of the Senate appoint committees of three to act for the Senate.

Senator Child moved to amend the motion to read, "that the President have power to appoint committees of not to exceed seven members."

Amendment carried.

Senator Weggeland, with the aid of five Senators, requested a roll call on the motion.

Motion as amended carried on the following roll call:

Yeas, 16; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hopkin, Huggins, Johnston, Macfarlane, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Ellett, Hirschi, Howard, Lundell, McMurrin, Spence, Weggeland.

On motion of Senator Huggins the Secretary was instructed to notify the House of the action and acceptance of Senator Hopkin's motion.

On motion of Senator Huggins the President appointed a committee consisting of Senators Miller, Hirschi and Watson to collaborate with the Governor, the Legal Department of the State and such other departments as may be necessary to ascertain if the Legal Department is to furnish us with recommendations as to how we may accomplish the Governor's recommendations as embodied in his message to the Legislature, and what, if any, assistance we may expect from them.

On motion of Senator Macfarlane the Senate adjourned.

THIRD DAY

January 15, 1941.

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

Roll Call—All Senators present except Senator Lundell and Senator Weggeland, excused.

Prayer by the Chaplain.

January 15, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 2nd day and find it correct with minor amendments noted on the final copy.

Respectfully,
GEORGE M. MILLER,
GEO. A. CHRISTENSEN,
F. D. WILLIAMS.

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEES

January 15, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 1*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,
STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 1 was ordered printed.

January 15, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 2*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,
STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 2 was ordered printed.

January 15, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 3*, by Mr. Weggeland, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,
STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 3 was ordered printed.

January 15, 1941.

Mr. President:

We, your committee to which was referred the motion of Senator Huggins for collaboration with the Governor and the Attorney General regarding the recommendation of the Governor for the reorganization of the State Government and other matters, beg leave to report that we held a conference with the Governor and the Attorney General, and were informed that the Governor has in preparation a bill outlining his recommendations for the reorganization of the State Government. The same will be submitted for the consideration of the Senate on or about Monday, January 20th.

In our conference with the Attorney General, he assured us of his full cooperation and will furnish us with the necessary legal services. We were unable to contact other departments of the State Government, but will do so as circumstances require in the discharge of our other duties.

Respectfully submitted,

GEORGE M. MILLER,
CLAUDE HIRSCHI,
ED. H. WATSON,

Report adopted and filed.

PRESENTATION OF RESOLUTION

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

A RESOLUTION FIXING THE COMPENSATION OF EMPLOYEES OF THE TWENTY-FOURTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, was read the first time.

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

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

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Lundell, Spence, Weggeland.

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

INTRODUCTION OF BILLS

S. B. No. 4 By Mr. Miller

AN ACT REPEALING CHAPTER 40, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1939, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5 By Mr. Huggins

AN ACT AMENDING SECTION 85-7-18, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 85-7-18A, AND 85-7-18B RELATING TO APPLICATIONS FOR DEFINITE ADMISSION TO THE UTAH STATE HOSPITAL REQUIRING THE SAME TO SET FORTH THE RESIDENCE, AND FINANCIAL CONDITION OF SUCH APPLICANT, PROVIDING THE NOTICE TO BE GIVEN BEFORE HEARING THEREON, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Dawson the Senate adjourned.

FOURTH DAY

January 16, 1941.

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

Roll Call—All Senators present except Senators Lundell and Weggeland, excused.

Prayer by the Chaplain.

January 16, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 3rd day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,

GEO. A. CHRISTENSEN,

Report adopted and filed. F. D. WILLIAMS.

STANDING COMMITTEES OF THE SENATE

The following Standing Committees were appointed by President Grover. The first Senator named on each committee shall be the chairman thereof.

AGRICULTURE AND IRRIGATION

Lundell, Bailey, Hopkin, McMurrin, Morrill, Rich, Williams.

APPROPRIATIONS AND CLAIMS

Weggeland, Ashton, Ellett, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Williams.

BANKING AND COMMERCE

Christensen, Ashton, Bailey, Hirschi, McMurrin, Morrill, Weggeland.

FISH AND GAME

Farr, Hirschi, Hopkin, Johnston, Lundell, Morrill, Spence.

EDUCATION

McMurrin, Bailey, Child, Ellett, Farr, Morrill, Rich.

HEALTH AND LABOR

Spence, Child, Dawson, Howard, Johnston.

HIGHWAYS

Johnston, Ashton, Christensen, Farr, Huggins, Spence, Williams.

JUDICIARY

Macfarlane, Child, Dawson, Ellett, Huggins, Miller, Watson.

MINING AND SMELTING

Watson, Howard, Miller, Spence, Weggeland.

PUBLIC INSTITUTIONS

Miller, Ashton, Christensen, Farr, Howard, Lundell, Macfarlane.

REVENUE AND TAXATION

Huggins, Bailey, Child, Christensen, Hopkin, Lundell, Macfarlane, Miller, Rich, Watson, Williams.

REVISION AND ENROLLING

Child, Rich, Dawson.

RULES AND CONTINGENT EXPENSES

Bailey, Christensen, Howard.

SOCIAL RELATIONS AND RELIEF

Hopkin, Dawson, Ellett, Hirschi, Morrill, Rich, Watson, Weggeland, Williams.

STATE AND MUNICIPAL AFFAIRS

Ellett, Dawson, Johnston, Miller, Rich, Watson, Weggeland.

S. B. No's. 1 and *2* were referred to the Committee on Education.

S. B. No. 3 was referred to the Committee on State and Municipal Affairs.

COMMUNICATION FROM THE HOUSE

January 15, 1941.

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. 1*, by Mr. Ellett, entitled, "A RESOLUTION FIXING THE COMPENSATION OF EMPLOYEES OF THE TWENTY-FOURTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEES

January 16, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 16, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 5*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 5 was ordered printed and referred to the Committee on Public Institutions.

INTRODUCTION OF BILLS

S. B. No. 6 By Messrs. Farr, Christensen and Macfarlane

AN ACT RELATING TO THE GIVING OF PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES WHEN THE OPERATORS' OR CHAUFFEURS' LICENSE

OR OWNERS' REGISTRATION IS SUSPENDED OR REVOKED: PROVIDING FOR THE SUSPENSION OR REVOCATION OF OPERATORS' OR CHAUFFEURS' LICENSE AND OWNERS' REGISTRATION OF VEHICLE UPON FAILURE TO PAY JUDGMENTS OBTAINED AGAINST OPERATOR OF VEHICLE AND TO MAKE A UNIFORM LAW WITH REFERENCE THERETO: PROVIDING FOR THE APPOINTMENT OF THE SECRETARY OF STATE OF THE STATE OF UTAH AS PROCESS AGENT FOR ALL NON-RESIDENTS USING THE HIGHWAYS OF THE STATE OF UTAH IN ACTIONS ARISING OUT OF ANY ACCIDENT, COLLISION, OR LIABILITY FROM SUCH USE BY NON-RESIDENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7 By Mr. Huggins

AN ACT AMENDING SECTION 13-0-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISCHARGE OF CHATTEL MORTGAGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8 By Mr. Huggins

AN ACT AMENDING SECTION 19-18-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PREPARATION AND CERTIFICATION OF ABSTRACTS OF TITLE BY COUNTY RECORDER, PROVIDING LIABILITY OF COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Mr. Grover

AN ACT AMENDING SECTIONS 15-9-9 AND 15-9-10, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 15-9-19A; ENLARGING THE POWERS OF THE CIVIL SERVICE COMMISSION TO INCLUDE PUBLIC SAFETY DEPARTMENTS OF CITIES OF THE FIRST AND SECOND CLASS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 10 By Mr. Miller and Mr. Watson

AN ACT IMPOSING AN EXCISE TAX UPON ALL NATURAL GAS SOLD OR DELIVERED FOR USE WITHIN THE STATE OF UTAH; PROVIDING FOR THE COLLECTION THEREOF; IMPOSING PENALTIES FOR FAILURE TO MAKE RETURNS AND FAILURE TO PAY THE TAX AS PROVIDED THEREIN; PROVIDING FOR THE ADMINISTRATION THEREOF; AND APPROPRIATING FUNDS FOR CARRYING OUT THE PROVISIONS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11 By Mr. Huggins

AN ACT AMENDING SECTIONS 25-2-7 AND 25-2-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE REGISTRATION OF ABSENT VOTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12 By Mr. Macfarlane and Mr. Spence

AN ACT AMENDING SECTION 79-9-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CLASSES OF LICENSES THAT MAY BE ISSUED FOR TREATING HUMAN AILMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13 By Mr. Spence

AN ACT AMENDING SECTION 79-6-8, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 78, LAWS OF UTAH, 1935, DEFINING UNPROFESSIONAL CONDUCT OF DENTISTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 14 By Mr. Huggins

AN ACT REPEALING SECTION 19-18-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RECORDING OF DOCUMENTS BY THE COUNTY RECORDER IN BOOKS OF PRINTED FORMS, was read the first time and referred to the Committee on Revision and Enrolling.

REPORT OF STANDING COMMITTEE

January 16, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred *S. J. R. No. 1*, by Mr. Ellett, entitled, "A RESOLUTION FIXING THE COMPENSATION OF EMPLOYEES OF THE TWENTY-FOURTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 Hopkin the Senate adjourned.

FIFTH DAY

January 17, 1941.

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

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

Prayer by the Chaplain.

January 17, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 4th day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,
GEO. A. CHRISTENSEN,
F. D. WILLIAMS.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 16, 1941.

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 Mr. Ellett, entitled, "A RESOLUTION FIXING THE COMPENSATION OF EMPLOYEES OF THE TWENTY-FOURTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEE

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 6*, by Messrs. Farr, Christensen and Macfarlane, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 7*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 8 was ordered printed and referred to the Committee on Judiciary.

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Mr. Grover, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 9 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 10*, by Mr. Miller and Mr. Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 11*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12*, by Mr. Macfarlane and Mr. Spence, with a few minor changes assented by by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 14*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 14 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATION FROM THE ATTORNEY GENERAL

January 17, 1941.

His Excellency,
Herbert B. Maw, Governor,

Hon. Wendell Grover,
President of the Senate,

Hon. Sheldon R. Brewster,
Speaker of the House,

Building.

Gentlemen:

I feel it my duty to call your attention to the following facts:

In 1895 Salt Lake City conveyed to the State of Utah the vacant property located in front of the Capitol grounds, on the southeast corner of State and Second North Streets. The deed provides that this property shall be used for a Governor's mansion. It also contains a clause to the effect that in the event the State does not use the property for a Governor's mansion, then it shall revert to the grantor, and the deed shall be null and void.

After the Legislature accepted the Kearns' property, at 603 East South Temple Street, Salt Lake City, for a Governor's mansion, Salt Lake City commenced an action against the State to quiet title to the property above mentioned, and to have the court decree that the State had lost all right, title and interest therein. The matter was submitted to the Honorable Bryan P. Leverich, Judge of the District Court of Salt Lake County, and he now has the same under advisement.

If the State does not desire to keep this property, there is no reason why it should not revert to the City and eventually come under private ownership and on the tax rolls. On the other hand, if the State does desire to keep ownership of the property, it is my opinion that the Legislature should authorize one or more persons to confer with Salt Lake City with the view of adjusting the controversy between the State and the City.

For your information I might add that the State is paying rentals for buildings in the down town section of Salt Lake City, among which is a $150.00 per month for a building on State Street to house the exhibits of our State Art Institute.

Most respectfully yours,

GROVER A. GILES,
Attorney General.

Communication filed.

On motion of Senator Miller the President appointed Senators Howard and Huggins to act with a like committee from the House to endeavor to work out a solution to this problem.

INTRODUCTION OF BILLS

S. B. No. 15 By Mr. Miller

AN ACT AMENDING SECTION 80-13-8, REVISED STATUTES OF UTAH, 1933, RELATING TO DEDUCTIONS TO BE ALLOWED IN COMPUTING NET INCOME FOR THE PURPOSE OF THE CORPORATION FRANCHISE TAX AND PROVIDING FOR DEDUCTION FROM GROSS INCOME OF AMOUNTS RECEIVED AS DIVIDENDS FROM OTHER CORPORATIONS UPON WHICH THE SUPPLEMENTARY CORPORATION FRANCHISE TAX HAS BEEN PAID, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16 By Mr. Miller

AN ACT IMPOSING AN EXCISE TAX ON THE PRIVILEGE OF DOING BUSINESS; RELATING TO TAXATION ON DIVIDENDS DECLARED OUT OF INCOME DERIVED FROM PROPERTY LOCATED AND BUSINESS TRANSACTED IN THE STATE OF UTAH; REQUIRING CORPORATIONS TO DEDUCT AND WITHHOLD THE TAX AND TO REPORT AND PAY THE TAX TO THE STATE TAX COMMISSION; PROVIDING FOR THE APPORTIONMENT OF INCOME DERIVED FROM BUSINESS TRANSACTED AND PROPERTY LOCATED WITHIN THE STATE FROM WHICH DIVIDENDS ARE DECLARED; PROVIDING FOR EXEMPTION FROM TAX OF DIVIDENDS DECLARED FROM INCOME DERIVED FROM DIVIDENDS ON WHICH TAX HAS BEEN PAID; DEFINING DIVIDENDS; PROVIDING FOR TAX DELINQUENCY AND PENALTY AND INTEREST ON DELINQUENCY; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Mr. Miller

AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 90, LAWS OF UTAH, 1935, RELATING TO THE METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT, AND PROVIDING FOR THE EXCLUSION FROM GROSS INCOME OF AMOUNTS RECEIVED AS DIVIDENDS FROM CORPORATIONS UPON WHICH THE SUPPLEMENTARY CORPORATION FRANCHISE TAX HAS BEEN PAID, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18 By Mr. Farr

AN ACT IMPOSING AN EXCISE TAX ON THE USE OF FUEL AS DEFINED HEREIN FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE, PROVIDING FOR THE

ISSUANCE OF PERMITS TO THE USERS OF SUCH FUEL, REVOCATION OF SUCH PERMITS AND THE RIGHT OF A FUEL USER TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE, REQUIREMENT OF BOND TO GUARANTEE EXCISE TAX, DISPLAYING OF PERMIT NUMBERS ON VEHICLES IF DEEMED NECESSARY, PROVIDING FOR LEVY, ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION, DUE DATE AND DELINQUENCY DATE OF SUCH TAX AND MONTHLY REPORTS; MAINTENANCE OF RECORDS BY USERS AND THE AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF THE TAX AND REPORTS; PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION, PRESCRIBING REMEDIES FOR COLLECTION OF DELINQUENT PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX, PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 19 By Mr. Spence

AN ACT AMENDING SECTIONS 36, 41, 47 AND 78, CHAPTER 43, LAWS OF UTAH, 1935, AND SECTION 76, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1937, AND ENACTING NEW SECTIONS TO BE KNOWN AS 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222 AND 223, RELATING TO THE SALE OF LIQUOR BY DRINK, LICENSE, BONDS AND REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20 By Mr. Hopkin

AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21 By Mr. Christensen

AN ACT AMENDING SECTION 6, CHAPTER 3, TITLE 79 OF THE REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS, REPAIRS OR BUILDING OF STRUCTURES OUTSIDE OF CORPORATE TOWNS, WHERE THE SAME ARE TO BE

USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF ANY BUILDING OR STRUCTURE COVERING LESS THAN 3,000 SQUARE FEET OF GROUND AND LESS THAN 24 FEET IN HEIGHT, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22 By Mr. Dawson

AN ACT TO REPEAL SECTIONS 109, 110, 111, AND 112 OF CHAPTER 46, LAWS OF UTAH, 1935, PERTAINING TO UNLAWFUL TAKING OF MOTOR VEHICLES, OBTAINING POSSESSION THEREOF BY FRAUD, DEPRIVING OWNERS OF POSSESSION THEREOF AND REMOVING PARTS THEREOF OR CONTENTS THEREFROM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Mr. Hopkin

AN ACT AMENDING SECTIONS 3, 33, 43, 44 AND 51, CHAPTER 7, LAWS OF UTAH, 1939, RELATING TO LIVESTOCK, CREATING AN ESTRAY FUND, ELIMINATING COMPULSORY MARKING OF LIVESTOCK AND PROVIDING FOR SLAUGHTERING OF VEAL AND BEEF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 24 By Mr. Howard

AN ACT PROVIDING THAT MEMBERS OF THE STATE LEGISLATURE SHALL BE INELIGIBLE TO HOLD A PUBLIC OFFICE OF PROFIT OR TRUST WITHIN ONE YEAR AFTER THE EXPIRATION OF THEIR TERM OF OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Farr moved that when we do adjourn it be until Monday, January 20, 1941.

On motion of Senator Macfarlane the Senate adjourned.

EIGHTH DAY

January 20, 1941.

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

Roll Call—All Senators present except Senators Lundell and Watson, excused.

Prayer by the Chaplain.

January 20, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 5th day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,

GEO. A. CHRISTENSEN,

F. D. WILLIAMS.

Report adopted and filed.

The President appointed Senators Spence and Morrill to revise the Journal for the week ending January 25, 1941.

The President recognized Senator Gordon Weggeland, who stated he had resigned his seat in the Senate to accept an important Federal position. He addressed the Senate briefly.

On motion of Senator Huggins the Senate extended a vote of thanks and appreciation to Senator Weggeland for his work and association in this body in the past and offered the congratulations of the members of the Senate upon his appointment to a high and important position in the Federal Government.

COMMUNICATION FROM THE GOVERNOR

Office of the Governor

January 20, 1941.

To the Senate:

Senator Gordon Weggeland, of Salt Lake City, has today submitted his resignation as a member of the Utah State Senate from the Sixth District. Senator Weggeland's action was occasioned by his appointment as Utah State Director of the Federal Housing Administration.

In pursuance of the terms of Section 25-1-5, Revised Statutes of Utah, 1933, as amended by Chapter 18, Laws of Utah, 1933, and upon recommendation and endorsement of the Salt Lake County Democratic Committee, I have appointed Mrs. E. E. Ericksen, of Salt Lake City, to fill the vacancy created by the resignation of Senator Weggeland.

Very respectfully yours,

HERBERT B. MAW,

Governor.

Communication filed.

The President appointed Senators Johnston and Ashton to call upon the Supreme Court and request the services of a Justice to administer the oath of office to Mrs. Ericksen.

REPORTS OF STANDING COMMITTEES

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 15*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 17*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 17 was ordered printed and referred to the Committee on Revenue and Taxation.

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 18*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 18 was ordered printed and referred to the Committee on Revenue and Taxation.

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 19*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 19 was ordered printed and referred to the Committee on Judiciary.

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 20*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 20 was ordered printed and referred to the Committee on Revenue and Taxation.

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 21*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 21 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 22*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 23*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 24*, by Mr. Howard, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 24 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 11*, by Mr. Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 11 was placed on the Second Reading Calendar.

January 20, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 12*, by Mr. Macfarlane and Mr. Spence, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 12 was placed on the Second Reading Calendar.

January 20, 1941.

Mr. President:

Your Committee on Judicary, to which was referred *S. B. No. 8*, by Mr. Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

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

January 20, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 6*, by Messrs. Farr, Christensen, and Macfarlane, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 6 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTION

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

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 7, ARTICLE 8 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO A LIMITATION ON TAX LEVIES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 25 By Committee on Highways

AN ACT EMPOWERING THE BOARD OF EDUCATION IN EVERY SCHOOL DISTRICT TO ORGANIZE SCHOOL SAFETY PATROLS AND APPOINT PUPILS AS MEMBERS THEREOF, AND PROVIDING THAT LIABILITY SHALL NOT ATTACH TO SCHOOL DISTRICTS, OR THE OFFICIALS OR AUTHORITIES THEREOF BY VIRTUE OF THE ORGANIZATION, MAINTENANCE AND OPERATION OF SUCH SCHOOL SAFETY PATROLS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26 By Committee on Highways

AN ACT REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND

PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS, AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES, OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 36-1-23, 36-1-25, AND 36-1-35, REVISED STATUTES OF UTAH, 1933, AND REPEALING SECTION 36-1-26, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND REPEALING SECTION 36-1-21X, AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935; AND REPEALING CHAPTER 7 OF TITLE 57, REVISED STATUTES OF UTAH, 1933, INCLUDING IN SUCH REPEAL SECTION 57-7-55, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND SECTIONS 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, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND ALSO REPEALING SECTIONS 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, AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Mr. Farr

AN ACT AMENDING SECTION 1 OF ARTICLE 1 OF CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1937, RELATING TO DEFINITIONS OF TERMS AS USED IN CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28 By Mr. Farr

AN ACT AMENDING SECTION 132, CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1937, RELATING TO THE AMOUNT AND THE PAYMENT OF THE REGISTRATION FEE OF EVERY MOTOR VEHICLE, TRAILER, AND SEMI-TRAILER AT THE TIME APPLICATION IS MADE FOR REGISTRATION; PROVIDING FOR A $2 REGISTRATION FEE FOR PRIVATE PASSENGER TYPE VEHICLES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29 By Mr. Farr

AN ACT AMENDING SECTION 88 OF ARTICLE 6, CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1937; SECTION 136 OF ARTICLE 11, CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1937, RELATING TO THE REGISTRATION OF MOTOR VEHICLES OWNED BY NON-RESIDENTS, AND RELATING TO FEES THEREFOR; AND REPEALING SECTIONS 87 AND 89 OF ARTICLE 6, CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30 By Mr. Farr

AN ACT REPEALING SECTION 40-A, CHAPTER 65, LAWS OF UTAH, 1937, RELATING TO SEALING OF REGISTRATION CARDS ON TRAILERS AND SEMI-TRAILERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31 By Mr. Watson

AN ACT AMENDING CHAPTER 22, TITLE 105, REVISED STATUTES OF UTAH, 1933, BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 105-22-12A, PROVIDING FOR THE APPOINTMENT OF ATTORNEYS TO DEFEND INDIGENT DEFENDANTS IN FELONY CASES AND FOR THE COMPENSATION OF ATTORNEYS SO APPOINTED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 32 By Mr. Watson

AN ACT CREATING A LEGISLATIVE REFERENCE BUREAU PROVIDING FOR ITS OPERATION AND MAINTENANCE, APPOINTMENT OF DIRECTOR, SALARY, MAKING APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 33 By Committee on Health and Labor

AN ACT AMENDING SECTION 42-1-52, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1-52A, RELATING TO INDUSTRIAL COMMISSION AND WORKMEN'S COMPENSATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 34 By Mr. Hirschi

AN ACT AMENDING SECTIONS 36-6-2, 36-6-3, 36-6-7, 36-6-8, 36-6-16, AS ENACTED BY CHAPTER 37, LAWS OF UTAH, 1935, DESIGNATING STATE ROADS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35 By Mr. Ellett

AN ACT AMENDING SECTION 25-5-1, REVISED STATUTES OF UTAH, 1933, ALLOWING PERSONS CONFINED BECAUSE OF ILLNESS TO VOTE BY ABSENTEE BALLOTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 36 By Mr. Ellett

AN ACT AMENDING CHAPTER 97, LAWS OF UTAH, 1939, AND EXEMPTING HOUSEHOLD FURNISHINGS, FURNITURE AND EQUIPMENT FROM TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37 By Mr. Macfarlane

AN ACT AMENDING SECTION 7, CHAPTER 96, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 96, LAWS OF UTAH, 1939, AND SECTION 13, CHAPTER 96, LAWS OF UTAH, 1937, PROVIDING FOR THE REGISTRATION OF PERSONS ENGAGED IN THE TRADE OF PLUMBING IN THE STATE OF UTAH BY THE DEPARTMENT OF REGISTRATION; PROVIDING FOR FEES TO BE PAID BY APPLICANTS FOR EXAMINATIONS AND CERTIFICATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 38 By Mr. Child

AN ACT PROVIDING FOR THE SAFETY OF LIFE AND PROPERTY AND CREATING A BOARD OF BOILER RULES WHICH SHALL FORMULATE RULES AND REGULATIONS FOR THE SAFE CONSTRUCTION, INSTALLATION, REPAIR, USE AND OPERATION OF BOILERS AND UNFIRED PRESSURE VESSELS; PROVIDING FOR THE ENFORCEMENT OF THE RULES AND REGULATIONS OF THE BOARD OF BOILER RULES; PROVIDING FOR THE INSPECTION OF BOILERS AND UNFIRED PRESSURE VESSELS AND THE FEES TO BE CHARGED FOR SAME; PROVIDING FOR EXAMINATION, REGISTRATION AND LICENSING OF BOILERMAKERS AND REPAIR MEN; AND PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39 By Mr. Farr

AN ACT AMENDING SECTION 16, CHAPTER 45, LAWS OF UTAH, 1933, AS AMENDED BY SECTION 16, CHAPTER 47, OF THE LAWS OF UTAH, 1935, RELATING TO THE LICENSING OF MOTOR VEHICLE OPERATORS AND CHAUFFEURS, AND PROVIDING FOR A REDUCTION IN THE AMOUNT OF CHAUFFEUR'S LICENSE FEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40 By Mr. Watson

AN ACT AMENDING SECTION 18, CHAPTER 110, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 133, LAWS OF UTAH, 1937, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 18-A, RELATING TO THE POWERS OF METROPOLITAN WATER DISTRICTS AND THE APPOINTMENT OF ATTORNEYS AND ENGINEERS FOR ANY SUCH DISTRICTS AS SHALL BE INCLUDED WITHIN THE AREA OF ONLY ONE MUNICIPALITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41 By Mr. Hirschi

AN ACT AMENDING SECTION 30-0-11, REVISED STATUTES OF UTAH, 1933, CREATING THE FISH AND GAME FUND AND RELATING TO THE DISPOSITION OF MONEYS RECEIVED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42 By Mr. Lundell

AN ACT RELATING TO THE REGISTRATION OF MOTOR VEHICLES BY COUNTY TREASURERS AND PRESCRIBING THE METHOD OF NUMBERING MOTOR VEHICLE LICENSE PLATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43 By Mr. Farr

AN ACT AMENDING SECTION 79-5-2, REVISED STATUTES OF UTAH, 1933, RELATING TO CHIROPODY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 44 By Messrs. Bailey, Johnston, Morrill, Grover

AN ACT PROVIDING LICENSES FOR RETAIL CHAIN STORES MAINTAINED OR OPERATED IN THIS STATE, PRESCRIBING THE LICENSE FEES TO BE PAID THEREFOR AND THE DISPOSITION OF MONEYS DERIVED THEREFROM; DEFINING THE POWERS AND DUTIES OF THE STATE TAX COMMISSION IN CONNECTION THEREWITH, AND PROVIDING PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45 By Mr. McMurrin

AN ACT AMENDING SECTION 25-2-7, 25-2-8 AND SECTION 25-2-14(2) REVISED STATUTES OF UTAH, 1933, RELATING TO THE REGISTRATION OF ABSENT VOTERS AND THE DETERMINATION OF PLACE OF RESIDENCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46 By Mr. Hirschi

AN ACT PROVIDING FOR AN APPROPRIATION FOR A NATIONAL GUARD ARMORY AT ST. GEORGE, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Macfarlane moved that the rules be suspended and that the Senate proceed to consider bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 11 was read the second time.

Committee report read and adopted.

S. B. No. 11 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Mr. President.

Absent and not voting: Senators Lundell, Watson, Williams.

S. B. No. 12 was read the second time.

Committee report read and adopted.

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

Page 1, lines 4 and 5, strike "( )" and the underlining.

S. B. No. 12 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Lundell, Watson.

COMMUNICATIONS FROM THE HOUSE

January 17, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 3*, by Messrs. Bryan, Stringham, and Liddell, entitled, "A JOINT RESOLUTION OF

CONDOLENCE TO THE WIFE OF FORMER REPRESENTATIVE MAT W. CURRY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 3 was read the first time.

On motion of Senator Huggins the rules were suspended and *H. J. R. No. 3* was read the second and third times and placed on its final passage.

H. J. R. No. 3 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Lundell, Spence, Watson.

H. J. R. No. 3 was returned to the House.

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.

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

Yeas, 18; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, McMurrin, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Lundell, Macfarlane, Miller, Watson.

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

The committee appointed to wait upon the Supreme Court returned with Associate Justice Pratt, who administered the oath of office to Mrs. Ericksen.

The President appointed Senator Bailey to escort the newly-appointed Senator to her chair.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 6 was read the second time.

Committee report read and adopted.

On motion of Senator Miller the Senate adjourned.

NINTH DAY

January 21, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 21, 1941.

Mr. President:

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

Respectfully,

CHAS. W. SPENCE,

McKINLEY MORRILL.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 2*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the resolution be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by the Committee on Highways, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 27*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 27 was ordered printed and referred to the Committee on Highways.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 28*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 29*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 30*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 30 was ordered printed and referred to the Committee on Highways.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 31*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 31 was ordered printed and referred to the Committee on Judiciary.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 32*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 32 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 33*, by the Committee on Health and Labor, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 34*, by Mr. Hirschi, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35*, by Mr. Ellett, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 36*, by Mr. Ellett, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 36 was ordered printed and referred to the Committee on Revenue and Taxation.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 37*, by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 37 was ordered printed and referred to the Committee on Health and Labor.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 38*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 39*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 39 was ordered printed and referred to the Committee on Highways.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 40*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 40 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 41*, by Mr. Hirschi, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 42*, by Mr. Lundell, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 42 was ordered printed and referred to the Committee on Highways.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 43*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 45*, by Mr. McMurrin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 45 was ordered printed and referred to the Committee on Judiciary.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 46*, by Mr. Hirschi, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

On motion of Senator Hirschi, and upon unanimous consent of the Senate, *S. B. No. 46* was withdrawn.

January 21, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 22*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation with the following amendment:

Section 1, line 1, delete the word "that".

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 7*, by Mr. Huggins, has carefully considered said bill, and reports the same out favorably with the following amendments:

Line 5, delete bracket and underlining before the word "of" and after "index"; insert comma after word "index".

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 7 was placed on the Second Reading Calendar.

The President stated that the resignation of Senator Weggeland necessitated the revision of the personnel of the Standing Committees. The following is the new personnel of the Standing Committees:

STANDING COMMITTEES OF THE SENATE

AGRICULTURE AND IRRIGATION

Lundell, Bailey, McMurrin, Morrill, Rich, Williams, Hopkin.

APPROPRIATIONS AND CLAIMS

Ellett, Ashton, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Williams.

BANKING AND COMMERCE

Christensen, Ashton, Bailey, McMurrin, Morrill, Macfarlane, Hirschi.

EDUCATION

McMurrin, Child, Ellett, Farr, Morrill, Rich, Mrs. Ericksen.

FISH AND GAME

Farr, Ashton, Hirschi, Hopkin, Johnston, Morrill, Spence.

HEALTH AND LABOR

Spence, Child, Dawson, Howard, Mrs. Ericksen.

HIGHWAYS

Johnston, Christensen, Huggins, Lundell, Morrill, Spence, Williams.

JUDICIARY

Macfarlane, Child, Dawson, Ellett, Huggins, Miller, Watson.

MINING AND SMELTING

Howard, Johnston, Miller, Spence, Watson.

PUBLIC INSTITUTIONS

Miller, Ashton, Christensen, Farr, Howard, Lundell, Mrs. Ericksen.

REVENUE AND TAXATION

Huggins, Bailey, Child, Christensen, Hopkin, Lundell, Macfarlane, Miller, Rich, Watson, Williams.

REVISION AND ENROLLING

Child, Dawson, Rich.

RULES AND CONTINGENT EXPENSES

Bailey, Christensen, Howard.

SOCIAL RELATIONS AND RELIEF

Hopkin, Dawson, Ellett, Hirschi, Johnston, Rich, Watson, Mrs. Ericksen, Williams.

STATE AND MUNICIPAL AFFAIRS

Watson, Bailey, Dawson, Farr, Rich, Mrs. Ericksen, Ellett.

PRESENTATION OF RESOLUTIONS

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

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE VII, OF THE CONSTITUTION OF THE STATE OF UTAH, 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. J. R. No. 4 By Mr. Child

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE VII, OF THE CONSTITUTION OF THE STATE OF UTAH, 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. 5 By Mr. Child

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

INTRODUCTION OF BILLS

S. B. No. 47 By Mr. Ellett

AN ACT AMENDING SECTION 57-12-7, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 41, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 67, LAWS OF UTAH, 1939, PROVIDING FOR A CREDIT OF THREE PER CENT OF THE AMOUNT OF MOTOR FUEL TAX PAID, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 48 By Mr. Farr

AN ACT AUTHORIZING THE STATE FISH AND GAME COMMISSIONER TO USE CERTAIN STATE OWNED PROPERTY FOR BIRD REFUGES, SANCTUARIES, PUBLIC SHOOTING GROUNDS, FISHING, AND OTHER RECREATIONAL ACTIVITIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49 By Mr. Watson

AN ACT AMENDING SECTIONS 2, 4, 6, 9, CHAPTER 157, LAWS OF UTAH, 1937, RELATING TO THE UTAH CONSERVATION OF RESEARCH FOUNDATION, PROVIDING FOR BONDS FOR EMPLOYEES, FOR APPROPRIATIONS AND SALARIES OF EMPLOYEES, AND PROVIDING FOR THE PURCHASE OR RENTAL OF A PLANT FOR EXPERIMENTAL PURPOSES IN THE MAKING OF SMOKELESS FUEL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50 By Mr. Huggins and Mr. Spence

AN ACT AMENDING SECTIONS 1, 3, 9, 10, 14, 15, 16, 17, 19, 20 AND 22 OF CHAPTER 38, LAWS OF UTAH, 1937, RELATING TO THE ESTABLISHMENT, GOVERNMENT, MANAGEMENT AND CONTROL OF THE UTAH STATE TUBERCULOSIS SANATORIUM, CHANGING ITS NAME TO THE UTAH STATE SANATORIUM, PROVIDING FOR THE ESTABLISHMENT, GOVERNMENT, MANAGEMENT AND CONTROL OF THE STATE MINERS' HOSPITAL FOR DISABLED MINERS AS A PART OF SAID INSTITUTION, PROVIDING FOR THE MANNER IN WHICH MEMBERS SHALL BE ADMITTED TO SAID SANATORIUM, VESTING IN SAID BOARD OF CONTROL THE PROCEEDS OF THE SALES OF PUBLIC LANDS GRANTED BY THE UNITED STATES TO THE STATE OF UTAH FOR A MINERS' HOSPITAL FOR DISABLED MINERS AND ALL MONEYS BELONGING TO SUCH FUND, AND FOR THE TRANSFER OF THE SAME TO IT, PROVIDING FOR THE INVESTMENT THEREOF AND OTHER FUNDS IN ITS POSSESSION BY SAID

BOARD, AND REPEALING SECTIONS 3, 4 AND 5 OF CHAPTER 5, TITLE 42, REVISED STATUTES OF UTAH, 1933, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 26 AND 27, RELATING TO ADMISSIONS OF APPLICANTS; RELATING TO SALE AND DISPOSITION OF FUNDS OF PUBLIC LANDS DESIGNATED FOR THE MINERS' HOSPITAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51 By Mr. Miller

AN ACT REPEALING SECTION 7-3-16, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIABILITY OF STOCKHOLDERS IN BANKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52 By Mr. Miller

AN ACT AMENDING SECTION 7-3-17, REVISED STATUTES OF UTAH, 1933, RELATING TO CHANGES IN THE ARTICLES OF INCORPORATION OF BANKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53 By Mr. Miller

AN ACT AMENDING SECTION 7-2-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 4, LAWS OF UTAH, 1933, AND CHAPTER 9, LAWS OF UTAH, 1935; SECTION 7-2-16, REVISED STATUTES OF UTAH, 1933, SECTION 7-2-24 AND SECTION 7-2-25, AS ENACTED BY CHAPTER 5, LAWS OF UTAH, 1933, RELATING TO THE SUSPENSION AND LIQUIDATION OF BANKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 54 By Mr. Miller

AN ACT AMENDING SECTION 8, CHAPTER 8, LAWS OF UTAH, 1935, RELATING TO THE POWERS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55 By Mr. Spence

AN ACT AMENDING SECTION 19, CHAPTER 137, LAWS OF UTAH, 1939, RELATING TO THE TIME OF PAYMENT OF SALARIES OF STATE OFFICERS, STATE BOARDS, AND EMPLOYEES, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 6 on Second Reading.

Senator Miller moved that *S. B. No. 6* be tabled.

On motion of Senator Huggins, five Senators concurring therein, a Call of the Senate and a roll call were ordered.

Senators Christensen and Hirschi were absent without leave.

On motion of Senator Huggins the call of the Senate was lifted.

The motion to table was lost on the following roll call:

Yeas, 8; Nays, 15; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Ellett, Ericksen, Lundell, Miller, Spence, Watson.

Those voting in the negative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Morrill, Rich, Williams, Mr. President.

On motion of Senator Grover *S. B. No. 6* retained its position at the head of the Second Reading Calendar to be considered with *S. B. Nos. 25* and *26*.

COMMUNICATIONS FROM THE HOUSE

January 20, 1941.

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. 1*, by Mr. Brewster, entitled, "AN ACT AMENDING SECTIONS 50-1-1 AND 50-1-2, CHAPTER 1 LAWS OF UTAH, 1933, TO PROVIDE FOR CHANGES IN REPRESENTATION BY COUNTIES IN THE LEGISLATURE IN ACCORDANCE WITH THE 1940 CENSUS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 1 was read the first time and referred to the Committee on State and Municipal Affairs.

January 20, 1941.

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 Mr. Brewster, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 61, LAWS

OF UTAH, 1937, PERTAINING TO DIVIDING COUNTIES INTO DISTRICTS FOR REPRESENTATIVES IN THE HOUSE OF REPRESENTATIVES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 2 was read the first time and referred to the Committee on State and Municipal Affairs.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Huggins *S. B. No. 11* was made a special order of business for Wednesday, January 22, 1941, at 3:00 p.m.

S. B. No. 12 was read the third time and placed on its final passage.

S. B. No. 12 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Mr. President.

Voting in the negative: Senator Huggins.

Absent and not voting: Senators Howard, Johnston, Watson, Williams.

S. B. No. 12 was transmitted to the House.

Senator Dawson moved that the rules be suspended and that the Senate consider bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

Senator Dawson moved that *S. B. No. 22* retain its position on the Calendar.

Motion carried.

S. B. No. 7 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins *S. B. No. 7* was made a Special Order of Business for Friday, January 24, 1941, at 3:00 p.m.

On motion of Senator Hopkin the Senate adjourned.

TENTH DAY

January 22, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 22, 1941.

Mr. President:

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

Respectfully,

CHAS. W. SPENCE,

McKINLEY MORRILL.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 22, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 6*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTIONS 80-10-4 AND 80-10-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE COLLECTION OF TAXES ON PERSONAL PROPERTY AND FIXING THE RATES OF LEVY TO BE USED IN COMPUTING THE TAX THEREON AND FOR THE DISTRIBUTION THEREOF, AND REPEALING SECTIONS 80-10-7, 80-10-8, AND 80-10-11, REVISED STATUTES OF UTAH, 1933, and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 6 was read the first time and referred to the Committee on Revenue and Taxation.

January 21, 1941.

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. 3*, by Messrs. Bryan, Stringham and Liddell, entitled,

"A JOINT RESOLUTION OF CONDOLENCE TO THE WIFE OF FORMER REPRESENTATIVE MAT W. CURRY," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 3 was signed by the President in open session in the Presence of the Senate and was returned to the House for transmission to the Secretary of State.

January 22, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 3*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 20-4-2, CHAPTER 4, REVISED STATUTES OF UTAH, 1933, RELATING TO CITY COURTS; JUDGES; NUMBER, ELECTION, TERM OF OFFICE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 3 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 21, 1941.

Mr. President:

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

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

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

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

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

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 22, 1941.

Mr. President:

Your Committtee on Revision and Enrolling reports back *S. B. No. 26*, by Committee on Highways, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 26 was ordered printed and referred to the Committee on Highways.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 47*, by Mr. Ellett, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 47 was ordered printed and referred to the Committee on Revenue and Taxation.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 48*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 49*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 49 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on State and Municipal Affairs.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 50*, by Messrs. Huggins and Spence, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 50 was ordered printed and referred to the Committee on Health and Labor.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 51*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 51 was ordered printed and referred to the Committee on Banking and Commerce.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 52*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 52 was ordered printed and referred to the Committee on Banking and Commerce.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling Reports back *S. B. No. 53*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 53 was ordered printed and referred to the Committee on Banking and Commerce.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 54*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 54 was ordered printed and referred to the Committee on Banking and Commerce.

January 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 55*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 55 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 22, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 23*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 23 was placed on the Second Reading Calendar.

January 22, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 14*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 14 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTION

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

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 10, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE TERM OF OFFICE OF COUNTY ATTORNEYS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 56 By Mrs. Ericksen

AN ACT TO LEASE CERTAIN STATE CAPITOL REAL ESTATE KNOWN AS THE "TRIANGLE" TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE ERECTION AND MAINTENANCE OF A PIONEER MEMORIAL BUILDING TO BE USED FOR THE PRESERVATION, HOUSING AND CARE OF HISTORICAL RECORDS, PIONEER DOCUMENTS AND RELICS RELATING TO THE LIFE AND WORK OF THE UTAH PIONEERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57 By Mr. Spence

AN ACT PROHIBITING THE CONSUMPTION OR POSSESSION OF LIQUOR IN OR NEAR PUBLIC DANCE HALLS AND PROVIDING FOR THE POLICING OF PUBLIC DANCE HALLS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58 By Mr. Johnston

AN ACT CREATING A STATE BOARD OF PHARMACY, COMPENSATION AND EXPENSES, AND PROVIDING FOR THE REGULATIONS AND DUTIES OF THE BOARD, HOW APPOINTED, MEETINGS, POWERS; EXAMINATION OF APPLICANT, LICENSE FEES AND RECIPROCAL LICENSING WITH OTHER STATES, PROVIDING FOR ISSUANCE OF CERTIFICATES AND REVOCATION OF CERTIFICATES; METHODS OF APPEAL; LICENSES, TRANSFERRING TO THE BOARD OF PHARMACY THE POWERS AND DUTIES OF THE DEPARTMENT OF REGISTRATION PERTAINING TO PHARMACY POISONS, CHEMICAL, DRUGS, MEDICINES, PATENT AND PROPRIETARY REMEDIES, PENALTIES FOR VIOLATION OF ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59 By Mr. Johnston

AN ACT AMENDING SECTIONS 5, 29 AND 32, CHAPTER 80, LAWS OF UTAH, 1935, AND SECTION 1, CHAPTER 97, LAWS OF UTAH, 1937, TRANSFERRING THE ENFORCEMENT OF THE UNIFORM NARCOTIC DRUG ACT AND THE PROPHYLACTICS ACT FROM THE DEPARTMENT OF REGISTRATION TO THE BOARD OF PHARMACY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60 By Mr. Johnston

AN ACT AMENDING SECTION 79-1-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 91, LAWS OF UTAH, 1939, RELATING TO THE DEPARTMENT OF REGISTRATION AND ITS SUPERVISION OF PHARMACISTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61 By Mr. Johnston

AN ACT AMENDING SECTIONS 79-12-17, 79-12-19, 79-12-20, 79-12-26 AND 79-12-28, REVISED STATUTES OF UTAH, 1933, TRANSFERRING THE REGULATION OF PHARMACISTS FROM THE DEPARTMENT OF REGISTRATION TO THE BOARD OF PHARMACY, AND REPEALING SECTIONS 79-12-1, 79-12-2, 79-12-3, 79-12-6, 79-12-8, 79-12-9, 79-12-10, 79-12-11, 79-12-12, 79-12-13, 79-12-14,

79-12-15, REVISED STATUTES OF UTAH, 1933, AND SECTION 79-12-7, AS AMENDED BY CHAPTER 95, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 62 By Committee on Agriculture and Irrigation

AN ACT AMENDING SECTIONS 1, 2, AND 3, CHAPTER 24, LAWS OF UTAH, 1937, CREATING A STATE BOARD OF FORESTRY AND FIRE CONTROL AND AUTHORIZING COOPERATION BETWEEN THE STATE AND OTHER AGENCIES, MAKING AN APPROPRIATION, DEFINING ITS DUTIES, GRANTING POWER TO CREATE FIRE DISTRICTS, PRESCRIBING MEANS FOR THE PREVENTION OF FIRE AND LICENSING OF VENDORS OF TREES AND RULES FOR THEIR REMOVAL AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT, AND ENACTING NEW SECTIONS TO BE KNOWN AS 12, 13, 14, 15, 16, 17, 18 AND 19, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63 By Committee on Agriculture and Irrigation

AN ACT GIVING TO THE COMMISSIONER OF AGRICULTURE POWER, THE POWERS HEREIN GRANTED, TO ESTABLISH MARKETING AREAS FOR FLUID MILK AND CREAM; TO PROMULGATE STABILIZATION AND MARKETING PLANS FOR SAID MARKETING AREAS; TO PROVIDE FOR LOCAL CONTROL BOARDS OF PRODUCERS AND DISTRIBUTORS OF MARKET MILK; TO FIX FROM TIME TO TIME MINIMUM PRICES TO BE PAID PRODUCERS OF MARKET MILK FOR THEIR PRODUCT; TO ESTABLISH MINIMUM WHOLESALE AND RETAIL PRICES FOR MARKET MILK; TO CONDUCT INVESTIGATIONS OF THE MARKET MILK; TO COLLECT FEES FROM PRODUCERS AND DISTRIBUTORS FOR ADMINISTRATION OF THIS ACT; TO LICENSE DISTRIBUTORS OF MARKET MILK AND REGISTER PRODUCERS OF MARKET MILK; TO REQUIRE BONDS BY DISTRIBUTORS; TO HOLD HEARINGS RELATIVE TO VIOLATIONS OF THIS ACT; TO ENFORCE THE PROVISIONS OF THIS ACT AND THE TERMS OF ANY STABILIZATION AND MARKETING PLAN WHICH MAY BE PROMULGATED HEREUNDER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 64 By Messrs. Huggins and Farr

AN ACT APPROPRIATING FIFTEEN THOUSAND DOLLARS FOR THE ERECTION AND MAINTENANCE OF A CENTER FOR THE ADULT BLIND AT OGDEN CITY, WEBER COUNTY, STATE OF UTAH, COMPRISING A WORKSHOP, AN AUDITORIUM, A

KITCHEN, AND SUCH OTHER FACILITIES AS THE COMMISSION FOR ADULT BLIND SHALL DEEM EXPEDIENT AND ADVISABLE. FUND TO BE ADMINISTERED BY THE STATE COMMISSION FOR ADULT BLIND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65 By Mr. McMurrin

AN ACT AMENDING SECTION 1, CHAPTER 76, LAWS OF UTAH, 1939, RELATING TO THE PERSONNEL AND TERM OF MEMBERS OF THE STATE COURSE OF STUDY COMMITTEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 66 By Mr. McMurrin

AN ACT AMENDING SECTION 75-15-1, REVISED STATUTES OF UTAH, 1933, RELATING TO STATE TEXTBOOK COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67 By Committee on Health and Labor (By Request)

AN ACT PROVIDING FOR OCCUPATIONAL DISEASE DISABILITY COMPENSATION; PROCEDURE; PENALTIES; APPEALS; EXEMPTIONS; AND THE ADMINISTRATION THEREOF BY THE INDUSTRIAL COMMISSION OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 68 By Mr. Huggins

AN ACT CREATING A HOLIDAY KNOWN AS "STATE FLOWER DAY;" FIXING THE DATE THEREOF AND THE MANNER IN WHICH IT SHALL BE OBSERVED; PROVIDING FOR THE GROWING OF SEGO LILIES IN PLOTS AND FIXING THE POWERS AND DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH RELATION THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 22 was read the second time.

Committee report read and adopted.

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

Line 1 of the title, strike the words "TO REPEAL" and the numeral "109" and insert "AMENDING SECTION 109, CHAPTER 46, LAWS OF UTAH, 1935, AND REPEALING".

Strike the body of the bill and insert the following:

"Section 1. Section 109, Chapter 46, Laws of Utah, 1935, is amended to read.—

"Sec. 109. Any person under 18 years of age who drives a vehicle, not his own, without the consent of the owner thereof and with intent temporarily to deprive said owner of his possession of such vehicle, without intent to steal the same is guilty of a misdemeanor. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or driving of such vehicle by the same or a different person. Any person who assists in, or is a party or accessory to or an accomplice in any such unauthorized taking or driving is guilty of a misdemeanor.

"Section 2. Sections 110, 111 and 112, Chapter 46, Laws of Utah, 1935, are repealed."

S. B. No. 22 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Macfarlane, Miller.

Absent and not voting: Senator Howard.

On motion of Senator Lundell the rules were suspended and the Senate proceeded to consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 23 was read the second time.

Committee report read and adopted.

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

Page 2, line 9, place the "S" in the word "Section" in lower case.

Line 22, the words "Providing, The" to be placed in lower case.

Page 1, line 6, the capital letters "S", "B" and "A" be placed in lower case.

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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Howard.

S. B. No. 14 was read the second time.

On motion of Senator Huggins *S. B. No. 14* was made a Special Order of Business for Friday, January 24, 1941, at 3:30 p.m.

INTRODUCTION OF BILL

S. B. No. 69 By Messrs. Huggins and McMurrin
(Substitute for Senate Bills Nos. 11 and 45)

AN ACT AMENDING SECTIONS 25-2-7, 25-2-8 AND 25-2-14, REVISED STATUTES OF UTAH, 1933, RELATING TO THE REGISTRATION OF ABSENT VOTERS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Huggins, and with the unanimous consent of the Senate, *S. B. No. 11* was withdrawn.

On motion of Senator McMurrin, and with the unanimous consent of the Senate, *S. B. No. 45* was withdrawn.

On motion of Senator Bailey the Senate adjourned until 10:00 a.m.

ELEVENTH DAY

MORNING SESSION

January 23, 1941.

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

Roll Call—All Senators present except Senators Farr and Huggins, excused.

Prayer by the Chaplain.

January 23, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 10th day and find it correct with minor amendments noted on the final copy.

Respectfully,

CHAS. W. SPENCE,

McKINLEY MORRILL.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 22, 1941.

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. 1*, by Messrs. Leary, Johnson and Pace, entitled, "A RESOLUTION APPROVING THE FOREIGN POLICY OF THE PRESIDENT OF THE UNITED STATES, THE LEASE LEND PROPOSAL, ADEQUATE AID TO GREAT BRITAIN, AND OTHER AXIS OPPOSED DEMOCRACIES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. C. R. No. 1 was read the first time and referred to the Committee on State and Municipal Affairs.

January 22, 1941.

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. Miller, Mr. Pace, and Mr. Lund, entitled, "AN ACT AMENDING SECTION 51-3-3 AND 51-3-6, REVISED STATUTES OF UTAH, 1933, RELATING TO COUNTY PUBLIC LIBRARIES; THE APPOINTMENT OF A BOARD OF DIRECTORS, THE POWERS AND DUTIES THEREOF; THE APPOINTMENT OF LIBRARIANS; AND GIVING COUNTY LIBRARY BOARDS, CITY COUNCILS AND COUNTY SCHOOL BOARDS AUTHORITY TO COOPERATE IN ESTABLISHING AND MAINTAINING DISTRICT LIBRARIES AND TO ENTER INTO CONTRACTS RELATIVE THERETO," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 10 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEE

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 6*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the resolution be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 56*, by Mrs. Ericksen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 56 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 57*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 57 was ordered printed and referred to the Committee on Social Relations and Relief.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 59*, by Mr. Johnston, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 59 was ordered printed and referred to the Committee on Health and Labor.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 60*, by Mr. Johnston, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 60 was ordered printed and referred to the Committee on Health and Labor.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 65*, by Mr. McMurrin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 65 was ordered printed and referred to the Committee on Education.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 66*, by Mr. McMurrin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 66 was ordered printed and referred to the Committee on Education.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 68*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 68 was ordered printed and referred to the Committee on Education.

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 69*, by Messrs. Huggins and McMurrin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 69 was ordered printed and referred to the Committee on State and Municipal Affairs.

INTRODUCTION OF BILLS

S. B. No. 70 By Mr. Farr

AN ACT AMENDING SECTION 40-1-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1939, RELATING TO PROHIBITED AND VOID MARRIAGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 71 By Mr. Farr

AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING PREMARITAL EXAMINATIONS FOR VENEREAL DISEASES; PROVIDING FOR EXAMINATIONS AND STANDARD SEROLOGICAL TESTS FOR APPLICANTS FOR MARRIAGE, AND PHYSICIAN'S CERTIFICATE AND LABORATORY STATEMENTS WITH RESPECT THERETO; REQUIRING APPROVAL OF LABORATORIES BY THE STATE BOARD OF HEALTH; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator McMurrin 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 Huggins, excused.

January 21, 1941.

Hon. Wendell Grover, President
Utah State Senate

State Capitol
Salt Lake City, Utah

Hon. Sheldon R. Brewster, Speaker
House of Representatives

State Capitol
Salt Lake City, Utah

Gentlemen:

The legislature in 1939 directed the State Board of Health to make a systematic survey in Utah, in collaboration with the United States Public Health Service, to determine the nature and extent of the occupational disease problem in Utah, and the Industrial Commission of Utah was directed, not later than November 1, 1940, to select from industry and labor a committee for the purpose of drafting a proposed occupational disease law for submission to the 1941 legislature.

Pursuant to such legislation, the Utah State Board of Health and the United States Public Health Service made such survey, the report thereof being published in the fall of 1940, and the Industrial Commission of Utah selected a committee from industry and labor to study such report and to draft an appropriate bill.

The undersigned, as members of that committee, are pleased to report that a bill has been unanimously agreed upon which the committee members feel is fair both to industry and to labor. Copies of such bill are submitted herewith with the recommendation that the same be adopted without amendment or modification.

Respectfully submitted,

L. E. VIKO,
Chairman and Ex-officio Member,

R. O. BUNTING,
PAUL M. PETERSON,
ROY HANSEN,
Members Representing Labor,

PAUL S. RICHARDS,
A. H. NEBEKER,
LYNN S. RICHARDS,
Members Representing Industry.

Communication filed.

REPORTS OF STANDING COMMITTEES

January 23, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 44*, by Messrs. Bailey, Johnston, Morrill and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 44 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 23, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 51*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 51 was placed on the Second Reading Calendar.

January 23, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 53*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 53 was placed on the Second Reading Calendar.

January 23, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 52*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 52 was placed on the Second Reading Calendar.

January 23, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 54*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 54 was placed on the Second Reading Calendar.

January 22, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 25*, by Committee on Highways, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

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

January 22, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 27*, by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 27 was placed on the Second Reading Calendar.

January 22, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 28*, by Mr. Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

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

January 22, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 34*, by Mr. Hirschi, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 34 was placed on the Second Reading Calendar.

January 22, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 39*, by Mr. Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 39 was placed on the Second Reading Calendar.

January 22, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 33*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 33 was placed on the Second Reading Calendar.

January 22, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 37*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out without recommendation with the following amendments:

Line 10. For the issuance of journeyman plumber's certificate, $5.

Line 12. For the renewal of a journeyman plumber's certificate, $2.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 37 was placed on the Second Reading Calendar.

January 23, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 3*, by Mr. Elswood, has carefully considered said bill, and reports the same out favorably with the following amendment:

Line 6, after the word "of", insert "( )".

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 3 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7 By Messrs. Howard and Huggins

A JOINT RESOLUTION REQUESTING THE STATE BUILDING COMMISSION TO INVESTIGATE AND REPORT TO THE LEGISLATURE CONCERNING CERTAIN PROPERTY CONVEYED

TO THE STATE OF UTAH BY SALT LAKE CITY FOR A GOVERNOR'S MANSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 8 By Mr. Child

RESOLUTION OF CONDOLENCE

Be it resolved by the Legislature of the State of Utah:

WHEREAS, the Great Creator has called from this life, Mrs. Phoebe A. Allen, the mother of Mrs. Marvil A. McMurrin who is the wife of one of our respected and esteemed colleagues, Senator James A. McMurrin, and

WHEREAS, we, the members of the Legislature, feel keenly to sympathize with our fellow worker and his wife in their bereavement.

NOW, THEREFORE, BE IT RESOLVED that the legislature of the State of Utah extends to senator McMurrin, his wife and his family, our sincere sympathy and condolence in this hour of bereavement, was read the first time.

On motion of Senator Child the rules were suspended and *S. J. R. No. 8* was read the second and third times and placed on its final passage.

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

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Huggins.

S. J. R. No. 8 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 72 By Mr. Farr

AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING SEROLOGICAL BLOOD TESTS FOR SYPHILIS OF PREGNANT OR RECENTLY DELIVERED WOMEN, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73 By Mr. Grover

AN ACT REQUIRING 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; REQUIRING A LICENSE FEE AND PROVIDING A PENALTY FOR VIOLATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 74 By Messrs. Ellett, Child and Grover

AN ACT DECLARING THE NECESSITY FOR CITIES, HAVING A POPULATION OF THREE THOUSAND OR MORE, AND COUNTIES TO UNDERTAKE SLUM CLEARANCE AND PROJECTS TO PROVIDE DWELLING ACCOMMODATIONS FOR PERSONS OF LOWEST INCOME; DEFINING THE POWERS AND DUTIES OF THESE CITIES AND COUNTIES FOR SUCH PURPOSES AND PROVIDING FOR THE EXERCISE OF SUCH POWERS, INCLUDING ACQUIRING PROPERTY, EXERCISING THE POWER OF EMINENT DOMAIN, ISSUING BONDS AND OTHER OBLIGATIONS, AND GIVING SECURITY THEREFOR; AUTHORIZING ANY CITY, HAVING A POPULATION OF THREE THOUSAND OR MORE, AND COUNTY, TO CREATE A HOUSING AUTHORITY AND DELEGATE TO SUCH AUTHORITY ANY OF CERTAIN POWERS CONFERRED BY THIS ACT; PROVIDING THAT ANY SUCH CITY AND COUNTY MAY OBTAIN THE ATTORNEY GENERAL'S OPINION UPON BONDS AND OTHER OBLIGATIONS ISSUED PURSUANT TO THIS ACT; AUTHORIZING COUNTIES AND CITIES IN THE COUNTY TO JOINTLY UNDERTAKE HOUSING PROJECTS CONFERRING REMEDIES ON OBLIGEES OF CITIES AND COUNTIES UNDER THIS ACT; DECLARING THE HOUSING PROJECTS OF CITIES AND COUNTIES TO BE EXEMPT FROM TAXATION; AND AUTHORIZING MUNICIPAL CORPORATIONS, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS TO AID HOUSING PROJECTS OF CITIES AND COUNTIES BY CONVEYING OR DEDICATING PROPERTY, BY FURNISHING PARKS, PLAYGROUNDS, STREETS, ROADS, WATER, SEWER OR DRAINAGE FACILITIES, BY EXERCISING CERTAIN OTHER POWERS AND BY MAKING AGREEMENTS RELATING TO SUCH AID, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 75 By Messrs. Ellett, Child and Grover

AN ACT AUTHORIZING CITIES HAVING A POPULATION OF THREE THOUSAND OR MORE, AND COUNTIES TO ADOPT ORDINANCES RELATING TO THE REMEDYING AND ELIMINATION OF DWELLINGS UNFIT FOR HUMAN HABITATION; AND PROVIDING FOR THE REMEDIES AND PROCEDURE IN CONNECTION WITH ACTION TAKEN UNDER SUCH ORDINANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 76 By Messrs. Ellett, Child and Grover

AN ACT PROVIDING THAT BONDS AND OTHER OBLIGATIONS ISSUED BY ANY PUBLIC HOUSING AUTHORITY OR AGENCY IN THE UNITED STATES, WHEN SECURED BY A PLEDGE OF ANNUAL CONTRIBUTIONS TO BE PAID BY THE UNITED STATES GOVERNMENT, SHALL BE SECURITY FOR PUBLIC DEPOSITS, AND LEGAL INVESTMENTS FOR THE STATE AND PUBLIC OFFICERS, MUNICIPAL CORPORATIONS, POLITICAL SUB-DIVISIONS, AND PUBLIC BODIES, ALL BANKS, BANKERS, TRUST COMPANIES, SAVINGS BANKS AND INSTITUTIONS, BULDIING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, INVESTMENT COMPANIES AND OTHER PERSONS CARRYING ON A BANKING BUSINESS, ALL INSURANCE COMPANIES, INSURANCE ASSOCIATIONS AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS, AND ALL EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES, AND OTHER FIDUCIARIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 77 By Committee on Agriculture and Irrigation

AN ACT AMENDING CHAPTER 116, LAWS OF UTAH, 1937, BY ADDING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 20 AND 21, PROVIDING FOR CONSOLIDATION OF SOIL CONSERVATION DISTRICTS, PETITIONS FOR CONSOLIDATION, HEARINGS ON PETITIONS, NOTICES OF AND DETERMINATIONS BY STATE COMMITTEE, CERTIFICATES OF DETERMINATION, CERTIFICATES OF ORGANIZATION, GOVERNING BODY OF CONSOLIDATED DISTRICT, TRANSFER OF RECORDS AND PROPERTY, CONTINUANCE OF CONTRACTS AND LAND USE REGULATIONS; AND RELATING TO ALLOCATION OF STATE FUNDS AMONG SOIL CONSERVATION DISTRICTS, AND PROVIDING FOR BUDGET REPORTS BY THE STATE SOIL CONSERVATION COMMITTEE AND SOIL CONSERVATION DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 78 By Committee on Agriculture and Irrigation

AN ACT AMENDING SECTIONS 3-10-4, 3-10-17, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 5, LAWS OF UTAH, 1935, AND CHAPTER 6, LAWS OF UTAH, 1937, 3-10-26, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 5, LAWS OF UTAH, 1935, 3-10-56, 3-10-57 AND 3-10-58, REVISED STATUTES OF UTAH, 1933, RELATING TO DAIRY AND FOOD PRODUCTS, AND PENALTY FOR VIOLATIONS, QUALIFICATION OF MILK TESTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 79 By Committee on Agriculture and Irrigation

AN ACT AMENDING SECTIONS 3-11-1, 3-11-2, 3-11-3, 3-11-4, 3-11-5, 3-11-6, 3-11-8 AND 3-11-10, REVISED STATUTES OF UTAH, 1933, RELATING TO REGULATION OF REFRIGERATION PLANTS, LICENSES AND REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80 By Committee on Agriculture and Irrigation

AN ACT AMENDING SECTION 3-10-64, REVISED STATUTES OF UTAH, 1933, PERTAINING TO MEAT PRODUCTS, INSPECTION, POWER TO SLAUGHTER, AND PROVIDING FOR STATE MEAT INSPECTION SERVICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81 By Messrs. Hirschi, Lundell and Ashton

AN ACT PROVIDING FOR AN APPROPRIATION FOR NATIONAL GUARD ARMORIES AT ST. GEORGE, PAYSON AND VERNAL, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Ellett the rules were suspended and the Senate proceeded to consider House Bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 3 was read the second time.

Committee report read and adopted.

On motion of Senator Ellett the rules were suspended and *H. B. No. 3* was read the third time and placed on its final passage.

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

Line 2, strike the words "hereby" and "as follows".

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

Line 1 of the title and line 1 of the bill, strike "CHAPTER 4,".

H. B. No. 3 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Huggins, Lundell.

H. B. No. 3 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 22 was read the third time and placed on its final passage:

S. B. No. 22 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Huggins, Lundell, Spence, Williams.

S. B. No. 22 was transmitted to the House.

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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Huggins, Lundell, Spence, Williams.

S. B. No. 23 was transmitted to the House.

On motion of Senator Ellett the rules were suspended and the Senate proceeded to consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 51 was read the second time.

Committee report read and adopted.

S. B. No. 51 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 3;

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Huggins, Spence, Watson.

S. B. No. 53 was read the second time.

Committee report read and adopted.

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

Page 4, line 7, strike the word "asseeement" and insert "assessment".

S. B. No. 53 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 Ashton, Bailey, Child, Christensen, Ellett (explained vote), Ericksen, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Dawson, Farr, Huggins.

S. B. No. 52 was read the second time.

Committee report read and adopted.

S. B. No. 52 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 Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Dawson, Huggins.

S. B. No. 54 was read the second time.

Committee report read and adopted.

S. B. No. 54 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Dawson, Huggins, Lundell.

Senator Ellett moved that *S. B. No. 25* retain its position on the calendar.

Motion carried.

S. B. No. 27 was read the second time.

Committee report read and adopted.

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

Line 1 of the title, strike the two words "OF", and before the word "CHAPTER" insert a comma.

Line 1, page 1, strike the two words "of" and insert a comma in lieu thereof.

S. B. No. 27 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 Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Child, Huggins, Lundell.

Senator Farr moved that *S. B. No. 28* retain its position on the calendar.

Motion carried.

S. B. No. 34 was read the second time.

Committee report read and adopted.

On motion of Senator Hirschi *S. B. No. 34* was made a Special Order of Business for Monday, January 27, 1941, at 10:30 a.m.

On motion of Senator Macfarlane the Senate adjourned.

TWELFTH DAY

January 24, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 24, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 11th day and find it correct with minor amendments noted on the final copy.

Respectfully,

CHAS. W. SPENCE,

McKINLEY MORRILL.

Report adopted and filed.

January 24, 1941.

Honorable Wendell Grover
President of the State Senate

Dear President:

You and the members of the Senate are cordially invited to a "get acquainted" dance and buffet supper on January 28, at the Memorial Grove, to be arranged by the Speaker of the Third House. Admission is $1.00 per couple and may be paid to Representatives Thomas or Selvin.

We hope to see you all there and have the chance of being acquainted more intimately with the members of your Honorable Body.

Respectfully yours,

S. J. SELVIN,
Chairman of Invitations.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 23, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 8*, by Mr. Hinckley, Mr. Twitchell, Mr. Bennion, Mr. Chamberlain, and Mr. Clyde, entitled, "AN ACT AMENDING CHAPTER 1, TITLE 93, REVISED STATUTES OF UTAH, 1933, BY ENACTING AND ADDING THREE NEW SECTIONS TO BE KNOWN AS SECTION 93-1-14, SECTION 93-1-15, AND SECTION 93-1-16, MAKING THE MAINTENANCE IN ANY PLACE ACCESSIBLE TO MINORS OF VENDING MACHINES OR ANY METHOD OF SELF-HELP FOR THE DISPOSITION OF CIGARETTES, CIGARETTE PAPERS OR WRAPPERS OR TOBACCO IN ANY FORM WHATSOEVER, A MISDEMEANOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; DECLARING PROPERTY USED IN CONNECTION WITH VIOLATIONS A NUISANCE AND PROVIDING FOR ABATEMENT THEREOF; AND DEFINING THE WORD "MINOR" AS USED IN TITLE 93, REVISED STATUTES OF UTAH, 1933," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 8 was read the first time and referred to the Committee on Judiciary.

January 23, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 5,* by Mr. Redd, entitled, "AN ACT RELATING TO THE REGISTRATION AND DISTRIBUTION OF MOTOR VEHICLE LICENSE PLATES BY COUNTY TREASURERS AS AGENTS OF THE STATE TAX COMMISSION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 5 was read the first time and referred to the Committee on State and Municipal Affairs.

January 23, 1941.

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. 13,* by Mr. Pace and Mr. Miller, By Request, entitled, "AN ACT PROVIDING FOR PAYMENT OF GOVERNMENT LIENS BEFORE SALE, TRANSFER OR HYPOTHECATION OF RECEIVERSHIP ASSETS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 13 was read the first time and referred to the Committee on Revenue and Taxation.

January 23, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 2,* by Mr. Miller, Mr. Selvin, Mr. Cannon, Mr. Leavitt, Mr. Frandsen, Mr. Pace, Mr. Lund, and Mr. Bench, 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. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 2 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 7*, by Messrs. Howard and Huggins, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. J. R. No. 7 was ordered printed and referred to the Committee on Public Institutions.

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 61*, by Mr. Johnston, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 63*, by the Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 63 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 70*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 70 was ordered printed and referred to the Committee on Social Relations and Relief.

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 71*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 71 was ordered printed and referred to the Committee on Social Relations and Relief.

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 73*, by Mr. Grover, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 73 was ordered printed and referred to the Committee on Banking and Commerce.

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 80*, by the Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 80 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 81*, by Messrs. Hirschi, Lundell and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 81 was ordered printed and referred to the Committee on Public Institutions.

January 24, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 48*, by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 48 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 82 By Mr. Hopkin

AN ACT PROVIDING THAT TRESPASS UPON PROPERLY POSTED LANDS FOR THE PURPOSE OF HUNTING, FISHING OR TRAPPING SHALL BE A MISDEMEANOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83 By Messrs. Grover and Ellett

AN ACT AMENDING SECTIONS 1, 4, 5 AND 6, CHAPTER 69, LAWS OF UTAH, 1935; AND SECTIONS 2 AND 3, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AND SECTION 8, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 86, LAWS OF UTAH, 1939, AND SECTION 13, CHAPTER 88, LAWS OF UTAH, 1937, RELATING TO THE DEPARTMENT OF PUBLIC WELFARE AND CREATING A PUBLIC WELFARE COMMISSION, MEMBERSHIP THEREOF, PROVIDING FOR THEIR COMPENSATION, DEFINING THE POWERS AND DUTIES OF THE COMMISSION, AUTHORIZING THE COMMISSION 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, REPEALING SECTION 7, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AND REPEALING SECTIONS 10, 11, 12, 14, 15 AND 16, CHAPTER 88, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 84 By Messrs. Grover and Ellett

AN ACT AMENDING SECTIONS 2, 10, 12, 13, 14, 17, 20 AND 25, CHAPTER 89, LAWS OF UTAH, 1937, TRANSFERRING THE DIVISION OF OLD AGE ASSISTANCE TO THE PUBLIC WELFARE

COMMISSION, AND REPEALING SECTIONS 4, 5, 6, 7, 8, AND 16, CHAPTER 89, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85 By Messrs. Grover and Ellett

AN ACT AMENDING SECTION 1, CHAPTER 90, LAWS OF UTAH, 1937, AND REPEALING SECTIONS 5, 6 AND 13, LAWS OF UTAH, 1937, TRANSFERRING THE ASSISTANCE TO PERSONS IN NECESSITOUS CIRCUMSTANCES TO THE PUBLIC WELFARE COMMISSION, AND REPEALING SECTIONS 5, 6, AND 13, CHAPTER 90, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Messrs. Grover and Ellett

AN ACT REPEALING TITLE 91, REVISED STATUTES OF UTAH, 1933, RELATING TO SUPPORT OF POOR BY RELATIVES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 87 By Messrs. Grover and Ellett

AN ACT AMENDING SECTION 14-7-47, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 23, LAWS OF UTAH, 1939, RELATING TO THE SUPPORT OF CHILDREN IN CUSTODY OF THE JUVENILE COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88 By Mr. Huggins

AN ACT AMENDING SECTION 28-2-3, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF COUNTY RECORDER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 89 By Mr. Watson

AN ACT AMENDING SECTION 19-16-16, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 13, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 33, LAWS OF UTAH, 1939, AND SECTION 19-16-17, REVISED STATUTES OF UTAH, 1933, RELATING TO THE APPORTIONMENT OF COSTS OF COLLECTING TAXES; AND REPEALING SECTION 19-16-18, REVISED STATUTES OF UTAH, 1933, AND SECTION 40, CHAPTER 110, LAWS OF UTAH, 1935, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate *S. B. Nos. 4* and *41* were withdrawn by their authors.

CONSIDERATION OF BILLS ON THIRD READING

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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Howard, Macfarlane, Watson.

S. B. No. 51 was transmitted to the House.

S. B. No. 53 was read the third time and placed on its final passage.

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

Line 5 of the title, after "7-2-25" insert "REVISED STATUTES OF UTAH, 1933,".

S. B. No. 53 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senator Watson.

S. B. No. 53 was transmitted to the House.

S. B. No. 52 was read the third time and placed on its final passage.

S. B. No. 52 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hopkin.

S. B. No. 52 was transmitted to the House.

S. B. No. 54 was read the third time and placed on its final passage.

S. B. No. 54 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hopkin.

S. B. No. 54 was transmitted to the House.

S. B. No. 27 was read the third time and placed on its final passage.

S. B. No. 27 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hopkin.

S. B. No. 27 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

Senator Ellett moved that *S. B. No. 28* retain its position on the calendar.

Motion carried.

S. B. No. 39 was read the second time.

Committee report read and adopted.

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

Line 2 of the title, strike the last two words.

Page 1, line 2, strike the words "of the".

Line 3, before "( )" insert "Section 16".

S. B. No. 39 failed to pass on the following roll call:

Yeas, 6; Nays, 16; Absent, 1.

Those voting in the affirmative were: Senators Farr, Hirschi, Howard, Miller, Spence, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hopkin, Huggins (explained vote), Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Williams.

Absent and not voting: Senator Watson.

Senator Huggins moved that *S. B. Nos. 7* and *14* retain their positions on the Special Order Calendar and be considered along with *S. B. No. 88* when it reaches the Second Reading Calendar.

Motion carried.

S. B. No. 33 was read the second time.

Committee report read and adopted.

S. B. No. 33 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 5; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Mr. President.

Those voting in the negative were: Senators Ellett (explained vote), Farr, Hirschi (explained vote), Morrill, Williams.

Absent and not voting: Senators Howard, Lundell, Watson.

S. B. No. 37 was read the second time.

Committee report read and adopted.

S. B. No. 37 failed to pass on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Child, Ericksen, Farr, Huggins, Macfarlane, Miller, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Hirschi, Hopkin, Howard, Johnston, Lundell, McMurrin, Morrill, Williams.

Senator Farr moved that when we do adjourn it be until Monday, January 27, 1941.

Motion carried.

COMMUNICATION FROM THE HOUSE

January 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 3*, by Mr. Elswood.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Farr the Senate adjourned.

FIFTEENTH DAY

January 27, 1941.

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

Roll Call—All Senators present except Senator McMurrin.

Prayer by the Chaplain.

January 27, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 12th day and find it correct with minor amendments noted on the final copy.

Respectfully,

CHAS. W. SPENCE,

McKINLEY MORRILL.

Report adopted and filed.

The President appointed Senators Ericksen and Hirschi to revise the Journal for the week ending January 31, 1941.

COMMUNICATIONS FROM THE HOUSE

January 24, 1941.

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. 8*, by Mr. Child, entitled, "RESOLUTION OF CONDOLENCE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 8 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 12*, by Mr. Thomas M. Rees, entitled, "AN ACT PERMITTING THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY IN THE STATE HAVING MORE THAN ONE MEM-

BER OF THE STATE SENATE TO DIVIDE THE COUNTY INTO SENATORIAL DISTRICTS AND TO NUMBER THE SAME, AND PROVIDING THAT THE LAWS RELATING TO NOMINATIONS AND ELECTIONS SHALL APPLY TO THE NEW SENATORIAL DISTRICTS IN LIKE MANNER AS THEY DO TO THE OLD," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 12 was read the first time and referred to the Committee on State and Municipal Affairs.

January 25, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 24*, by Mr. Miller, Mr. Abbott, and Mr. Kerr, entitled, "AN ACT TO AMEND SECTION 15-7-48, REVISED STATUTES OF UTAH, 1933, RELATING TO LIEN OF SPECIAL ASSESSMENTS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 24 was read the first time and referred to the Committee on Judiciary.

January 25, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 1*, by Mr. Twitchell, entitled, "A JOINT RESOLUTION URGING CONGRESS AND THE PRESIDENT TO SAFEGUARD TO THE PEOPLE OF UTAH ALL GRAZING, MINERAL, AND WATER RIGHTS CONTAINED IN THAT CERTAIN AREA TO BE SET ASIDE AS ESCALANTE NATIONAL MONUMENT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 1 was read the first time and referred to the Committee on Agriculture and Irrigation.

January 25, 1941.

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. 3*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 20-4-2, REVISED STATUTES OF UTAH, 1933, RELATING TO CITY COURTS; JUDGES; NUMBER, ELECTION, TERM OF OFFICE," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 58*, by Mr. Johnston, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 58 was ordered printed and referred to the Committee on Health and Labor.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 62*, by the Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 62 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 64*, by Messrs. Huggins and Farr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 64 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 67*, by the Committee on Health and Labor, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 67 was ordered printed and referred to the Committee on Health and Labor.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 72*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 72 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 74*, by Messrs. Ellett, Child and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 74 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 75*, by Messrs. Ellett, Child and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 75 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 76*, by Messrs. Ellett, Child and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 76 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 77*, by Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 77 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 78*, by Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 78 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 79*, by Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 79 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 82*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 82 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 83*, by Messrs. Grover and Ellett, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 83 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 84*, by Messrs. Grover and Ellett, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 84 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 85*, by Messrs. Grover and Ellett, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 85 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86*, by Messrs. Grover and Ellett, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 86 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 87*, by Messrs. Grover and Ellett, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 87 was ordered printed and referred to the Committee on Social Relations and Relief.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling Reports back *S. B. No. 88*, by Mr. Huggins,, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 88 was ordered printed and referred to the Committee on Judiciary.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 89*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 89 was ordered printed and referred to the Committee on Revenue and Taxation.

January 27, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 9*, by Mr. Grover, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 9 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 24*, by Mr. Howard, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 24 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 56*, by Mrs. Ericksen, has carefully considered said bill, and reports the same out favorably, after deleting the word "and" on line 11, page 2.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 56 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 2*, by Mr. Brewster, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 2 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 43*, by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 43 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 59*, by Mr. Johnston, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 60*, by Mr. Johnston, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 38*, by Mr. Child, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 38 was placed on the Second Reading Calendar.

January 24, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 1*, by Mr. Brewster, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

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

January 27, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 6*, by Mr. Dawson, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. J. R. No. 6 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 90 By Mr. Farr

AN ACT AMENDING SECTION 8, CHAPTER 68, LAWS OF UTAH, 1939, AND ENACTING NEW SECTIONS 8-A, 9-A, 9-B, 9-C AND 9-D RELATING TO THE GRADING AND INSPECTION OF MOTOR FUEL SOLD OR OFFERED FOR SALE IN THE STATE OF UTAH, PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING SECTION 16-A, CHAPTER 68, LAWS OF UTAH, 1939, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 91 By Mr. Watson

AN ACT MAKING IT UNLAWFUL TO REMOVE MINERALS, OR TO CUT OR REMOVE TIMBER FROM STATE LANDS, OR TO EXTRACT SALTS OR MINERALS FROM THE WATERS OF NAVIGABLE LAKES, TO GRAZE LIVESTOCK, TO CONSTRUCT ANY RESERVOIR, DITCH, HIGHWAY, ELECTRIC LIGHT, TELEPHONE OR TELEGRAPH LINE OR OCCUPY OR ENTER UPON STATE LANDS WITHOUT AUTHORITY FROM THE STATE LAND BOARD, AND PROVIDING A PENALTY AND LIABILITY THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 92 By Committee on Health and Labor

AN ACT TO DEFINE AND TO REGULATE THE PRACTICE OF THE HEALING ART; TO DEFINE THE TERM BASIC SCIENCES; PROVIDE FOR THE ADMINISTRATION OF THE ACT THROUGH THE DEPARTMENT OF REGISTRATION IN COLLABORATION WITH A COMMITTEE OF EXAMINERS IN THE BASIC SCIENCES AND TO DEFINE THEIR POWERS AND DUTIES; TO PROVIDE FOR THE APPOINTMENT OF SUCH COMMITTEE; TO PROVIDE THAT CERTIFICATION BY THE DEPARTMENT OF REGISTRATION BE A PREREQUISITE OF ELIGIBILITY FOR EXAMINATION FOR LICENSE TO PRACTICE THE HEALING ART; TO PROVIDE PENALTIES AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93 By Messrs. Ellett and Grover

AN ACT AMENDING SECTION 4, CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1937, RELATING TO TAXES UPON CERTAIN SALES; PROVIDING FOR THE PAYING AND COLLECTION OF SUCH TAXES, AND PRESCRIBING PENALTIES FOR FAILURE TO PAY SAID TAXES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94 By Mr. Macfarlane (By Request)

AN ACT APPROPRIATING $1000 FROM THE STATE HIGHWAY FUND TO COMPENSATE THE PARENTS OF DORA BETH ALSOP, was read the first time and referred to the Committee on Appropriations and Claims.

S. B. No. 95 By Mr. Miller

AN ACT PROVIDING THAT ALL RECORDS OF THE STATE TAX COMMISSION SHALL BE OPEN TO INSPECTION BY LEGIS-

LATIVE COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 96 By Mr. Hopkin

AN ACT AMENDING SECTION 30-0-53, REVISED STATUTES OF UTAH, 1933, RELATING TO GAME PRESERVES, AND PROVIDING FOR OPEN HUNTING SEASON THEREON, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 34 on Second Reading.

On motion of Senator Huggins *S. B. No. 34* was made a Special Order of Business for tomorrow at 3:30 p.m.

CONSIDERATION OF BILLS ON THIRD READING

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, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, Miller, Rich, Spence, Mr. President.

Absent and not voting: Senators Lundell, McMurrin, Morrill, Watson, Williams.

S. B. No. 33 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 48 was read the second time.

S. B. No. 48 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Ericksen, McMurrin, Morrill, Williams.

On motion of Senator Farr the rules were suspended and the Senate proceeded to consider bills on the Second Reading Calendar.

S. B. No. 9 was read the second time.

Committee report read and adopted.

S. B. No. 9 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett (explained vote), Farr, Hirschi, Huggins, Johnston, Lundell, Macfarlane, Miller, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Child (explained vote), Howard.

Absent and not voting: Senators Ericksen, Hopkin, McMurrin, Morrill, Williams.

S. B. No. 24 was read the second time.

Committee report read and adopted.

S. B. No. 24 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Miller, Morrill, Watson, Williams.

Those voting in the negative were: Senators Bailey, Ellett, Johnston, Rich, Spence, Mr. President.

Absent and not voting: Senators Ericksen, Macfarlane, McMurrin.

S. B. No. 56 was read the second time.

Committee report read and adopted.

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

Page 2, line 17, after the word "will' insert the word "automatically".

On motion of Senator Williams the rules were suspended and *S. B. No. 56* was read the third time and placed on its final passage.

S. B. No. 56 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators McMurrin, Spence.

S. B. No. 56 was transmitted to the House.

H. B. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Williams the Senate adjourned.

SIXTEENTH DAY

January 28, 1941.

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

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

Prayer by the Chaplain.

January 28, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 15th day and find it correct with minor amendments noted on the final copy.

Respectfully,

MRS. E. E. ERICKSEN,

C. HIRSCHI.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 8,* by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PREPARATION AND CERTIFICATION OF ABSTRACTS OF TITLE BY COUNTY RECORDER; PROVIDING LIABILITY OF COUNTY," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 8 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 26,* by Mr. Rees, Mr. Elswood, and Mr. Scherer, entitled, "AN ACT AMENDING SECTION 3 OF CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY SECTION 3, CHAPTER 103,

LAWS OF UTAH, 1939, RELATING TO THE TWO DOLLAR LICENSE FEE REQUIRED FOR THE COLLECTION OF THE SALES TAX," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chairman.

Report filed.

H. B. No. 26 was read the first time and referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 8*, By Mr. Child, entitled, "RESOLUTION OF CONDOLENCE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. J. R. No. 8 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 90*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 90 was ordered printed and referred to the Committee on Highways.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 91*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 91 was ordered printed and referred to the Committee on Mining and Smelting.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 92*, by Committee on Health and Labor, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 92 was ordered printed and referred to the Committee on Health and Labor.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, by Messrs. Ellett and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 93 was ordered printed and referred to the Committee on Revenue and Taxation.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 95*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 95 was ordered printed and referred to the Committee on Public Institutions.

January 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 96*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on Fish and Game.

January 28, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 70,* by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

January 28, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 71,* by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

January 28, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 72,* by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 72 was placed on the Second Reading Calendar.

January 27, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. J. R. No. 7,* by Messrs. Howard and Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. J. R. No. 7 was placed on the Second Reading Calendar.

January 27, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 81*, by Messrs. Hirschi, Lundell and Ashton, has carefully considered said bill and reports the same out favorably, with the following amendments:

Section 1, line 1, delete "$90,000" and insert "$30,000" in lieu thereof; line 4, delete "$30,000" and insert "$10,000" in lieu thereof.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 81 was referred to the Committee on Appropriations and Claims.

January 27, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 5*, by Mr. Huggins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 5 was placed on the Second Reading Calendar.

January 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 88*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 97 By Mr. Rich (By Request)

AN ACT AMENDING SECTIONS 19-5-2 AND 19-5-3, REVISED STATUTES OF UTAH, 1933, REQUIRING THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY IN THE STATE OF UTAH TO DIVIDE THEIR RESPECTIVE COUNTIES INTO THREE DISTRICTS FOR THE ELECTION OF COUNTY COMMISSIONERS AND

TO NUMBER THE SAME, AND PROVIDING LAWS RELATING TO NOMINATION AND ELECTION OF COUNTY COMMISSIONERS SHALL APPLY TO THE NEW DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 98 By Committee on Agriculture and Irrigation

AN ACT AMENDING SECTIONS 80-5-46, 80-10-23, 80-10-71 AND 15-12-12, REVISED STATUTES OF UTAH, 1933, AND SECTION 80-9-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 99, LAWS OF UTAH, 1939, AND SECTION 80-9-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 60, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 103, LAWS OF UTAH, 1937, AND SECTION 15-8-87, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 25, LAWS OF UTAH, 1935, RELATING TO REVENUE AND TAXATION AND PROVIDING FOR SEGREGATION OF PROPERTY FOR TAX LEVIES AND TAX REVENUE PURPOSES, MINES, UTILITIES FOR DISTRICT SCHOOL AND EQUALIZATION PURPOSES, POWERS AND DUTIES OF STATE TAX COMMISSION, DUTIES OF COUNTY TREASURERS RELATIVE THERETO; TAX LEVIES OF COUNTIES, CITIES AND TOWNS, AND REPEALING SECTIONS 80-5-32, 80-5-47, 80-7-10, 80-7-11, 80-7-13, 80-7-14, 80-7-15, 80-8-4, AND 80-9-3, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99 By Mr. Christensen

AN ACT AMENDING CHAPTER 65, LAWS OF UTAH, 1935, BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 28, PROVIDING FOR THE TRANSFER OF INTEREST OF DECEASED MOTOR CARRIERS, CONDITIONS OF TRANSFER, PROVIDING FOR TEMPORARY OPERATION BY FIDUCIARIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100 By Mr. Spence

AN ACT AMENDING SECTION 14-4-1, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE ADOPTION OF MINOR CHILDREN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 101 By Messrs. Lundell and Farr

AN ACT AMENDING SECTIONS 1, 8 AND 9 OF CHAPTER 43, LAWS OF UTAH, 1939, AND REPEALING SECTION 7, CHAPTER 43, LAWS OF UTAH, 1939, AND ENACTING A NEW SECTION TO BE KNOWN AS 7-A, PROVIDING FOR PERMITS AND LICENSE FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102 By Mr. Christensen

AN ACT PROHIBITING THE MANUFACTURE, ADVERTISING, SALE AND DELIVERY OR SALE OR OFFERING FOR SALE OF ADULTERATED AND MISBRANDED FOOD, DRUGS, DEVICES AND COSMETICS; PROVIDING PENALTIES AND PROCEDURE FOR ENFORCEMENT, PROMOTE UNIFORMITY WITH FEDERAL AND OTHER STATE ACTS AND THE ADMINISTRATION THEREOF; FOR THE PURPOSE OF SAFEGUARDING THE PUBLIC HEALTH, PREVENTING DECEIT UPON THE PURCHASING PUBLIC AND REPEALING SECTIONS 3-10-1, 3-10-3, 3-10-5, 3-10-6, 3-10-8, 3-10-9, 3-10-10, 3-10-12, 3-10-13, 3-10-18, 3-10-33, 3-10-34, 3-10-35, 3-10-41, 3-10-42, 3-10-43, 3-10-45, 3-10-46, 3-10-51, 3-10-52, 3-10-70, 3-10-71, REVISED STATUTES OF UTAH, 1933, AND SECTION 3-10-15, AS AMENDED BY CHAPTER 5, LAWS OF UTAH, 1935, AND SECTIONS 3-10-7 AND 3-10-53, AS AMENDED BY CHAPTER 6, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Miller *H. B. No. 1* was made a Special Order of Business to follow consideration of *H. B. No. 2.*

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 48 was read the third time and placed on its final passage.

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

Line 2, preceding the word "state" insert the word "unsurveyed".

S. B. No. 48 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Dawson.

S. B. No. 48 was transmitted to the House.

A committee from the House appeared requesting the President to appoint a committee to act with a like committee from the House, to wait upon the Governor and request his presence in Joint Convention to discuss the workings and procedure of his reorganization bill.

On motion of Senator Lundell the President appointed as such a committee, Senators McMurrin, Ericksen and Lundell.

S. B. No. 9 was read the third time and placed on its final passage.

On motion of Senator McMurrin *S. B. No. 9* was made a Special Order of Business for tomorrow at 2:15 p.m.

On motion of Senator Huggins *S. B. No. 24* was made a Special Order of Business for tomorrow at 2:30 p.m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 43 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, strike "Sec." and "Requirements from Applicants".

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

Lines 12 and 19, place the capital letters in lower case.

Line 14, underline the word "term".

Line 22, underline the word "years".

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

Line 16, place "( )" before the word "years" and strike the "( )" appearing after the word "years".

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

Line 4, after the word "applicant" insert the words "after this act becomes effective".

S. B. No. 43 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 Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Voting in the vegative: Senator Ashton.

Absent and not voting: Senators Dawson, Lundell, Spence.

Senator Johnston moved that *S. B. Nos. 59* and *60* retain their position on the Second Reading Calendar and be considered after *S. B. No. 58*.

Motion carried.

S. B. No. 38 was read the second time.

Committee report read and adopted.

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

Page 2, line 26, strike "$1,000".

Page 3, line 23, strike the last word and insert the word "families".

Line 29, insert the word "who" preceding the word "shall".

Page 6, line 32, strike the last letter "s" on the word "vessels".

Page 8, line 33, the word "form" to read "firm".

Line 15, after the word "pressure" insert the word "steam", and after the word "boiler" insert the words "operated at not more than 15 pounds pressure and for each hot water heating or supply boiler".

Line 17, after the word "and" insert "for each miniature boiler and".

Line 18, after the word "reservoir" insert "and for each miniature boiler".

Page 7, line 25, strike the last word. Strike the whole of line 26.

The committee appointed to wait upon the Governor reported that the Governor would meet with the Legislature in Joint Convention tomorrow at 10:00 a.m.

Senator Ellett moved that when we do adjourn it be until tomorrow at 9:45 a.m.

Motion carried.

SPECIAL ORDER

S. B. No. 34 on Second Reading.

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

Line 1 of the title, and line 1 of the bill, after the figures 36-6-8 add the following: "36-6-12," and on page 5, after line 11 add the following: "36-6-12. Id. Routes 101 to 110.

"The following named roads are hereby designated as state roads:

"(a) Route 101. From Logan southerly via Hyrum to Wellsville.

"(b) Route 102. From Deweyville westerly to Tremonton.

"(c) Route 103. From junction with route 39 in Ogden southerly via Harrison Avenue to junction with route 5 near Uintah. Also from Route 39 intersecting with Harrison Boulevard on 24th Street in Ogden, Utah, northerly to the Utah State Tuberculosis Sanatorium thence northerly to the intersection of said Harrison Boulevard with Second Street in Ogden, thence westerly on said Second Street to the intersection of said Second Street with Route No. 1.

"(d) Route 104. From junction with route 38 in Ogden westerly via Wilson Lane to junction with route 84.

"(e) Route 105. From junction with route 1 at Sunset easterly to junction with route 49 at South Weber and from Sunset westerly to South Hooper.

"(f) Route 106. From South Bountiful on route 1 northerly and west of route 1 to junction with route 1 at north Farmington.

"(g) Route 107. From route 1 north of Clearfield westerly to West Point.

"(h) Route 108. From route 1 south of Clearfield westerly to Syracuse.

"(i) Route 109. From route 1 at Layton westerly four miles.

"(j) Route 110. From Kaysville westerly to West Kaysville."

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

Page 5, line 5, strike the period and insert "and from route 147 starting one mile west of Spanish Fork City, bearing northwesterly through Palmyra to the point commonly known as Barney Corner, then south to the junction of highway 115 at Benjamin".

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

Line 1 of the title, after the figures "36-6-16, insert "36-6-18".

Line 1, section 1, after the figures "36-6-16" insert "36-6-18".

Page 5, after line 11, insert:

"36-6-18. The following named roads are hereby designated as state roads:

"(a) Route 161. From Bluffdale on route 68 easterly to junction with route 1.

"(b) Route 162. From Eden Junction on route 39 northerly to Liberty.

"(c) Route 163. From Hyrum southerly to Avon.

"(d) Route 164. From Wellsville northerly by way of Mendon to junction with route 69 near Petersboro.

"(e) Route 165. From a point on the Utah-Wyoming state line, Daggett County, southerly 5 miles ( ) and from junction with route 44 south of Manila easterly to and across Green River at a point near Flaming Gorge—a distance of approximately 8 miles.

"(f) Route 166. From junction with route 43 west of Antelope Canal Crossing southerly 3½ miles.

"(g) Route 167. From a point on route 8 between Springville and Moark Junction easterly to Mapleton.

"(h) Route 168. From a point on route 7 in Provo Canyon northerly via Alpine scenic highway to Aspen.

"(i) Route 169. From route 6 in Heber easterly to Lake Creek.

"(j) Route 170. From route 1 in Richmond westerly via Trenton to Clarkston."

On motion of Senator Miller the Bill was amended as follows:

Line 2 of the title, after "1935" insert "36-6-21, CHAPTER 37, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1939".

Page 1, line 2, after "1935" insert "36-6-21, Chapter 37, Laws of Utah, 1935, as Amended by Chapted 47, Laws of Utah, 1939".

Page 5, after the Senate amendment insert "36-6-21. The following named roads are hereby designated as state roads:

"(a) Route 192. From Cornish on route 61 southerly to junction with route 142 near Newton.

"(b) Route 193. From Layton on route 1 northeasterly to route 49.

"(c) Route 194. From North Salt Lake on route 1 northeasterly to Val Verda, thence northerly through Centerville to Chase Lane, thence west to route 1.

"(d) Route 195. From Hooper on route 37 southerly to Syracuse.

"(e) Route 196. From Peoa southwesterly to junction with route 6 near the Summit-Wasatch county line.

"(f) Route 197. From route 1 in Lehi southerly one mile.

"(g) Route 198. From route 56 to Dixie National Forest enroute to Pinto.

"(h) Route 199. From route 1 near Summit to route 19 near Mid Valley.

"(i) Route 200. From route 61 near Lewiston, Utah, in a northerly direction approximately one and one-fourth miles to the Idaho state line.

"(j) Route 201. From route 1 on State street of Salt Lake City at twenty-first south street in a westerly direction on twenty-first south street to route 4 north of Magna, Utah.

"(k) Route 202. From a point on route 73 near Fairfield westerly to Mercur.

"(l) Route 203. Extending route 147 east one mile and north one mile from Mapleton, Utah.

"(m) Route 204. From junction with route 1 at Utah Hot Springs southerly via diagonal route and Wall Avenue to junction with route 1 on Riverdale road.

"(n) Route 205. Beginning at ( ) a point where First West extended southerly would intersect Utah highway number 8, thence northerly to junction with route 8.

"(o) Route 206. Beginning at route 1 in Clearfield, and running south approximately four and one-half miles.

"(p) Route 207. Beginning at the intersection of Utah highway number 8 and Third East street in Price and running north along Third East street and thence northeasterly to the New Carbon County Airport."

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

In the title, after "1939" insert "AND ENACTING A NEW SECTION TO BE KNOWN AS 36-6-22".

Page 5, after the new section "36-6-21" insert "Section 2—Section 36-6-22 is enacted to read".

"36-6-22. The following named roads are hereby designated as state roads:

"(a) Route 208. From a point on route 6 approximately six miles east of Fruitland in Duchesne County, thence northerly to route 35 at a point near Tabiona.

"(b) Route 209. From a point on route 88 approximately three miles northwesterly from Leota in Uintah County, thence northerly to intersection with route 6."

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

After subdivision "b" in Section 36-6-22, insert the following:

"(c) Route 210. From Parleys Canyon to Little Cottonwood.

"(d) Route 211. From Wasatch Boulevard to Alta.

"(e) Route 212. From Wasatch Boulevard to Brighton."

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

Insert new subsections to Section 36-6-22 as follows:

"(f) Route 213. From Alta to Brighton.

"(g) Route 214. From 33rd South, south on Wasatch Boulevard to Little Cottonwood Canyon."

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

Line 1 of the title, after the figures "36-6-3" insert "36-6-4".
Line 1, section 1, after the figures "36-6-3" insert "36-6-4".

Page 3, after line 11 insert:
"36-6-4. The following named roads are hereby designated as state roads:

"(a) Route 21. From Beaver westerly via Milford, Frisco and Garrison to the Utah-Nevada state line; also from Beaver easterly ( ) via Puffer's Lake to junction with route 11 at Junction.

"(b) Route 22. From Junction City on route 11 via Antimony and Widtsoe to Tropic Junction on route 12.

"(c) Route 23. From Widtsoe easterly to Escalante.

"(d) Route 24. From Sigurd southeasterly via Plateau Junction, Loa and Fruita to Hanksville, thence northeasterly to Green River on route 8.

"(e) Route 25. From Plateau Junction on route 24 to Fish Lake.

"(f) Route 26. From Holden northwesterly to Delta, thence northerly via Lynndyl, McIntyre and Silver City to Eureka, thence easterly via Homanville Canyon, Elberta and Goshen to Santaquin, also easterly from Eureka via Dividend to Elberta.

"(g) Route 27. From Delta westerly via Hinckley and Simonson's Ranch to the Utah-Nevada state line.

"(h) Route 28. From Levan on route 1 southerly to Gunnison on route 11.

"(i) Route 29. From Ephraim easterly via Orangeville Junction to Castle Dale Junction.

"(j) Route 30. From Fountain Green southerly via Freedom, Wales and Chester to Spring City."

S. B. No. 34 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 Ashton, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Voting in the negative: Senator Bailey.

Absent and not voting: Senators Dawson, Ellett, Howard, Spence.

FURTHER CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 38 on Second Reading.

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

Page 6, line 25, after the word "rules" strike the balance of the line, and strike the whole of line 26.

Line 27, strike the first four words.

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

Page 8, line 15, after previous amendment insert "but not including small steam pressure cookers used as household utensils."

Line 27, after the word "shall" insert "before engaging in the manufacture, installation, maintenance and repair thereof."

S. B. No. 38 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett (explained vote), Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, McMurrin, Miller, Rich, Watson, Mr. President.

Those voting in the negative were: Senators Morrill, Williams.

Absent and not voting: Senators Dawson, Farr, Lundell, Macfarlane, Spence.

On motion of Senator Miller the Senate adjourned.

SEVENTEENTH DAY

MORNING SESSION

January 29, 1941.

The Senate was called to order at 9:45 a.m. President Grover in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 29, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 16th day and find it correct with minor amendments noted on the final copy.

Respectfully,

MRS. E. E. ERICKSEN,

C. HIRSCHI.

Report adopted and filed.

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

On motion of Senator Macfarlane the Joint Convention resolved itself into a Committee of the Whole.

COMMITTEE OF THE WHOLE

On motion of Senator Ellett the President appointed a Committee consisting of Senator Miller and Representatives Lund and Warner to notify the Governor that the Legislature in Joint Convention, meeting as a Committee of the Whole, is ready to receive him.

The Committee returned escorting his Excellency, Governor Herbert B. Maw, who was introduced to the Legislature in Joint Convention sitting as a Committee of the Whole. His Excellency proceeded to discuss his bill for reorganization.

On motion of Senator Macfarlane the Committee of the Whole was dissolved.

The President declared the Joint Convention dissolved.

The Senate reconvened at 11:15 a.m.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present.

COMMUNICATIONS

THE STATE OF UTAH
STATE BOARD OF EXAMINERS
SALT LAKE CITY

January 29, 1941.

TO THE SENATE

Gentlemen:

I am directed by the State Board of Examiners to transmit to your honorable body, claim of Mr. B. C. Call of Brigham City, Utah, in the amount of $700.00, covering alleged damages to his land and crops by reason of the construction of highway underpass by the State Road Commission in 1936, northwest of Brigham City.

This claim was filed with the Board and acted upon, as provided in Section 26-0-11 to 26-0-14 of the Revised Statutes of Utah, 1933.

Upon the unanimous vote of the Board, I was directed to transmit all papers in the claim to your honorable body without recommendation.

Very respectfully yours,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

THE STATE OF UTAH
STATE BOARD OF EXAMINERS
SALT LAKE CITY

January 29, 1941.

TO THE SENATE

Gentlemen:

I am directed by the State Board of Examiners to transmit to your honorable body, claim, in amount of $5,407.90, of Mr. B. C. Call, attorney for a number of citizens of Brigham City, Utah, for alleged damages to land and crops by reason of the construction of a highway underpass by the State Road Commission in 1936, northwest of Brigham City, Utah.

This claim was duly filed with the Board and acted upon, as provided in Section 26-0-11 to 26-0-14 of the Revised Statutes of Utah, 1933.

Upon the unanimous vote of the Board, I was directed to transmit all papers in the claim to your honorable body without recommendation.

Very respectfully yours,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

THE STATE OF UTAH
STATE BOARD OF EXAMINERS
SALT LAKE CITY

January 29, 1941.

TO THE SENATE

Gentlemen:

I am directed by the State Board of Examiners to transmit to your honorable body the claim of Mr. Caleb Tanner of Provo, Utah, Irrigation Engineer, in amount of $3,559.50, for alleged services rendered the State Land Board, and expenses incurred as special engineer and expert for the protection of the State's interest in water filing on the Sevier River under the Puite Project, during the years 1928 and 1929.

This claim was duly filed with the Board and acted upon, as provided in Section 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.

Very respectfully yours,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

COMMUNICATION FROM THE HOUSE

January 28, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 5*, by the Resolutions and Memorials Committee, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE MILTON BODELL UPON THE DEATH OF HIS MOTHER, SARAH BODELL," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 5 was read the first time.

On motion of Senator Christensen the rules were suspended and *H. J. R. No. 5* was read the second and third times and placed on its final passage.

H. J. R. No. 5 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Hopkin, Lundell, Williams.

H. J. R. No. 5 was returned to the House.

REPORTS OF STANDING COMMITTEES

January 29, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 64*, by Messrs. Huggins and Farr, has carefully considered said bill, and reports the same out favorably with the following amendment:

Line 1 of the title and bill, strike words "Fifteen Thousand" and in lieu thereof leave a blank line.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 64 was referred to the Committee on Social Relations and Relief.

January 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 31*, by Mr. Watson, has carefully considered said bill, and reports the same out favorably with the following amendments:

Line 9, strike "fifteen", insert "ten".

Line 14, strike period, insert comma. After word "courts" add "except when objections are made to the appointment by the defendant."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 31 was placed on the Second Reading Calendar.

January 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 8*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PREPARATION AND CERTIFICATION OF ABSTRACTS OF TITLE BY COUNTY RECORDER; PROVIDING LIABILITY OF COUNTY," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

January 29, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, by Mr. Rich, by request, and recommends the bill be returned to the author for rewriting.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 97 was returned to its author.

January 29, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98*, by the Committee on Agriculture and Irrigation, and recommends the bill be returned to the author for rewriting.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 98 was returned to its author.

January 29, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 99*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 99 was ordered printed and referred to the Committee on Highways.

January 29, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 100*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 100 was ordered printed and referred to the Committee on Social Relations and Relief.

January 29, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 101*, by Messrs. Lundell and Farr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. B. No. 101 was ordered printed and referred to the Committee on Revenue and Taxation.

PRESENTATION OF RESOLUTION

S. J. R. No. 9 By Committee on Judiciary

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 10 OF ARTICLE VII AND OF SECTIONS 2, 3, 5, 6 AND 12 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE SUPREME AND DISTRICT COURTS, HOW CONSTITUTED, TERMS OF OFFICE, QUALIFICATIONS OF JUDGES, CREATING A JUDICIAL COMMISSION, JURISDICTION, JUDGES PRO TEMPORE, CHANGE OF JUDICIAL DISTRICTS BY THE LEGISLATURE, SELECTION OF JUDICIARY, AND EFFECT ON INCUMBENT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 103 By Mr. Huggins

AN ACT FOR SAFEGUARDING LIFE AND PROPERTY AND PROMOTING THE WELFARE OF THE PUBLIC; CREATING AN ELECTRICAL ADMINISTRATIVE BOARD OF THE STATE OF UTAH; DIRECTING THE ELECTRICAL ADMINISTRATIVE BOARD TO APPOINT AN ELECTRICAL INSPECTOR, ESTABLISHING STANDARDS FOR THE INSTALLATION OF ELECTRICAL WIRING, DEVICES AND EQUIPMENT; PROVIDING FOR THE LICENSING BY THE ELECTRICAL ADMINISTRATIVE BOARD OF PERSONS, FIRMS AND CORPORATIONS ENGAGED IN THE BUSINESS OF ELECTRICAL CONTRACTING; PROVIDING FOR THE LICENSING AND EXAMINATION OF JOURNEYMEN ELECTRICIANS AND THE REGISTRATION OF APPRENTICES; AUTHORIZING MUNICIPALITIES TO PROVIDE FOR INSPECTION; PRESCRIBING THE DUTIES, RIGHTS AND AUTHORITY OF ELECTRICAL NSPECTORS; MAKING IT UNLAWFUL TO UNDERTAKE THE EXECUTION OF ELECTRICAL WORK WITHOUT A LICENSE EXCEPT AS OTHERWISE PROVIDED; PROVIDING FOR THE VIOLATION OF THIS ACT AND REPEALING THE PROVISIONS OF CHAPTER 58, LAWS OF UTAH, 1933, AND ALL STATUTES AND PARTS OF STATUTES IN CONFLICT WITH THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104 By Mr. Huggins

AN ACT PROHIBITING THE PAYMENT OF INSURANCE OR INSURANCE BENEFITS TO EMBALMERS, UNDERTAKERS, FUNERAL DIRECTORS OR OTHERS SO AS TO PREVENT OR CONTROL THE PROCURING OF FUNERAL SUPPLIES OR SERVICES IN THE OPEN MARKET BY THE REPRESENTATIVES OF THE DECEASED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105 By Committee on Judiciary

AN ACT AMENDING CHAPTER 13, TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 104-13-17, RELATING TO RULES OF PLEADING IN REGARD TO WRITTEN INSTRUMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106 By Committee on Judiciary

AN ACT AMENDING SECTION 104-44-13, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ALLOWANCE OF COSTS BY COURTS IN SPECIAL PROCEEDINGS OTHER THAN APPEALS,

AND PROVIDING FOR DOCKETING JUDGMENTS OF THE SUPREME COURT IN SUCH CASES IN THE DISTRICT COURTS, AND FOR THE LIEN THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 107 By Committee on Judiciary

AN ACT AMENDING SECTION 38-0-10, REVISED STATUTES OF UTAH, 1933, RELATING TO HOMESTEADS AND PROVIDING FOR THE SELECTION AND CLAIMING THEREOF BY DECLARATION OF HOMESTEAD BEFORE EXECUTION OR JUDICIAL SALE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE GROSS ESTATE FOR INHERITANCE TAX PURPOSES AND PROVIDING THAT THE ESTATE MAY BE VALUED FOR SUCH PURPOSES AS OF THE DATE OF A DECEDENT'S DEATH OR NINE MONTHS LATER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INHERITANCE TAX TO BE IMPOSED UPON TRANSFERS BY RIGHT OF SUPERVISORSHIP AND PROVIDING CERTAIN EXCEPTIONS IN REGARD THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-7, REVISED STATUTES OF UTAH, 1933, RELATING TO DETERMINATION OF NET ESTATE FOR INHERITANCE TAX PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 111 By Committee on Judiciary

AN ACT REPEALING SECTIONS 103-13-1 AND 103-13-2, REVISED STATUTES OF UTAH, 1933, RELATING TO DESERTION OF FAMILY; PENALTY; DISPOSITION OF EARNINGS; RELEASE OR PROBATION RECOGNIZANT; EVIDENCE PRIVILEGE; BURDEN OR PROOF AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 103-13-2A, 103-13-2B, 103-13-2C, 103-13-2D AND 103-13-2E, RELATING TO DESERTION AND NON-SUPPORT OF CHILDREN AND WIFE; ABANDONMENT OR NON-SUPPORT

PRIMA FACIE WILFUL; PROCEEDINGS FOR THE VIOLATION OF PROVISIONAL ORDER; DISPOSITION OF PROCEEDS OF FORFEITED RECOGNIZANT RULES OF EVIDENCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112 By Committee on Judiciary

AN ACT AMENDING SECTION 103-24-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT; PUNISHMENT; NOTICE OF; PROTECT EVIDENCE OF; KNOWLEDGE OF INSUFFICIENCY, AND CREDIT DEFINED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 113 By Committee on Judiciary

AN ACT AMENDING SECTION 103-51-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CRIME OF FORNICATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 114 By Committee on Judiciary

AN ACT AMENDING SECTION 63-1-1, REVISED STATUTES OF UTAH, 1933, RELATING TO QUALIFICATIONS, APPOINTMENT, TERM, REMOVAL, AND FILING OF COMMISSIONS OF NOTARIES PUBLIC AND ENACTING NEW SECTIONS TO BE KNOWN AS 63-1-11, 63-1-12 AND 63-1-13, PROVIDING FOR INSPECTION OF RECORDS BY COUNTY CLERKS, DISPOSITION OF THE RECORDS IN CASE OF DEATH, RESIGNATION, REMOVAL, OR DISQUALIFICATION, AND PENALTY FOR FAILURE TO KEEP RECORDS AS PROVIDED HEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 115 By Committee on Judiciary

AN ACT AMENDING SECTION 28-4-1, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF NOTARIES PUBLIC, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 116 By Committee on Judiciary

AN ACT AMENDING SECTION 20-6-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RIGHT OF A JUSTICE OF THE SUPREME COURT, OR JUDGE OF THE DISTRICT COURT, OR JUDGE OF THE CITY COURT TO PRACTICE LAW DURING THEIR TERM OF OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 117 By Committee on Judiciary

AN ACT AMENDING SECTION 9, CHAPTER 65, LAWS OF UTAH, 1935, RELATING TO REVIEW OF DECISIONS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING A MORE UNIFORM METHOD OF REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 118 By Committee on Judiciary

AN ACT AMENDING SECTION 20, CHAPTER 47, LAWS OF UTAH, 1935, RELATING TO REVOCATION OF OPERATORS' AND CHAUFFEURS' LICENSES TO PROVIDE A UNIFORM METHOD OF REVIEW BY THE COURTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 119 By Committee on Judiciary

AN ACT TO AMEND SECTION 14 OF CHAPTER 63, LAWS OF UTAH, 1933, RELATING TO DECISIONS OF THE STATE TAX COMMISSION AND PROVIDING A UNIFORM TYPE OF REVIEW IN THE SUPREME COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 120 By Committee on Judiciary

AN ACT AMENDING SECTION 14, CHAPTER 19, LAWS OF UTAH, 1937, AND REPEALING SECTION 18, CHAPTER 19, LAWS OF UTAH, 1937, RELATING TO HEARINGS BEFORE THE TRADE COMMISSION OF UTAH AND REVIEW OF ITS ORDERS IN THE DISTRICT COURTS AND PROVIDING A UNIFORM METHOD OF REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 121 By Committee on Judiciary

AN ACT AMENDING SECTIONS 42-1-78 AND 42-1-79, REVISED STATUTES OF UTAH, 1933, RELATING TO DECISIONS OF THE INDUSTRIAL COMMISSION OF UTAH IN WORKMAN'S COMPENSATION CASES AND PROVIDING UNIFORM LANGUAGE FOR REVIEW IN THE SUPREME COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 122 By Committee on Judiciary

AN ACT AMENDING SECTION 76-6-16, REVISED STATUTES OF UTAH, 1933, RELATING TO DECISIONS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING UNIFORM LANGUAGE FOR REVIEW IN THE SUPREME COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 123 By Committee on Judiciary

AN ACT AMENDING SECTION 12, CHAPTER 38, LAWS OF UTAH, 1933, RELATING TO REVIEW OF ORDERS OF THE INDUSTRIAL COMMISSION ON EMPLOYMENT OF WOMEN AND MINORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 124 By Committee on Judiciary

AN ACT AMENDING SECTION 43-2-17, REVISED STATUTES OF UTAH, 1933, RELATING TO REVIEW OF RULINGS OF THE STATE INSURANCE COMMISSION AND PROVIDING A MORE UNIFORM METHOD OF REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 125 By Committee on Judiciary

AN ACT AMENDING SECTION 82-1-41, REVISED STATUTES OF UTAH, 1933, RELATING TO ORDERS OF THE STATE SECURITIES COMMISSION AND PROVIDING A UNIFORM METHOD OF REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 126 By Committee on Judiciary

AN ACT AMENDING SECTION 79-1-36, REVISED STATUTES OF UTAH, 1933, RELATING TO REVIEW OF RULINGS OF THE DEPARTMENT OF REGISTRATION AND PROVIDING A UNIFORM METHOD OF REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 127 By Committee on Judiciary

AN ACT AMENDING SECTION 12 OF CHAPTER 114, LAWS OF UTAH, 1937, RELATING TO DECISIONS OF THE STATE TAX COMMISSION AND PROVIDING A UNIFORM TYPE OF REVIEW IN THE SUPREME COURT, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Hopkin the President appointed a committee consisting of Senators Ellett, Spence, Dawson, Hirschi, Bailey, Ericksen and Ashton to make a tour of inspection of the Utah State Agricultural College at Logan, Utah, on Friday, January 31, 1941.

SPECIAL ORDER

S. B. No. 9 on Third Reading.

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

Page 1 in the title, lines 5 and 6, strike the words "AND SECOND".

Lines 5 and 15, strike the words "and second".

Page 2, lines 7 and 8, strike the words "and second".

S. B. No. 9 then passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Howard, Williams (explained vote).

Absent and not voting: Senator Macfarlane.

S. B. No. 9 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 24 was read the third time and placed on its final passage.

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

Line 1, after "Legislature" insert "or any member of his immediate family".

Senator Ellett moved to amend the bill as follows:

Line 1, strike the last three words and insert the word "hold".

Senator Huggins, four Senators concurring therein, requested a roll call on the motion to amend.

The motion was lost on the following roll call:

Yeas, 7; Nays, 16; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Ellett, Ericksen, Johnston, Miller, Spence, Watson.

Those voting in the negative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Morrill, Rich, Williams, Mr. President.

Senator Ellett moved to amend the bill as follows:

Line 3, at the end of the line, insert "nor shall he sell of offer for sale to the state of Utah or any of its departments or subdivisions, any goods, wares, merchandise or services of any nature or description whatsoever, nor shall he sell any goods, wares, merchandise or services of any description whatsoever to any corporation, firm or association doing business with the state or any of its departments or subdivisions, nor shall any corporation of which he is an officer, stockholder or legal representative furnish any goods, wares, merchandise or any services whatsoever to the state or any of its departments or subdivisions."

Senator Huggins, four Senators concurring therein, requested a roll call on the motion.

The motion to amend was lost on the following roll call:

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

Those voting in the affirmative were: Senators Ellett, Spence.

Those voting in the negative were Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

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

At the end of line 3 insert the following: "; provided that only such members receiving direct remuneration from the state or any of its commissions, departments, bureaus or agencies, shall be included within the provisions of this act."

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

Line 2, strike the word "within".

Line 3, strike the first eleven words and insert in lieu thereof the words "during the term for which he is elected".

Lines 3 and 4 of the title, strike the words "WITHIN ONE YEAR AFTER THE EXPIRATION OF THEIR TERM OF OFFICE" and insert the words "DURING THE TERM FOR WHICH HE IS ELECTED".

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

Line 1, strike the amendment after the word "Legislature".

S. B. No. 24 then passed on the following roll call:

Yeas, 12; Nays, 11; Absent, 0.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Morrill, Rich, Williams.

Those voting in the negative were: Senators Ashton, Bailey, Ellett, Ericksen, Johnston, Macfarlane, McMurrin, Miller, Spence, Watson, Mr. President (explained vote).

S. B. No. 24 was transmitted to the House.

On motion of Senator Farr the Senate adjourned until tomorrow at 10:00 a.m.

EIGHTEENTH DAY

MORNING SESSION

January 30, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 30, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 17th day and find it correct with minor amendments noted on the final copy.

Respectfully,

MRS. E. E. ERICKSEN,

C. HIRSCHI.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 29, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 12,* by Mr. Macfarlane and Mr. Spence, and the same is returned herewith for your files.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 12 was filed.

SPECIAL ORDER

On motion of Senator Huggins *H. B. No. 2* was committed to the Committee on Judiciary.

On motion of Senator Huggins *H. B. No. 1* was made a Special Order of Business to follow consideration of *H. B. No. 2* when said bill returns to the calendar.

CONSIDERATION OF BILLS ON THIRD READING

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, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

S. B. No. 43 was transmitted to the House.

S. B. No. 34 was read the third time and placed on its final passage.

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

Page 4, line 7, preceding the word "from" insert "Route 64."

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

In Section 36-6-22, subsection "c", after the word "canyon" insert "on Wasatch Boulevard", and after the word "Cottonwood" insert "Canyon".

Strike the whole of subsection "g".

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

Line 1 of the title, after "36-6-16" insert "36-6-19".

Page 1, line 1, after "36-6-16" insert "36-6-19".

Page 5, after line 11 and before section 36-6-22 add:

"36-6-19. Routes 171 to 180.

"The following named roads are hereby designated as state roads:

"(a) Route 171. From a point on route 1 south of Salt Lake City east via Thirty-third South Street to Wasatch Boulevard.

"(b) Route 172. From route 65 in Emigration Canyon to Pinecrest.

"(c) Route 173. From route 1 in Murray easterly via Vine Street to route 152.

"(d) Route 174. From route 68 in Taylorsville ( ) easterly via Forty-eighth South Street in Murray to Holladay Boulevard thence south to route 152 at Knudsen's Corner.

"(e) Route 175. From route 1 in Ogden north via Grant Avenue and Twenty-first Street to route 1.

"(f) Route 176. From route 1 in Salt Lake City south via Second West and Ninth South to route 1.

"(g) Route 177. From route 1 in Provo south via Fifth West and Third South to route 1.

"(h) Route 178. From route 36 in Tooele easterly to International Smelter.

"(i) Route 179. From a point on route 36 south of Tooele westerly to Bauer.

"(j) Route 180. From a point on route 36 south of Stockton southeasterly via Ophir to Mercur."

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

At the end of the bill after the entire paragraph adding "(f) Route 213 . . ." add: "(g) Route 214. Beginning on Utah Highway number 26 in Goshen thence southeasterly to Utah Highway number 91 at Mona.

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

At the end of the bill following section added by Senator Bailey, add: "(h) Route 215. Beginning at a point near the intersection of the south boundary of Section 2, Township 8 North, Range 2 west, and Utah Highway number 1 and running west about one and one-quarter miles."

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

On Page 5, in Section 36-6-12, subsection Route 103, line 5, strike the last word and strike the whole of line 6 and insert in lieu thereof "army supply depot".

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

Line 1 of the title, after the figures "36-6-16," insert "36-6-17".

Line 1, section 1, after the figures "36-6-16" insert "36-6-17".

Page 5, after line 11, insert after section 36-6-12:

"36-6-17. The following named roads are hereby designated as state roads:

"(a) Route 151. From Hailstone to Woodland.

"(b) Route 152. From Twenty-seventh South Street in Salt Lake City southeasterly along Highland Drive to the forest boundary line in Big Cottonwood Canyon.

"(c) Route 153. From route 67 in Salt Lake City via Eighth West Street northerly to route 1 at Becks.

"(d) Route 154. From Garland northeasterly to Collinston.

"(e) Route 155. From Washboard Junction on route 10 southerly to Cleveland and thence southwesterly to Huntington.

"(f) Route 156. From ( ) Meuller Park westerly to Five Points on route 1 south of Bountiful and continuing west two and one-half miles, thence south one mile.

"(g) Route 157. From Kenilworth westerly to route 8.

"(h) Route 158. From Devil Slide three miles east to Croyden ( ) and from junction at post office in Morgan City in westerly direction approximately one and one-half miles.

"(i) Route 159. From junction with route 4 south of Magna southerly along foothills to Lark and then easterly via Fort Harriman to Riverton.

"(j) Route 160. From route 1 near Juab easterly to junction with route 28."

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

At the end of the bill following the section added by Senators Bailey, Rich and Dawson, add: "(k) Route 218. Beginning at a point on route 1 approximately 2.2 miles north of the center of Logan, thence west approximately three-fourths mile, thence northerly and westerly to the Benson Ward L. D. S. Church.

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

At the end of the bill in Section 2, add the following: "(j) Route 217. Beginning on route 32 about 1 mile northwesterly from Fairview and at a point southeast of the bridge over the San Pitch River and running south to junction with route 32 at the bend about 1 and one-quarter miles southwesterly from Fairview."

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

Section 36-6-4, route 23, after the word "easterly" insert the word "by" and strike the word "to" and insert at the end of the line the words "to Boulder".

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

Page 5, line 2, after the word "Alpine" insert "thence westerly to the State Training School".

S. B. No. 34 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey ,Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

S. B. No. 34 was ordered reprinted, as amended, and transmitted to the House.

S. B. No. 38 was read the third time and placed on its final passage.

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

Page 8, strike the whole of line 17, and on line 18, strike up to and including the word "premises" and insert in lieu thereof "miniature boiler and".

In the title, Lines 8 and 9, strike the words "AND UNFIRED PRESSURE VESSELS".

Page 2, lines 10, 18 and 21, strike the words "and unfired pressure vessels". Strike the whole of section 3 and renumber the following sections accordingly.

Page 3, lines 1, 17 and 18, strike the words "or unfired pressure vessels".

Line 21, strike the words "and unfired pressure vessels".

Page 4, lines 2 and 4, strike the words "or unfired pressure vessels".

Lines 8, 14, 15 and 19, strike the words "and unfired pressure vessels".

Line 24, strike the figure "8" and insert "7".

Line 28, strike the figures "10" and insert "9".

Page 5, lines 5 and 7, strike the words "and unfired pressure vessels".

Line 8, strike the figures "14" and insert "13".

Page 6, Lines 9 and 10, strike the words "and unfired pressure vessels".

Lines 11, 17, 23 and 33, strike the words "or unfired pressure vessels".

Line 11, strike the figure "7" and insert "6".

Page 7, lines 3, 4, 7, 8, 9, 10, 14, 19, 21 and 27, strike the words "or unfired pressure vessels".

Lines 12 and 32, strike the words "and unfired pressure vessels".

Page 8, lines 3, 4 and 5, strike the words "and unfired pressure vessels".

Line 12, strike the words "or unfired pressure vessels".

Line 21, beginning with the word "or" strike up to and including the word "years" on line 22.

Page 6, line 12, strike the last four words.

Line 13, strike up to and including the word "vessels".

Line 19, strike the last ten words.

Line 20, strike the first six words.

On motion of Senator Johnston 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

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 104*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 104 was ordered printed and referred to the Committee on Banking and Commerce.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 105*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 105 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 106*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 106 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 107*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 107 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 109*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 109 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 112*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 112 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 114*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 114 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 115*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 115 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 116*, by Committee on Judiciary, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 116 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 117*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 117 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 118*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 118 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 122*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 122 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 124*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 124 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 125*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 125 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 126*, by Judiciary Committee, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 126 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 127*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 127 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 1*, by Mr, Child, has carefully considered said bill, and reports the same out favorably with the following amendment:

Page 1, line 16, after the period add a new sentence as follows: "Five year old children enumerated under the provisions of this act shall not participate in any of the state's various school funds."

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

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

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 2*, by Mr. Child, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 2 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 3*, by Mr. Child, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. J. R. No. 3 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 4*, by Mr. Child, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. J. R. No. 4 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 5*, by Mr. Child, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. J. R. No. 5 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 65*, by Mr. McMurrin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 65 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 66*, by Mr. McMurrin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 66 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 81*, by Messrs. Hirschi, Lundell and Ashton, has carefully considered said bill, and reports the same out favorably, with the following amendment:

Section 1, line 1, delete "$90,000" and insert a blank in lieu thereof; line 4, delete "$30,000" and insert a blank in lieu thereof.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 81 was placed on the Second Reading Calendar.

January 29, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 18*, by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

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

January 29, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 2*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

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

January 29, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 21*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

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

January 29, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 10,* by Messrs. Miller, Pace and Lund, has carefully considered the same, and reports said bill out favorably with the following amendments:

Page 1, lines 9, 10 and 11, delete the underlined portion and insert in lieu thereof the following: "provided, that the county library board may establish and maintain branches and designate as a branch of the county library system any existing library within the county, the latter action to be permissive only upon written application from the library board of said library which is to be included as a branch of the county library system."

Page 2, line 6, delete the words "or libraries," and insert the words "and branches".

Page 2, line 10, strike the word "libraries" and insert "library" in lieu thereof.

Page 2, line 11, delete the word "or" and insert in its place the word "and".

Page 2, line 14, delete the underlined words "or libraries" and insert in lieu thereof the words "and branches thereof".

Page 2, line 16, delete the words "each such" and insert the word "the". Also, in line 16, immediately following the word "library" insert the words "and branches". From lines 20 to 25 inclusive, delete section 2 entirely and substitute in its place the following:

Section 2. The city councils of a city of the third class and the board of trustees of an incorporated town and the county library board and boards of education are authorized to cooperate in the establishment, maintenance and administration of libraries, or in providing library services and may enter into contract regarding the proportion that each shall pay toward the establishment and maintenance of such libraries or such library services."

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 10 was placed on the Second Reading Calendar.

January 29, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. C. R. No. 1,* by Messrs. Pace, Johnson and Leary, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. C. R. No. 1 was placed on the Second Reading Calendar.

Senator McMurrin moved that when we do adjourn it be until Monday, February 3, 1941, at 10:00 a.m.

Motion carried.

UNFINISHED BUSINESS

S. B. No. 38 on Third Reading.

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

Page 3, line 21, after the word "agricultural" insert the words "or sawmill".

S. B. No. 38 then passed on the following roll call:

Yeas, 15; Nays, 8; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hopkin, Howard, Huggins, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Bailey, Dawson (explained vote), Ellett, Hirschi, Johnston, Lundell (explained vote), Morrill, Williams.

S. B. No. 38 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 128 By Mr. Macfarlane

AN ACT TO REQUIRE DOMESTIC PRIVATE CORPORATIONS FOR PECUNIARY PROFIT TO ESTABLISH AND MAINTAIN A REGISTERED OFFICE IN THE STATE OF UTAH AND TO DESIGNATE A RESIDENT OF THE STATE OR A CORPORATION AUTHORIZED TO DO BUSINESS IN THE STATE ITS REGISTERED AGENT UPON WHOM PROCESS AND OTHER NOTICES TO THE CORPORATION MAY BE SERVED, AND AMENDING SECTION 104-5-11, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 129 By Mr. Dawson

AN ACT AMENDING SECTION 102-3-12, REVISED STATUTES OF UTAH, 1933, RELATING TO CONTESTS OF WILLS AFTER PROBATE AND LIMITING TIME WITHIN WHICH CONTESTS MAY BE MADE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130 By Mr. Ellett

AN ACT AMENDING SECTION 80-9-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 60, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 103, LAWS OF UTAH, 1937, PROVIDING MAXIMUM LEVIES THAT MAY BE MADE IN COUNTIES, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 6 was read the second time.

Committee report read and adopted.

S. J. R. No. 6 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Williams, Mr. President.

Voting in the negative: Senator Morrill (explained vote).

Absent and not voting: Senators Ericksen, Hopkin, Lundell, Spence, Watson.

S. B. No. 70 was read the second time.

Committee report read and adopted.

Senator Farr moved that the rules be suspended and that the Senate consider *S. B. No. 71* along with *S. B. No. 70*.

Motion carried.

S. B. No. 71 was read the second time.

Committee report read and adopted.

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

Page 1, line 5, strike the word "thirty" and insert the word "fifteen".

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

Page 1, line 6, strike the word "person" and insert the word "applicant".

Page 2, line 20, after the word "judge" delete the comma and insert the word "of".

S. B. No. 71 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Morrill.

Senator Macfarlane moved that a telegram of felicitations and congratulations of the Senate of the Twenty-fourth Legislature be sent to President Franklin D. Roosevelt on his birthday.

Motion carried.

Senator Huggins, presiding, appointed Senator Macfarlane and President Grover to compose the wire.

The following wire was sent:

Pres. Franklin D. Roosevelt

Washington, D.C.

Utah State Senate in open session unanimously congratulates you on the anniversary of your birth and sincerely prays for your continued good health.

UTAH STATE SENATE.

S. B. No. 70 on Second Reading.

S. B. No. 70 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 Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard (explained vote), Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Child, Macfarlane, Mr. President.

S. B. No. 72 was read the second time.

Committee report read and adopted.

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

In the title, line 4, after the word "WOMEN" insert the words "AND LABORATORY STATEMENTS WITH RESPECT THERETO".

Line 5, strike the word "approval" and insert the word "approved".

Line 10, strike the letter "y" in the word "syphyilis".

Page 2, between lines 1 and 2, insert the following new section and renumber the following sections accordingly:

"Section 3. Upon a separate form to be furnished by the state board of health a detailed report of the standard serological text, showing the

result of the test, shall be transmitted by the laboratory to the physician, and a copy of the detailed report of the laboratory shall be submitted to the state board of health, where it shall be held in absolute confidence and shall not be open to public inspection; provided that it shall be produced for evidence at a trial or proceeding in a court of competent jurisdiction, involving issues in which it may be material and revelant, on an order of a judge of the court requiring its production, and provided that it may be used in the compilation of aggregate figures and reports, without disclosing the identities of the persons involved."

S. B. No. 72 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ericksen, McMurrin.

COMMUNICATIONS FROM THE HOUSE

January 30, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 4*, by Mr. Twitchell, Mr. Miller and Mr. T. M. Rees, entitled, "AN ACT TO PROVIDE THE POWER OF LOCAL OPTIONS TO CITIES, TOWNS, AND COUNTIES FOR THE SALE OF INTOXICATING LIQUORS THEREIN BY THE LIQUOR COMMISSION OF THE STATE OF UTAH AND PROVIDING FOR ELECTIONS BY THE TOWNS, CITIES AND COUNTIES OF LOCAL OPTION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 4 was read the first time and referred to the Committee on Judiciary.

January 29, 1941.

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. Smith, Mr. Bennion and Mr. Adams, entitled, "AN ACT RELATING TO AGRICULTURAL COMMODITIES AND CONCERNING THE PRODUC-

UCTION, SALE AND DISTRIBUTION OF AGRICULTURAL COMMODITIES; STATING A DECLARATION OF POLICY AND DEFINING TERMS; PROVIDING FOR THE STABILIZATION AND MARKETING OF AGRICULTURAL COMMODITIES; PROVIDING FOR THE ISSUANCE FOR THAT PURPOSE BY THE COMMISSIONER OF AGRICULTURE OF MARKETING ORDERS FOR THE PURPOSES OF REGULATING THE HANDLING IN INTRASTATE COMMERCE OF AGRICULTURAL COMMODITIES; PROVIDING FOR THE CONDITIONS UPON WHICH SUCH ORDERS MAY BE ISSUED, INCLUDING THE HEARINGS WITH RESPECT THERETO; PROVIDING FOR THE ADMINISTRATION OF THIS ACT AND CREATING BOARDS OF CONTROL FOR THE ADMINISTRATION OF SUCH MARKETING ORDERS; FIXING THE POWERS AND DUTIES OF SUCH BOARDS; PROVIDING FOR THE COLLECTION AND DISBURSEMENTS OF SUCH MARKETING ORDERS; PROVIDING FOR THE MAKING OF RULES AND REGULATIONS COVERING THE ADMINISTRATION OF MARKETING ORDERS BY SUCH BOARDS OF CONTROL AND FOR THE ADMINISTRATION OF THIS ACT; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ACT AND ANY RULES AND REGULATIONS MADE PURSUANT THERETO; AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 41 was read the first time and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 9,* by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 102*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 102 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 103*, By Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 103 was ordered printed and referred to the Committee on Health and Labor.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 108*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 108 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 110*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 110 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 111*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 111 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 113*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 113 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 119*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 119 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 120*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 120 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 121*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 121 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 123*, by Judiciary Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 123 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 129*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 129 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 128*, by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 128 was ordered printed and referred to the Committee on Judiciary.

January 30, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 130*, by Mr. Ellett, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 130 was ordered printed and referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILLS

S. B. No. 131 By Mr. Child

AN ACT AMENDING SECTION 15-8-89, REVISED STATUTES OF UTAH, 1933, RELATING TO ZONING ORDINANCES BY LEGISLATIVE BODIES OF CITIES, AND PERMITTING LEGISLATIVE BODIES OF TOWNS TO ENACT ZONING ORDINANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 132 By Mr. Child

AN ACT AUTHORIZING PLANNING AND ZONING OF UNINCORPORATED TERRITORY WITHIN COUNTIES: PROVIDING FOR THE APPOINTMENT OF COUNTY AND DISTRICT PLANNING COMMISSIONS IN CONNECTION THEREWITH, PRESCRIBING THE PROCEDURE THEREFOR: AND PROVIDING PENALTIES FOR VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. M. No. 1 By Mr. Watson

A JOINT MEMORIAL BY THE LEGISLATURE OF THE STATE OF UTAH ON THE MATTER OF STATES' RIGHTS IN AND TO THE CONTROL OF STREAMS WITHIN THEIR RESPECTIVE BOUNDARIES, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin (explained vote), Miller, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ericksen, Morrill.

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

On motion of Senator Williams the Senate adjourned.

TWENTY-SECOND DAY

MORNING SESSION

February 3, 1941.

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

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

Prayer by the Chaplain.

February 3, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 18th day and find it correct with minor amendments noted on the final copy.

Respectfully,

MRS. E. E. ERICKSEN,

C. HIRSCHI.

Report adopted and filed.

The President appointed Senators Christensen and Ashton to revise the Journal for the week ending February 8, 1941.

COMMUNICATIONS FROM THE HOUSE

January 29, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 8*, by Mr. Child, entitled, "RESOLUTION OF CONDOLENCE," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 8 was transmitted to the Secretary of State.

February 1, 1941.

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. 5*, by the Resolutions and Memorials Committees, en-

titled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE BODELL UPON THE DEATH OF HIS MOTHER, SARAH BODELL," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 5 was signed by the President in open session in the presence of the Senate and returned to the House for transmission to the Secretary of State.

January 30, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 44*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 103-26-3, REVISED STATUTES OF UTAH, 1933, RELATING TO BRIBES OR OFFERS OF BRIBES TO ANY EXECUTIVE OFFICER, PEACE OFFICER, OR ANY PERSON AUTHORIZED TO ENFORCE THE LAW," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 44 was read the first time and referred to the Committee on Judiciary.

February 1, 1941.

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. 31*, by Mr. Redd and Mr. Joseph E. Rees, entitled, "AN ACT TO AMEND SECTION 86-1-29, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE SALE OF PUBLIC LANDS AND FIXING THE NOTICE THAT SHALL BE GIVEN FOR THE SALE OF TRACTS OF LAND IN EXCESS OF THREE HUNDRED TWENTY ACRES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 31 was read the first time and referred to the Committee on Public Institutions.

February 1, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 59*, by the Education Committee, entitled, "AN ACT AMENDING SECTION 75-15-1, REVISED STATUTES OF UTAH, 1933, RELATING TO THE STATE TEXTBOOK COMMISSION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 59 was read the first time and referred to the Committee on Education.

February 1, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 58*, by the Education Committee, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 76, LAWS OF UTAH, 1939, RELATING TO THE PERSONNEL AND TERM OF MEMBERS OF THE STATE COURSE OF STUDY COMMITTEE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 58 was read the first time and referred to the Committee on Education.

February 1, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 25*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 80-5-20, REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSING ANIMALS BEING FED OR REMOVED FOR SLAUGHTER," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 25 was read the first time and referred to the Committee on Agriculture and Irrigation.

January 30, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 8*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PREPARATION AND CERTIFICATION OF ABSTRACTS OF TITLE BY COUNTY RECORDER; PROVIDING LIABILITY OF COUNTY," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 1, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the first day of February, 1941, approve and transmit to the Secretary of State, *H. B. No. 3*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 20-4-2, REVISED STATUTES OF UTAH, 1933, RELATING TO CITY COURTS; JUDGES; NUMBER, ELECTION, TERM OF OFFICE."

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

January 31, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 131*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 131 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 132*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 132 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 30, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 62,* by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 62 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 82,* by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

January 30, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. J. R. No. 1,* by Mr. Twitchell, has carefully considered said resolution, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

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

January 30, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 61,* by Mr. Johnston, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 61 was placed on the Second Reading Calendar.

January 31, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 99*, by Mr. Christensen, has carefully considered the bill, and reports the same out favorably.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

January 31, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 90*, by Mr. Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 90 was placed on the Second Reading Calendar.

January 31, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 30*, by Mr. Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 30 was placed on the Second Reading Calendar.

January 31, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 29*, by Mr. Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 29 was placed on the Second Reading Calendar.

January 31, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 26*, by Committee on Highways, has carefully considered said bill, and reports the same out without recommendation with the following amendments:

Page 19, line 10, strike the word "article" and insert "act".

Page 26, lines 11 and 12, strike the word "article" and insert the word "act".

Page 27, line 1, strike the word "article" and insert "act".

Page 34, line 6, strike the word "article" and insert "act".

Page 34, line 7, strike the word "article" and insert "act".

Page 34, line 8, strike the word "article" and insert "act".

Page 34, line 10, strike the word "article" and insert "act".

Page 34, line 11, strike the word "article" and insert "act".

Page 34, line 33, strike the word "article" and insert "act".

Page 35, line 3, strike the word "article" and insert "act".

Page 39, line 30, strike the word "article" and insert "act".

Page 52, line 23, correct the spelling of the word "inspection".

Page 56, line 7, strike the word "article" and insert "act".

Page 56, line 12, strike the word "article" and insert "act".

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 26 was placed on the Second Reading Calendar.

January 31, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 20*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably, with the following amendment:

Page 2, between lines 32 and 33 show a deletion "( )".

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 20 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 133 By Mr. Miller

AN ACT APPROVING, RATIFYING AND CONFIRMING THE PROCEDURE OF THE COUNTY COMMISSIONERS AS A COMMITTEE OF THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 134 By Mr. Miller

AN ACT AMENDING SECTION 19-5-79, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 32, LAWS OF UTAH, 1937, RELATING TO TAX FOR EXHIBITS AND ENCOURAGING TRADE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 135 By Mr. Macfarlane

AN ACT PROVIDING FOR THE REGISTRATION OF PERSONS DESIGNATED AS THE AGENT OF A FOREIGN CORPORATION UPON WHOM LEGAL PROCESS MAY BE SERVED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 136 By Mr. Rich

AN ACT AMENDING SECTION 19-5-38, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE COUNTY COMMISSIONERS WITH RESPECT TO ACQUIRING AND MAINTAINING HIGHWAYS AND HANGARS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 137 By Mr. Grover

AN ACT AMENDING SECTION 42-4-1, REVISED STATUTES OF UTAH, 1933, AND SECTION 42-4-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 42, LAWS OF UTAH, 1937, AND SECTION 42-4-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 33, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 42, LAWS OF UTAH, 1937, AND ENACTING NEW SECTIONS TO BE KNOWN AS 42-4-10 AND 42-4-11, RELATING TO FIREMEN'S PENSION FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 138 By Mr. Dawson

AN ACT AMENDING SECTION 21, CHAPTER 68, LAWS OF UTAH, 1919, AS AMENDED BY CHAPTER 9, LAWS OF UTAH, 1923, RELATING TO THE LEVYING AND COLLECTION OF TAXES OF

IRRIGATION AND WATER CONSERVATION DISTRICTS, AND PROVIDING FOR THE PURCHASE OF LANDS HELD BY A COUNTY UNDER TAX DEED BY A PAYMENT IN BONDS OR INTEREST COUPONS OF SUCH DISTRICT, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Howard moved that the rules be suspended and that the Senate consider *H. J. R. No. 1* on Second Reading.

Motion carried.

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Macfarlane.

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

CONSIDERATION OF BILLS ON THIRD READING

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, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Morrill.

Absent and not voting: Senators Hopkin, Macfarlane.

S. J. R. No. 6 was transmitted to the House.

S. B. No. 71 was read the third time and placed on its final passage.

On motion of Senator Huggins *S. B. No. 71* was made a Special Order of Business for 11:30 this morning.

S. B. No. 70 was read the third time and placed on its final passage.

S. B. No. 70 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Christensen, Hopkin, Huggins, Lundell, Macfarlane, Mr. President.

S. B. No. 70 was transmitted to the House.

S. B. No. 72 was read the third time and placed on its final passage.

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

Page 1, line 8, after the word "shall" insert "within ten days from the time of the first attendance".

S. B. No. 72 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Howard, Johnston, Lundell (explained vote), McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Ellett (explained vote).

Absent and not voting: Senators Hopkin, Huggins, Macfarlane.

S. B. No. 72 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 7 was read the second time.

Committee report read and adopted.

On motion of Senator Miller the rules were suspended and *S. J. R. No. 7* was read the third time and placed on its final passage.

S. J. R. No. 7 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Ashton.

Absent and not voting: Senators Farr, Hopkin, Macfarlane.

S. J. R. No. 7 was transmitted to the House.

S. B. No. 5 was read the second time.

Committee report read and adopted.

S. B. No. 5 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Rich, Spence, Mr. President.

Absent and not voting: Senators Ericksen, Hopkin, Macfarlane, Morrill, Watson, Williams.

S .B. No. 88 was read the second time.

Committee report read and adopted.

In accordance with a previous motion *S. B. Nos. 7* and *14* were taken off the Special Order Calendar and the Senate proceeded to consider said bills along with *S. B. No. 88*.

S. B. Nos. 7 and *14* on Second Reading.

On motion of Senator Ellett *S. B. No. 88* was amended as follows:

Page 1, line 19, the last word to read "labor".

On motion of Senator Hirschi *S. B. No. 7* was amended as follows:

Line 5, after the word "recorder" insert "who may charge a fee not to exceed 25 cents for each such entry."

Committee report on *S. B. No. 14* read and adopted.

On motion of Senator Huggins the rules were suspended and *S. B. No. 7* was read the third time and placed on its final passage.

S. B. No. 7 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Lundell, Macfarlane, Spence.

S. B. No. 7 was transmitted to the House.

On motion of Senator Huggins the rules were suspended and *S. B. No. 88* was read the third time and placed on its final passage.

S. B. No. 88 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Lundell, Macfarlane, Watson.

S. B. No. 88 was transmitted to the House.

SPECIAL ORDER

S. B. No. 71 on Third Reading.

On motion of Senator Farr *S. B. No. 71* was made a Special Order of Business for this afternoon at 2:30.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 14 on Second Reading.

On motion of Senator Spence 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 Macfarlane, excused.

REPORT OF STANDING COMMITTEE

February 3, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 5*, by Mr. Redd, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 5 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 139 By Mr. Miller

AN ACT DEFINING THE ADMINISTRATIVE FUNCTIONS OF THE STATE; REORGANIZING, COMBINING, REVISING AND CO-ORDINATING THE VARIOUS EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS, COMMISSIONS, DIVISIONS, BOARDS AND AGENCIES OF THE STATE; ALLOCATING STATE FUNCTIONS TO THE DEPARTMENTS AND AGENCIES ESTABLISHED BY THIS ACT; PROVIDING FOR NEW ADMINISTRATIVE DEPARTMENTS, COMMISSIONS, AND ADVISORY AND ADMINISTRATIVE BOARDS; CREATING AN EXECUTIVE DEPARTMENT, PRESCRIBING THE POWERS AND DUTIES AND ORGANIZATION THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE ADJUTANT GENERAL, THE BOARD OF PARDONS AND PAROLE, AND THE STATE

PLANNING BOARD, AND THOSE FUNCTIONS HERETOFORE PERFORMED BY THE STATE ROAD COMMISSION RELATING TO THE HIGHWAY PATROL AND BY THE STATE TAX COMMISSION RELATING TO REGISTRATION AND INSPECTION OF MOTOR VEHICLES, GIVING TO THE GOVERNOR SUPERVISORY AND ADMINISTRATIVE CONTROL OVER APPROPRIATIONS MADE BY THE LEGISLATURE; CREATING A DEPARTMENT OF STATE, PRESCRIBING THE POWERS, DUTIES AND ORGANIZATION THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE SECRETARY OF STATE AND STATE HISTORICAL SOCIETY; CREATING A DEPARTMENT OF ATTORNEY GENERAL AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF FINANCE PRESCRIBING THE POWERS AND DUTIES AND ORGANIZATION THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE BOARD OF SUPPLIES AND PURCHASES, THE TEACHER'S RETIREMENT BOARD AND THE STATE LAND BOARD AND THOSE FUNCTIONS HERETOFORE PERFORMED BY THE INDUSTRIAL COMMISSION INSOFAR AS THEY RELATE TO THE ADMINISTRATION OF THE STATE INSURANCE FUND, AND PROVIDING THAT THE STATE TREASURER BE A MEMBER OF SAID DEPARTMENT AND DEFINING HIS POWERS, AND PROVIDING FOR A PURCHASING STANDARDIZATION COMMITTEE AND DEFINING THE POWERS AND DUTIES THEREOF, PROVIDING FOR A POST AUDIT OF ALL FINANCIAL TRANSACTIONS AND ACCOUNTS OF THE STATE; CREATING A DEPARTMENT OF PUBLIC WELFARE AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE STATE BOARD OF PUBLIC WELFARE, BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL, STATE INDUSTRIAL SCHOOL, BOARD OF TRUSTEES OF THE STATE TRAINING SCHOOL, JUVENILE COURT AND PROBATION COMMISSION AND THE TUBERCULOSIS HOSPITAL BOARD; CREATING A DEPARTMENT OF ENGINEERING AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE STATE ENGINEER, THE STATE ROAD COMMISSION, THE STATE AERONAUTICS COMMISSION, THE STATE BUILDING COMMISSION, AND THE STATE WATER STORAGE COMMISSION, PROVIDING FOR A BUILDING BOARD; CREATING A DEPARTMENT OF BUSINESS REGULATION, AND PRESCRIBING THE ORGANIZATION POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE BANK COMMISSIONER, INSURANCE COMMISSIONER, TRADE COMMISSION, PUBLIC SERVICE COM-

MISSION, DEPARTMENT OF REGISTRATION, SECURITIES COMMISSION AND THE LIQUOR CONTROL COMMISSION, PROVIDING FOR THE APPOINTMENT OF PUBLIC UTILITY, LIQUOR CONTROL, AND BANKS, INSURANCE AND SECURITIES ADMINISTRATORS; CREATING A DEPARTMENT OF EDUCATION, PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION AND THE BOARDS OF TRUSTEES FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND; CREATING AN INDUSTRIAL COMMISSION AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF AGRICULTURE, PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF AND PROVIDING FOR THE STATE FAIR ASSOCIATION AND A SOIL CONSERVATION COMMITTEE; CREATING A DEPARTMENT OF FISH AND GAME AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF HEALTH, AND PRESCRIBING THE ORGANIZATION POWERS AND DUTIES THEREOF; CREATING A STATE TAX COMMISSION AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; PROVIDING FOR THE APPOINTMENT OF ADVISORY COUNCILS FOR THE VARIOUS DEPARTMENTS AND COMMISSIONS; PROVIDING FOR THE CONTINUATION OF THE ADMINISTRATIVE FUNCTIONS OF THE VARIOUS DEPARTMENTS, COMMISSIONS AND STATE AGENCIES UNTIL THE REORGANIZATION IS COMPLETED: PROVIDING FOR THE TRANSFER OF THE FUNCTIONS OF STATE AND THE PROPERTY OF THE STATE TO THE NEW DEPARTMENTS AND COMMISSIONS AND BOARDS; PROVIDING FOR THE CO-OPERATION OF ALL STATE AGENCIES IN EFFECTING A TRANSFER OF AUTHORITY AND FUNCTIONS TO THE NEW DEPARTMENTS, COMMISSIONS AND BOARDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 140 By Health and Labor Committee

AN ACT AMENDING SECTIONS 43-3-36, 43-3-37 AND 43-3-38 OF THE REVISED STATUTES OF UTAH, 1933; RELATING TO WORKMAN'S COMPENSATION INSURANCE, OCCUPATIONAL DISEASE INSURANCE AND INSURANCE COMPANIES WRITING SUCH INSURANCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 141 By Health and Labor Committee

AN ACT AMENDING SECTION 42-2-1 OF THE REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 51, LAWS OF UTAH, 1939, AND SECTION 42-2-4 OF THE REVISED STATUTES OF UTAH, 1933; RELATING TO THE INDUSTRIAL COMMISSION OF UTAH, THE STATE INSURANCE FUND, WORKMEN'S COMPENSATION INSURANCE AND OCCUPATIONAL DISEASE INSURANCE, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 14 on Second Reading.

On motion of Senator Huggins *S. B. No. 14* was made a Special Order of Business for tomorrow afternoon at 2:30.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 31 was read the second time.

Committee report read and adopted.

S. B. No. 31 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 Ashton, Bailey, Child, Christensen, Dawson (explained vote), Ellett, Ericksen, Farr, Hopkin, Howard, Huggins (explained vote), Johnston, Lundell, McMurrin, Miller, (explained vote), Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Hirschi, Macfarlane, Williams.

S. B. No. 1 was read the second time.

Committee report read and adopted.

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

Strike the whole of lines 10, 11 and 12 and the first word on line 13, and insert the following in lieu thereof:

"( ); provided that in cities of the first class enumerators shall also enter upon lists the name of every child who on October 31 of that year shall have reached the age of five years and shall not have reached the age of six years, but such names shall not be included in the statement required to be prepared and furnished to the state superintendent of public instruction, as provided in section 75-11-13, revised statutes of Utah, 1933."

Strike the Committee amendment on line 16.

S. B. No. 1 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, McMurrin, Morrill, Rich, Spence (explained vote), Williams, Mr. President.

Absent and not voting: Senators Hirschi, Macfarlane, Miller, Watson.

SPECIAL ORDER

S. B. No. 71 on Third Reading.

On motion of Senator Farr *S. B. No. 71* was made a Special Order of Business for tomorrow morning at 10:30.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 2 was read the second time.

Committee report read and adopted.

S. B. No. 2 was placed on the Third Reading Calendar on the following roll call:

Yeas, 10; Nays, 9; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ellett, Ericksen, Huggins, Johnston, McMurrin, Rich, Watson.

Those voting in the negative were: Senators Dawson, Farr, Hirschi (explained vote), Howard, Lundell, Miller, Morrill, Williams, Mr. President.

Absent and not voting: Senators Bailey, Hopkin, Macfarlane, Spence.

S. J. R. No. 3 was read the second time.

Committee report read and adopted.

S. J. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 7; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, McMurrin, Morrill, Rich, Watson.

Those voting in the negative were: Senators Ashton, Ellett, Howard, Lundell, Miller, Spence, Williams.

Absent and not voting: Senators Christensen, Macfarlane, Mr. President.

On motion of Senator Farr the Senate adjourned until tomorrow morning at ten a.m.

TWENTY-THIRD DAY

MORNING SESSION

February 4, 1941.

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

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

Prayer by the Chaplain.

February 4, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 22nd day, and find it correct with minor amendments noted on the final copy.

Respectfully,
GEO. A. CHRISTENSEN,
LYNNE ASHTON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 3, 1941.

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. 38*, by Mr. McGean, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 15, LAWS OF UTAH, 1937, RELATING TO THE DISPOSITION OF CHATTEL MORTGAGES AFTER THE SAME HAVE BEEN RELEASED OR HAVE BEEN ON FILE 10 YEARS OR MORE," and the same is transmitted herewith for your action.

Respectfully,
J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 38 was read the first time and referred to the Committee on Judiciary.

February 3, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 40*, by Mr. Selvin, Mr. Nichols, Mr. Dix, Mr. Scherer, and Mr. Bodell, entitled, "AN ACT TO AMEND SECTION 1,

CHAPTER 53, LAWS OF UTAH, 1937, RELATING TO THE DUTY OF EVERY PERSON BEFORE COMMENCING EMPLOYMENT WITH ANY PERSON, FIRM OR CORPORATION WHOSE EMPLOYEES ARE ON STRIKE TO REGISTER WITH INDUSTRIAL COMMISSION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 40 was read the first time and referred to the Committee on Health and Labor.

REPORTS OF STANDING COMMITTEES

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 133*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 133 was ordered printed and referred to the Committee on Judiciary.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 134*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 134 was ordered printed and referred to the Committee on Revenue and Taxation.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 135*, by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 135 was ordered printed and referred to the Committee on Judiciary.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 136*, by Mr. Rich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 136 was ordered printed and referred to the Committee on Highways.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 137*, by Mr. Grover, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 137 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 138*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 138 was ordered printed and referred to the Committee on Judiciary.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 140*, by Health and Labor Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 140 was ordered printed and referred to the Committee on Health and Labor.

February 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141*, by Committee on Health and Labor, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 141 was ordered printed and referred to the Committee on Health and Labor.

February 3, 1941.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 91*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

BYRON A. HOWARD,
Chairman.

Report filed.

S. B. No. 91 was placed on the Second Reading Calendar.

February 3, 1941.

Mr. President:

We, your Committee on Revenue and Taxation, have carefully considered *S. B. No. 4*, by Mr. Miller, and take leave to report that the author was by this body permitted to withdraw the same from our consideration. We, therefore, report the bill out with recommendation that it be remitted to its author.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 4 was returned to its author.

PRESENTATION OF RESOLUTION

S. J. R. No. 10 By Mr. Miller

A JOINT RESOLUTION RECOMMENDING TO THE ELECTORS OF THE STATE TO VOTE FOR OR AGAINST A CONVENTION TO REVISE OR AMEND THE CONSTITUTION OF THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 142 By Mr. Farr

AN ACT AMENDING SECTIONS 9 AND 22, CHAPTER 114, LAWS OF UTAH, 1937, KNOWN AS THE USE TAX ACT OF 1937; RELATING TO TAXES COLLECTABLE FROM INSOLVENT ESTATES AND PROVIDING FOR THE PUBLICATION OF NAMES OF DELINQUENT TAXPAYERS AND AMOUNT OF DELINQUENCY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 143 By Mr. Farr

AN ACT AMENDING SECTION 2, CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 20, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AS AMENDED BY CHAPTER 91, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 110, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 103, LAWS OF UTAH, 1939, AND SECTIONS 7 AND 8, CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 103, LAWS OF UTAH, 1939; AND SECTION 10, CHAPTER 63, LAWS OF UTAH, 1933, RELATING TO THE EMERGENCY REVENUE ACT OF 1933, DEFINITIONS USED THEREIN; PUBLICATION OF NAMES OF DELINQUENT TAXPAYERS AND AMOUNT OF DELINQUENCY; LIMITING OF TAXES ON INSOLVENT ESTATES AND PROVIDING FOR PAYMENT OF TAXES BY PURCHASERS OF GOING BUSINESSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 144 By Mr. McMurrin

AN ACT AMENDING SECTION 75-11-8, REVISED STATUTES OF UTAH, 1933, RELATING TO COMPENSATION AND EXPENSES OF MEMBERS OF BOARDS OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 145 By Mr. Watson (By Request)

AN ACT AMENDING SECTION 1, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AS AMENDED BY CHAPTER 74, LAWS OF UTAH, 1935, AND SECTIONS 3 AND 9, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO INDUSTRIAL RECOVERY—PUBLIC PROJECTS OR SERVICE, AND PROVIDING A MEANS FOR THE PURCHASE, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT, EXTENSION AND REPAIR BY ANY COUNTY, COUNTY IMPROVEMENT DISTRICT, CITY, OR INCORPORATED TOWN OF A WATER-WORKS SYSTEM, SEWER SYSTEM, SANITARY DISPOSAL EQUIPMENT AND APPLIANCES, ICE PLANT, GAS OR ELECTRIC PLANTS

AND DISTRIBUTION SYSTEMS, HOSPITALS, TOLL BRIDGES, SLAUGHTER HOUSES, AND ANY PUBLIC PROJECT OR SERVICE WHICH MAY BE LAWFULLY OWNED AND OPERATED OR MANAGED BY SUCH COUNTIES, CITIES OR INCORPORATED TOWNS; ALSO TO PROVIDE FOR THE ISSUANCE BY REVENUE BONDS TO COVER THE COST THEREOF AND TO PROVIDE A MEANS OF PAYMENT THEREFOR FROM THE REVENUES OF SUCH PROJECTS OR SERVICES; PROVIDING A MEANS OF SEGREGATING THE REVENUE FROM EXISTING PROJECTS OR SERVICES AND ANY ADDITIONS, EXTENSIONS, BETTERMENTS OR REPAIRS THEREOF; PROVIDING A MEANS FOR REQUIRING BOND ELECTIONS TO BE HELD IN CONNECTION THEREWITH; PROVIDING CONDITIONS AND REGULATIONS WITH RESPECT TO THE PURCHASE, CONSTRUCTION AND OPERATION OF SUCH PROJECTS OR SERVICES AND THE MANNER OF ISSUANCE, TERMS AND CONDITIONS OF SUCH BONDS; AND REPEALING SECTION 22, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AND SECTION 23, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AS AMENDED BY CHAPTER 74, LAWS OF UTAH, 1935, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 71 on Third Reading.

S. B. No. 71 passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett (explained vote), Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Huggins, Lundell, Macfarlane.

S. B. No. 71 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

Senator Ericksen moved that *S. B. No. 5* retain its place at the head of the Calendar.

Motion carried.

S. B. No. 31 was read the third time and placed on its final passage.

S. B. No. 31 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Huggins, Lundell, Macfarlane.

S. B. No. 31 was transmitted to the House.

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

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

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, McMurrin, Miller (explained vote), Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Huggins, Lundell, Macfarlane.

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

Senator Child moved that *S. B. No. 2* retain its position on the Calendar.

Motion carried.

S. J. R. No. 3 was read the third time and placed on its final passage.

Senator Child moved that *S. J. R. No. 3* retain its position on the Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 4 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins action on *S. J. R. Nos. 4* and *5* was deferred until after consideration of *S. B. No. 66*.

S. B. No. 65 was read the second time.

Committee report read and adopted.

S. B. No. 65 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Howard, Macfarlane.

S. B. No. 66 was read the second time.

Committee report read and adopted.

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

Line 4, after the word "committee" insert "as set forth in section 75-16-1, revised statutes of Utah, 1933, as amended."

S. B. No. 66 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Howard, Macfarlane, Spence.

S. J. R. No. 4 on Second Reading.

S. J. R. No. 4 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 Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Voting in the negative: Senator Ellett.

Absent and not voting: Senators Hopkin, Howard, Macfarlane, Spence.

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, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Those voting in the negative were: Senators Ellett (explained vote), Howard, Williams.

Absent and not voting: Senators Lundell, Macfarlane, Spence.

S. B. No. 81 was read the second time.

Committee report from Committee on Appropriations and Claims read and adopted.

Committee report from Committee on Public Institutions read and rejected.

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

Line 3, after the word "construction" insert "in such cities and towns, where units of national guards are located in Utah, as may be agreed upon by the adjutant general and the Governor."

Strike the word "at" and strike on Line 4 the words up to and including the word "Utah".

S. B. No. 81 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ericksen, Lundell, Macfarlane.

S. B. No. 18 was read the second time.

Committee report read and adopted.

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

Page 3, line 27, the word "commisison" be changed to read "commission".

Page 10, line 22, strike the word "date" and insert the word "data".

Page 7, lines 20, 21 and 22, strike the words appearing in capital letters.

On motion of Senator Ellett 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 Macfarlane, excused.

COMMUNICATIONS FROM THE HOUSE

February 3, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 62,* by Mr. Albrecht, entitled, "AN ACT AMENDING SECTIONS 80-5-19, 80-5-21, 80-5-22, 80-5-23, 80-5-24, 80-5-25, 80-5-26, 80-5-27, 80-5-28 AND 80-5-29, REVISED STATUTES OF UTAH, 1933, RELATING TO TRANSCIENT LIVESTOCK AND HONEYBEES, PROVIDING FOR THE ASSESSMENT OF LIVESTOCK AND HONEYBEES BROUGHT INTO THE STATE FOR GRAZING PURPOSES; TIME OF ASSESSMENT; CONTENTS OF STATEMENT BY THE OWNER TO BE FILED WITH THE COUNTY ASSESSOR; CERTIFICATE BY THE ASSESSOR; FILING OF CERTIFICATES IN OTHER COUNTIES; PRORATING TAXES AMONG COUNTIES; ADDITIONAL ASSESSMENT; COLLECTION OF UNPAID TAXES BY ACTION; ATTACHMENTS; COMPUTATION OF THE TAX; COLLECTION OF TAX, AND APPLICATION OF TAX RATES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 62 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 3, 1941.

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. 50,* by Mr. Schenk, Mr. Kerr, and Mr. Frandsen, entitled, "AN ACT PROVIDING FOR THE ORGANIZATION OF LIFE INSURANCE COOPERATIVES, ESTABLISHING STATE POLICY RELATING THERETO, DEFINING THE PURPOSES OF SUCH COOPERATIVES, DETERMINING WHO MAY ORGANIZE AND HOW SUCH ORGANIZATIONS MAY BE EFFECTED, ESTABLISHING THE AUTHORITY, POWERS AND DUTIES OF SUCH COOPERATIVES, PLACING SUCH COOPERATIVES UNDER THE SUPERVISION OF THE STATE INSURANCE DEPARTMENT AND REPEALING ALL ACTS IN CONFLICT HEREWITH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 50 was read the first time and referred to the Committee on Banking and Commerce.

REPORTS OF STANDING COMMITTEES

February 4, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 79,* by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 78,* by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 78 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 80,* by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 80 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 77,* by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 77 was placed on the Second Reading Calendar.

February 3, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 12,* by Mr. Rees, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 12 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 146 By Mr. Spence

AN ACT AMENDING SECTION 25-10-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INITIATIVE OR REFERENDUM, PROVIDING FOR SIGNATURES ON PETITION AND THE FORM OF THE CIRCULATION SHEETS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 147 By Messrs. Grover, Child and Ellett

AN ACT AUTHORIZING COUNTIES AND CERTAIN CITIES TO UNDERTAKE THE DEVELOPMENT OR ADMINISTRATION OF

PROJECTS TO ASSURE THE AVAILABILITY OF SAFE AND SANITARY DWELLINGS FOR PERSONS ENGAGED IN NATIONAL DEFENSE ACTIVITIES WHO WOULD NOT OTHERWISE BE ABLE TO SECURE SUCH DWELLINGS WITHIN THE VICINITY THEREOF; TO LIMIT THE INITIATION OF THE DEVELOPMENT OF SUCH PROJECTS UNTIL DECEMBER 31, 1943; TO AUTHORIZE COUNTIES AND CERTAIN CITIES TO COOPERATE WITH OR ACT AS AGENT OF THE FEDERAL GOVERNMENT IN THE DEVELOPMENT AND ADMINISTRATION OF SUCH PROJECTS OF THE FEDERAL GOVERNMENT, TO ACQUIRE OR LEASE SUCH PROJECTS AND TO SELL CERTAIN PROJECTS TO THE FEDERAL GOVERNMENT: TO AUTHORIZE ANY SUCH CITY OR COUNTY TO DELEGATE TO A HOUSING AUTHORITY ANY OF CERTAIN POWERS CONFERRED BY THIS ACT: TO AUTHORIZE PUBLIC BODIES TO ASSIST SUCH PROJECTS OF COUNTIES AND CITIES AND OF THE FEDERAL GOVERNMENT; AND TO MAKE OBLIGATIONS ISSUED FOR SUCH PROJECTS OF COUNTIES AND CITIES LEGAL INVESTMENTS AND SECURITY FOR DEPOSITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 148 By Mr. Grover

AN ACT AMENDING SECTION 32, CHAPTER 46, LAWS OF UTAH, 1935, AS AMENDED BY SECTION 32, CHAPTER 66, LAWS OF UTAH, 1937, RELATING TO PAYMENT OF PROPERTY TAXES ON MOTOR VEHICLES BEFORE ISSUANCE OF LICENSE, AND RELATING TO PAYMENT OF SALES OR USE TAX ON MOTOR VEHICLES BEFORE ISSUANCE OF CERTIFICATE OF TITLE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 149 By Mr. Grover

AN ACT PROVIDING FOR THE ISSUANCE BY THE STATE TAX COMMISSION OF THE STATE OF UTAH OF INSTRANSIT PERMITS FOR MOTOR VEHICLES AND PROVIDING FOR THEIR DISPLAY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 150 By Mr. Christensen

AN ACT AMENDING SECTIONS 19, 34, 35, 36, 38, 39, 48 AND 51, CHAPTER 110, LAWS OF UTAH, 1935, AMENDING SECTION 18, CHAPTER 110, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 133, LAWS OF UTAH, 1937, RELATING TO METROPOLITAN WATER DISTRICTS, was read the first time and referred tothe Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 18 on Second Reading.

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

Page 4, line 8, strike the word "minimum".

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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Macfarlane, Miller.

S. J. R. No. 2 was read the second time.

Committee report read and adopted.

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

Page 1, line 5, strike the words "one and one-half" and insert in lieu thereof "two".

Line 7, after the word "one" insert the words "and one-half".

S. J. R. No. 2 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Farr, Hopkin, Howard, Huggins, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Those voting in the negative were: Senators Ashton, Child, Ellett, Ericksen, Hirschi (explained vote), Johnston, Watson.

Absent and not voting: Senator Macfarlane.

SPECIAL ORDER

S. B. No. 14 on Second Reading.

S. B. No. 14 failed to pass on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Christensen, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Rich, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Child, Dawson, Hirschi, Howard, McMurrin, Miller, Morrill, Watson, Williams.

Absent and not voting: Senators Macfarlane, Spence.

S. B. No. 21 was read the second time.

Committee report read and adopted.

Senator Ericksen moved to amend the bill by striking, in line 7 of the title and line 12 on page 2, the figures "3,000" and inserting "1,500".

On motion of Senator Farr the amendment was amended by striking the figures "3,000" and inserting "2,000" in lieu thereof.

Motion as amended carried.

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

Page 2, line 14, after the word "plate" insert "costing not to exceed $10,000".

S. B. No. 21 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Howard, Macfarlane, Miller.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

TWENTY-FOURTH DAY

MORNING SESSION

February 5, 1941.

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

Roll Call—All Senators present except Senators Howard and Lundell.

Prayer by the Chaplain.

February 5, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 23rd day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEO. A. CHRISTENSEN,
LYNNE ASHTON.

Report adopted and filed.

Senator Ellett moved that the Committee on Public Institutions visit the State Public Institutions in Utah County with the House on Saturday, February 8, 1941.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

February 4, 1941.

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 Mr. Twitchell, entitled, "A JOINT RESOLUTION URGING CONGRESS AND THE PRESIDENT TO SAFEGUARD TO THE PEOPLE OF UTAH ALL GRAZING, MINERAL, AND WATER RIGHTS CONTAINED IN THAT CERTAIN AREA TO BE SET ASIDE AS ESCALANTE NATIONAL MONUMENT," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 4, 1941.

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. 18,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 19-13-14, REVISED STATUTES OF UTAH, 1933, FIXING THE MAXIMUM SALARIES TO BE PAID COUNTY OFFICERS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 18 was read the first time and referred to the Committee on State and Municipal Affairs.

February 4, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 6,* by the Resolutions and Memorials Committee, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE DAVID H. THOMAS UPON THE DEATH OF HIS MOTHER, MRS. AMY H. THOMAS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 6 was read the first time.

On motion of Senator Hirschi the rules were suspended and *H. J. R. No. 6* was read the second and third times and placed on its final passage.

H. J. R. No. 6 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Ellett, Howard, Lundell, McMurrin, Spence.

H. J. R. No. 6 was returned to the House.

February 3, 1941.

Honorable Wendell Grover, President
and Members of the Senate
Dear Legislators:

On behalf of my sisters and my family, permit me to thank this honorable body for the lovely bouquet of flowers sent by you on the death of our beloved mother, and for the kind words spoken by your delegation at her funeral.

Your resolution of condolence directed to us was deeply appreciated, and we desire to convey our heartfelt thanks.

Sincerely,

Communication filed. MILTON BODELL,

REPORTS OF STANDING COMMITTEES

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 142*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 142 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 143*, by Mr. Farr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 143 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 144*, by Mr. McMurrin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 144 was ordered printed and referred to the Committee on Education.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 145*, by Mr. Watson (by request), with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 145 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 147*, by Messrs. Grover, Child and Ellett, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 147 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 146 was ordered printed and referred to the Committee on Judiciary.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 148*, by Mr. Grover, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 148 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 149*, by Mr. Grover, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 149 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 10*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the resolution be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

February 4, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 44*, by Messrs. Bailey, Johnston, Morrill and Grover, has carefully considered said bill and reports the same out favorably, with the following amendments:

Page 1, line 2, after the word "person" delete the words "to operate" and insert in lieu thereof "maintaining or operating".

Page 1, line 3, after the word "stores" delete the word "or".

Page 2, line 11, after the word "act" delete the words "or to enlarge the floor space of any retail chain store in this state in existence on the effective date of this act,".

Page 2, line 16, insert a period after the word "opened" and delete the rest of the sentence.

Page 2, line 21, insert a period after the word "opened" and delete the rest of the sentence.

Page 2, line 25, insert a period after the word "opened" and delete the rest of the sentence.

Page 2, line 29, insert a period after the word "opened" and delete the rest of the sentence.

Page 2, line 33, insert a period after the word "opened" and delete the rest of the sentence.

Page 3, line 3, insert a period after the word "opened" and delete the rest of the sentence.

Page 3, line 10, after the word "filling" insert the words "or bulk".

Page 3, line 11, after the word "products" strike the words "and not".

Page 3, line 12, strike the words, "engaged in the sale or distribution of automobile tires or tubes".

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 44 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 3*, by Mr. Weggeland, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 3 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *H. B. No. 31*, by Mr. Redd and Mr. J. E. Rees, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

H. B. No. 31 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 95,* by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 55,* by Mr. Spence, has carefully considered said bill, and reports the same out favorably with the following amendment:

Line 5, after the word "semi-monthly" insert a period, and strike the remainder of the sentence.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 55 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 132,* by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 132 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 131,* by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 131 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 151 By Mr. Spence

AN ACT AMENDING SECTION 3, CHAPTER 43, ARTICLE 2, LAWS OF UTAH, 1935, SECTION 6, CHAPTER 43, ARTICLE 2, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1937; SECTION 36, CHAPTER 43, ARTICLE 3, LAWS OF UTAH, 1935; SECTIONS 41, 46, 47, 48, 49, 54 AND 75, CHAPTER 43, ARTICLE 4, LAWS OF UTAH, 1935, SECTIONS 76 AND 77, CHAPTER 43, ARTICLE 4, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1937, SECTIONS 80 AND 81, CHAPTER 43, ARTICLE 4, LAWS OF UTAH, 1935; SECTION 85, CHAPTER 43, ARTICLE 5, LAWS OF UTAH, 1935; SECTIONS 86, 90 AND 92, CHAPTER 43, ARTICLE 5, LAWS OF UTAH, 1935; AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1937; SECTIONS 93 AND 94, CHAPTER 43, ARTICLE 5, LAWS OF UTAH, 1935; SECTION 116, CHAPTER 43, ARTICLE 6, LAWS OF UTAH, 1935; SECTION 126, CHAPTER 43, ARTICLE 6, LAWS OF UTAH, 1935; AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1937; AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229 AND 230, PROVIDING FOR THE SALE OF ALCOHOLIC BEVERAGES BY DRINK; AUTHORIZING CITIES, TOWNS AND COUNTIES TO ISSUE LICENSES TO PERSONS CONDUCTING OR OPERATING HOTELS, RESTAURANTS, CLUBS, TAVERNS, OR COCKTAIL LOUNGES TO SELL, DISPENSE AND SERVE ALCOHOLIC BEVERAGES BY THE DRINK TO GUESTS, PATRONS AND MEMBERS THEREOF, PROVIDED THAT LIQUOR SO SOLD SHALL BE PURCHASED FROM THE LIQUOR CONTROL COMMISSION; PROVIDING FOR THE GIVING OF NOTICE BEFORE A LICENSE IS ISSUED AND AUTHORZING CITIES, TOWNS AND COUNTIES TO LCENSE THE SALE OF ALCOHOLIC BEVERAGES BY THE DRINK AT ESTABLISHED HOTELS, RESTAURANTS, CLUBS, AND TAVERNS OR COCKTAIL LOUNGES AS IN THIS ACT PROVIDED; PROVIDING FOR THE PAYMENT OF LICENSE FEES AND THE GIVING OF A BOND TO THE CITY, TOWN OR COUNTY IN WHICH SAID ESTABLISHMENTS ARE LICENSED; PROVIDING FOR THE QUALIFICATIONS OF LICENSEES; PROVIDING FOR A HEARING WHEN COMPLAINTS ARE MADE AS TO A VIOLATION OF THE RULES, REGULATIONS OR PROVISIONS RELATING TO THE OPERATION OF SAID HOTELS, RESTAURANTS, CLUBS, AND TAVERNS OR COCKTAIL LOUNGES AND THE SUSPENSION AND CANCELLATION OF LICENSES; PROHIBITING THE DRINKING OF ALCOHOLIC BEVERAGES IN LICENSED PLACES UNLESS THE ALCOHOLIC BEVERAGE IS PURCHASED FROM THE LICENSEE; PROHIBITING ANY FEMALE FROM SERVING ALCOHOLIC BEVERAGES IN TAVERNS OR COCKTAIL LOUNGES, AND PROHIBITING ANY FEMALE FROM SOLICITING ANY PERSON

TO PURCHASE ANY ALCOHOLIC BEVERAGES IN ANY HOTEL, RESTAURANT, CLUB, TAVERN OR COCKTAIL LOUNGE; PROHIBITING ANY PERSON UNDER THE AGE OF 21 YEARS FROM WORKING IN OR AROUND TAVERNS OR COCKTAIL LOUNGES, AND PROVIDING FOR THE PUNISHMENT OF PERSONS VIOLATING THE PROVISIONS OF THIS ACT, REPEALING ALL ACTS IN CONFLICT WITH THIS ACT, AND REPEALING SECTION 89, ARTICLE 5, CHAPTER 43, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1937, AND SECTION 127, CHAPTER 43, ARTICLE 6, LAWS OF UTAH, 1935, was read the first time and referred to the Committee on Revision and Enrolling.

Upon unanimous consent of the Senate, *S. B. No. 19* was withdrawn.

S. B. No. 152 By Mr. Johnston

AN ACT EMPOWERING THE SECRETARY OF STATE TO ACCEPT AS A GIFT ON BEHALF OF THE STATE FROM SANPETE COUNTY, THE PROPERTY AND IMPROVEMENTS LOCATED THEREON NORTHEAST OF FAIRVIEW, SANPETE COUNTY, IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 4 EAST, SALT LAKE MERIDIAN, TO BE USED FOR A MINERS' HOSPITAL AND MAKING AN APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present.

COMMUNICATION FROM THE HOUSE

February 4, 1941.

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. 61*, by Mr. Kerr, Mr. J. E. Rees, and Mr. Albrecht, entitled, "AN ACT PROVIDING FOR A NOXIOUS WEED ERADICATION PROGRAM UNDER THE SUPERVISION OF THE STATE BOARD OF AGRICULTURE, WITH THE COOPERATION OF COUNTIES AND LANDOWNERS, AND AUTHORIZING THE LEVY OF TAXES FOR SUCH PURPOSES,

AND AUTHORITY TO STATE BOARD OF AGRICULTURE TO PASS RULES AND REGULATIONS TO CARRY OUT PROVISIONS OF THIS ACT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 61 was read the first time and referred to the Committee on Agriculture and Irrigation.

INTRODUCTION OF BILLS

S. J. M. No. 2 By Mr. Williams

MEMORIALIZING CONGRESS TO INITIATE A MOVEMENT TO GIVE SILVER A STANDING IN THE MONETARY SYSTEM OF THE UNITED STATES OF AMERICA AS A BASIC MONEY AT THE RATIO OF FOURTEEN OUNCES OF SILVER TO ONE OUNCE OF GOLD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 153 By Mr. Macfarlane

AN ACT AMENDING SECTION 80-12-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1935, PROVIDING FOR A TAX UPON ESTATES, AND EXEMPTING FROM TAXATION INTANGIBLE PROPERTY OWNED BY CERTAIN NON-DOMICILED DECEDENTS AT TIME OF DEATH, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 10 was read the second time.

Committee report read and adopted.

H. B. No. 10 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hopkin.

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi (explained vote), Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Hopkin.

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

On motion of Senator Child the Senate resolved itself into Executive Session.

On motion of Senator Miller the Executive Session dissolved.

REPORT OF STANDING COMMITTEE

February 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred *S. B. No. 139*, by Mr. Miller, has carefully considered said bill and is of the opinion that it does not conform with the joint rules of the House and Senate.

The act submitted seems to create 17 boards, some of which are new, some of which are already provided for in the Statutes, and yet there is nothing to repeal specifically sections which have set up these commissions, boards, etc., and which defined their powers and duties.

Rule 22 of the Senate and House Joint Rules reads in part ". . . 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." (Article VI, Sec. 22 of the Constitution.)

The Constitution of the State of Utah (Article VI, Sec. 23) reads ". . . 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."

Since this bill seems to the committee to in effect repeal existing Statutes, and since it seems to deal generally with various subjects, your committee on Revision and Enrolling should like to ask for an interpretation by the Senate of the Senate and House Joint Rules Nos. 22 and 23 as they apply to *S. B. No. 139*, by Mr. Miller.

Your committee suggests the bill be printed by title only, referred directly to the calendar, there to await the necessary companion measures which will be introduced and may then be considered jointly.

Respectfully submitted,

STANLEY N. CHILD,
ABEL S. RICH,
WILLIAM A. DAWSON.
Committee on Revision and Enrolling.

Report adopted and filed.

On motion of Senator Huggins the President appointed a committee consisting of Senators Huggins, Macfarlane and Dawson to prepare appropriate measures to bring about a revision and codification of the Statutes of the State of Utah.

Senator Huggins moved that the Committee on Revision and Enrolling be empowered to employ legal counsel who will be deputized as members of the Attorney General's staff and whatever clerical help is necessary.

Motion carried.

On motion of Senator Lundell *S. B. No. 82* was recommitted to the Committee on Agriculture and Irrigation.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 5 was read the second time.

Committee report read and adopted.

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

Strike the whole of line 10 and insert the following:

"Section 2. In the preparation of motor vehicle license plates, the state tax commission shall arrange the same so that numbers from 1 to 29 shall appear first upon the license plates, designating in order of population the county from which the motor vehicle is registered, and shall be separated from the balance of the license numbers by the state emblem."

After the word "COMMISSION" in the title, insert the following: "AND PRESCRIBING THE METHOD OF NUMBERING MOTOR VEHICLE LICENSE PLATES".

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

At the end of Section 2, insert the following: "provided that the registrant of a motor vehicle shall be given a license plate bearing the number of the county in which he resides."

H. B. No. 5 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 3; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Hirschi, Howard, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Those voting in the negative were: Senators Ellett, Huggins (explained vote), Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Farr, Hopkin, Macfarlane.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

TWENTY-FIFTH DAY

MORNING SESSION

February 6, 1941.

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

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

Prayer by the Chaplain.

February 6, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 24th day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEO. A. CHRISTENSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 54,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 8, CHAPTER 8, LAWS OF UTAH, 1935, RELATING TO THE POWERS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 54 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 53,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 7-2-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 4, LAWS OF UTAH, 1933, AND CHAPTER 9, LAWS OF UTAH, 1935; SECTION 7-2-16, REVISED STATUTES OF UTAH, 1933; SECTION 7-2-24 AND SECTION 7-2-25, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY CHAPTER

5, LAWS OF UTAH, 1933, RELATING TO THE SUSPENSION AND LIQUIDATION OF BANKS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 53 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 52,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 7-3-17, REVISED STATUTES OF UTAH, 1933, RELATING TO CHANGES IN THE ARTICLES OF INCORPORATION OF BANKS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 52 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 51,* by Mr. Miller, entitled, "AN ACT REPEALING SECTION 7-3-16, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIABILITY OF STOCKHOLDERS IN BANKS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 51 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 33,* by Committee on Health and Labor, entitled, "AN ACT AMENDING SECTION 42-1-52, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW SECTION TO BE KNOWN

AS SECTION 42-1-52A, RELATING TO INDUSTRIAL COMMISSION AND WORKMEN'S COMPENSATION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 33 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 65*, by Mr. Brewster, entitled, "AN ACT AUTHORIZING COUNTIES TO REGULATE AND RESTRICT THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS AND PREMISES, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES, AND CREATING A ZONING COMMISSION, AND A BOARD OF ADJUSTMENT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 65 was read the first time and referred to the Committee on State and Municipal Affairs.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 76*, by Mr. Selvin, entitled, "AN ACT AMENDING SECTION 20-4-1, REVISED STATUTES OF UTAH, 1933, RELATING TO CREATION OF OFFICE OF CITY JUDGE IN CITIES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 76 was read the first time and referred to the Committee on Judiciary.

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 70*, by Mr. Wood, entitled, "AN ACT AMENDING SECTION 80-8-4, REVISED STATUTES OF UTAH, 1933, RE-

LATING TO MAKING CHANGES IN ASSESSMENT BOOK BY COUNTY AUDITOR ORDERED BY STATE TAX COMMISSION AND TRANSMITTING CHANGES MADE BY STATE TAX COMMISSION TO COUNTY AUDITOR," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 70 was read the first time and referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

February 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. M. No. 2,* by Mr. Williams, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. J. M. No. 2 was ordered printed and referred to the Committee on Mining and Smelting.

February 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 152,* by Mr. Johnston, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 152 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Public Institutions.

February 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 153,* by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 153 was ordered printed and referred to the Committee on Revenue and Taxation.

February 5, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 67*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out favorably, with the following mendment: Page 11, line 1, after the word "of" insert the word "the".

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 67 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 140*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman

Report filed.

S. B. No. 140 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 141*, by the Committee on Health and Labor, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 141 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 40*, by Messrs. Selvin, Nichols, Dix, Scherer and Bodell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 40 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 104*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 100*, by Mr. Spence, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 105*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 106*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 106 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 107*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,

Report filed. Chairman.

S. B. No. 107 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 108*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,

Report filed. Chairman.

S. B. No. 108 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 109*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,

Report filed. Chairman.

S. B. No. 109 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 110*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,

Report filed. Chairman.

S. B. No. 110 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 111*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,

Report filed. Chairman.

S. B. No. 111 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 112*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably with the following amendment:

Page 1, line 3, delete "Section" and insert "Sec."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 112 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 113*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 114*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 114 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 115*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 116*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 117*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably with the following amendment:

Page 1, line 3, delete "Section" and insert "Sec."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 118*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably with the following amendment:

Line 3, delete "Section" and insert "Sec."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 118 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 119*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably with the following amendment:

Page 1, line 3, delete the word "Section" and insert in lieu thereof, "Sec."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 119 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 120*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 120 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 121*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 121 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 122*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 122 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 123*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably with the following amendment:

Page 1, line 3, delete "Section" and insert "Sec."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 123 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 124*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 125*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 126*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 126 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 127*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably with the following amendment:

Page 1, line 3, delete "Section" and insert in lieu thereof "Sec."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 127 was placed on the Second Reading Calendar.

February 4, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 9*, by Judiciary Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. J. R. No. 9 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 103*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 103 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 57*, by Mr. Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 26*, by Messrs. Rees, Elswood and Scherer, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 26 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 24*, by Messrs. Miller, Abbott and Kerr, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 24 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 6*, by Mr. Elswood, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 6 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 10*, by Messrs. Miller and Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 10 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 15*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

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

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 16*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

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

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was refered *S. B. No. 17*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 17 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 47*, by Mr. Ellett, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 89*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 89 was placed on the Second Reading Calendar.

February 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 93*, by Messrs. Ellett and Grover, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 93 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 154 By Mr. Child

A BILL EMPOWERING THE CITY TO LICENSE AND TO EXAMINE INTO THE FITNESS AND QUALIFICATIONS OF PERSONS OR FIRMS ENGAGED IN THE BUSINESS OR TRADE OF INSTALLING, REPAIRING OR SERVICING ANY BOILERS, FURNACES, OVENS, WATER HEATERS, STOKERS, GAS BURNERS, OIL BURNERS, AND ALL FUEL BURNING EQUIPMENT AND APPLIANCES AND ANY PIPING OR ACCESSORIES THERETO AND MAY PRESCRIBE WHAT QUALIFICATIONS ARE NECESSARY FOR PERSONS OR FIRMS FOLLOWING SUCH BUSINESS OR TRADE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 155 By Mr. Child

AN ACT AMENDING SECTION 57-8-1, REVISED STATUTES OF UTAH, 1933, RELATING TO PUBLICLY OWNED MOTOR VEHICLES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 156 By Mrs. Ericksen

AN ACT ESTABLISHING A DEPARTMENT OF CIVIL SERVICE AND A SYSTEM OF PERSONNEL ADMINISTRATION FOR THE CIVIL SERVICE OF THE STATE OF UTAH AND COUNTIES WITH A POPULATION OF TWENTY-FIVE THOUSAND OR OVER AND CITIES WITH A POPULATION OF SEVEN THOUSAND; TO PROVIDE FOR PERSONNEL OFFICER TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPALITIES AND POLITICAL SUB-DIVISIONS AND FOR ALLOCATION OF FUNDS; PROVIDING FOR THE APPOINTMENT OF A CIVIL SERVICE BOARD, PERSONNEL OFFICER, AND DEFINING THEIR DUTIES; TO PROVIDE FOR RULES AND REGULATIONS AND FOR CLASSIFIED AND UNCLASSIFIED SERVICE; DEFINING THE STATUS OF PRESENT EMPLOYEES;

TO PROVIDE FOR A UNIFORM CLASSIFICATION PLAN, AND THE ALLOCATION, REALLOCATION OF POSITIONS AND AMENDMENTS TO CLASSIFICATION PLAN; TO MAKE PROVISION FOR EMPLOYMENT LISTS, ORIGINAL APPOINTMENTS, FILLING OF VACANCIES FROM EMPLOYMENT LISTS IN THE CLASSIFIED SERVICE, ESTABLISHMENT OF DEPARTMENTAL RE-EMPLOYMENT LISTS, PROMOTION LISTS, AND COMPETITIVE EXAMINATIONS FOR THE PURPOSE OF ESTABLISHING SUCH EMPLOYMENT LISTS; TO PROVIDE FOR STANDARDS FOR ADMISSION TO EXAMINATIONS AND THE GIVING OF PUBLIC NOTICE AND RESULTS OF EXAMINATIONS; PROVIDING FOR PROVISIONAL, TEMPORARY, EMERGENCY, AND EXCEPTIONAL APPOINTMENTS AND TRANSFERS WITHIN THE STATE SERVICE; PROVIDING FOR SERVICE STANDARDS AND RATINGS OF EMPLOYEES; TO PROVIDE FOR LEAVES OF ABSENCE, VACANCIES, SICK AND DISABILITY LEAVES OF EMPLOYEES; TO PROVIDE FOR CERTIFICATION OF PAY ROLLS, SUSPENSIONS, DEDUCTIONS, DEMOTIONS, DISCHARGES AND OTHER DISCIPLINARY MEASURES WITH RESPECT TO EMPLOYEES; TO PROVIDE FOR TAKING OF OATHS, TESTIMONY AND PRODUCTION OF AND MAINTAINING RECORDS INCIDENT TO THE CIVIL SERVICE ADMINISTRATION; DEFINING RESPONSIBILITY OF PRESENT STATE DEPARTMENT, OFFICERS AND EMPLOYEES WITH REFERENCE TO FURNISHING FACILITIES; DEFINING ACTIVITY INCOMPATIBLE WITH PUBLIC SERVICE AND PROHIBITION OF UNLAWFUL ACTS; PROVIDING PENALTIES FOR WILLFUL VIOLATION OF THE PROVISIONS OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Hopkin *S. B. No. 82* was made a Special Order of Business for February 12, 1941, at 2:30 p.m.

CONSIDERATION OF BILLS ON THIRD READING

Senator Huggins moved that *H. B. No. 5* be taken from the Third Reading Calendar and be returned to the House for necessary corrections, and that when said bill is returned to the Senate said bill take its present position at the foot of the Third Reading Calendar.

Motion carried.

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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Macfarlane, Miller.

H. B. No. 10 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 12 was read the second time.

Committee report read and adopted.

On motion of Senator Miller *H. B. No. 12* was laid on the table.

H. B. No. 31 was read the second time.

Committee report read and adopted.

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

Page 1, line 2, preceding "( )" insert "86-1-29".

Page 2, line 10, preceding the word "This" insert "Section 2.".

Senator Huggins moved that *H. B. No. 31* be returned to the House for necessary corrections and that when said bill is returned to the Senate said bill take its present position on the Second Reading Calendar.

Motion carried.

On motion of Senator Christensen the rules were suspended and the Senate proceeded to consider House bills on the Second Reading Calendar.

H. B. No. 40 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins *H. B. No. 40* was made a Special Order of Business for February 7, 1941, at 3:00 p.m.

H. B. No. 26 was read the second time.

Committee report read and adopted.

On motion of Senator Howard the rules were suspended and *H. B. No. 26* was read the third time and placed on its final passage.

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

In the title, line 3, strike the words "TWO DOLLAR" and "FEE".

Line 4, strike the words after the word "REQUIRED" and insert in lieu thereof "TO DO BUSINESS IN THE STATE OF UTAH".

Page 1, line 1, strike the underlining and after the numeral "3" insert "of Chapter 63, Laws of Utah, 1933, as amended by section 3."

Line 3, preceding the word "It" insert "Sec. 3."

H. B. No. 26 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Voting in the negative: Senator Ellett.

Absent and not voting: Senators Ashton, Hopkin, Watson.

H. B. No. 26 was returned to the House.

H. B. No. 24 was read the second time.

Committee report read and adopted.

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

Page 2, line 2, the word "assesed" to read "assessed".

Line 4, the word "assesments" to read "assessments".

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

Page 1, line 2, after the word "levied" insert "by municipalities".

H. B. No. 24 failed to pass on the following roll call:

Yeas, 1; Nays, 16; Absent, 6.

Voting in the affirmative: Senator Dawson.

Those voting in the negative were: Senators Bailey, Child, Christensen, Ellett, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Hopkin, Miller, Spence, Watson.

H. B. No. 24 was returned to the House.

On motion of Senator Williams 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 Ashton.

COMMUNICATIONS FROM THE HOUSE

February 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 81*, by Mr. Adams, Mr. Foote, Mr. Thomas, Mr. Warner and Mr. Leavitt, entitled, "AN ACT AMENDING SECTION 75-9-11, REVISED STATUTES OF UTAH, 1933, RELATING TO PUBLIC SCHOOLS AND THE DIVISION OF PROPERTY, FUNDS, AND

INDEBTEDNESS BETWEEN CITY SCHOOL DISTRICT AND AN ADJACENT SCHOOL DISTRICT WHEN PART OF THE SCHOOL DISTRICT IS ANNEXED TO A CITY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 81 was read the first time and referred to the Committee on Education.

February 5, 1941.

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. 23*, by Mr. Hopkin, entitled, "AN ACT AMENDING SECTIONS 3, 33, 43, 44 AND 51, CHAPTER 7, LAWS OF UTAH, 1939, RELATING TO LIVESTOCK, CREATING AN ESTRAY FUND, ELIMINATING COMPULSORY MARKING OF LIVESTOCK AND PROVIDING FOR SLAUGHTERING OF VEAL AND BEEF," and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate concurred in the House amendments.

S. B. No. 23 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Hirschi, Hopkin, Howard, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Farr, Huggins, Macfarlane, Williams.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 4, 1941.

Mr. President:

We are returning herewith *S. B. No. 98*, by Committee on Agriculture and Irrigation, in its rewritten form.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 98 was referred to the Committee on Revision and Enrolling.

February 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 150*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 150 was ordered printed and referred to the Committee on Judiciary.

February 6. 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 154*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 154 was ordered printed and referred to the Committee on Health and Labor.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 155*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 155 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B No. 96*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 96 was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 5 on Third Reading.

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

In the House amendment of Section 1, line 10, after the word "of" insert the word "the".

H. B. No. 5 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett (explained vote), Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Ashton, Macfarlane, Williams.

H. B. No. 5 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 31 on Second Reading.

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

Page 2, strike the whole of line 10.

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

In the title, line 4, strike the last five words and all of line 5.

Line 1, strike "R. S. U." and insert "revised statutes of Utah".

Line 2, preceding the "( )" insert "86-1-29".

H. B. No. 31 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 Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson. Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Williams.

H. B. No. 6 was read the second time.

Committee report read and adopted.

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

Page 2, strike the whole of line 8.

H. B. No. 6 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 Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Voting in the negative: Senator McMurrin.

Absent and not voting: Senators Ashton, Hopkin, Johnston, Williams.

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 Child the bill was amended as follows:

Page 2, line 1, strike the numerals and letter "87-7-18A" and insert same on line 2, preceding the word "The".

Line 16, strike the first numeral "7" and insert "5".

S. B. No. 5 then passed on the following roll call:

Yeas, 15; Nays, 4; Absent, 4.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Morrill, Rich, Spence, Williams.

Those voting in the negative were: Senators Bailey, Ericksen, Miller, Mr. President.

Absent and not voting: Senators Ashton, Howard, Lundell, Watson.

S. B. No. 5 was transmitted to the House.

S. B. No. 2 was read the third time and placed on its final passage.

Senator Huggins moved that *S. B. No. 2* retain its position on the Calendar.

Motion carried.

S. J. R. No. 3 on Third Reading.

S. J. R. No. 3 failed to pass on the following roll call:

Yeas, 15; Nays, 6; Absent, 2.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson.

Those voting in the negative were: Senators Ellett, Howard, Lundell, Spence (explained vote), Williams, Mr. President.

Absent and not voting: Senators Ashton, Christensen.

S. J. R. No. 3 was filed.

On motion of Senator Child the enacting clauses were stricken on *S. J. R. No. 4* and *S. J. R. No. 5*, and said bills were filed.

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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Johnston, Spence.

S. B. No. 65 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 157 By Mr. Macfarlane

AN ACT PROVIDING FOR THE DISPOSITION OF PROPERTY WHERE THERE IS NO SUFFICIENT EVIDENCE THAT PERSONS HAVE DIED OTHERWISE THAN SIMULTANEOUSLY, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 158 By Mr. Macfarlane

AN ACT REGULATING THE SALE, TRANSFER AND POSSESSION OF PISTOLS, PROVIDING FOR LICENSES, PRESCRIBING PENALTIES FOR VIOLATING THE ACT AND FOR COMMITTING CERTAIN CRIMES WHEN ARMED AND LIMITING PROBATION AND PAROLE OF PERSONS CONVICTED OF THESE CRIMES, CHANGING THE LAW OF EVIDENCE AND OF ARREST, AND TO MAKE UNIFORM THE LAW RELATING THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 159 By Mr. Watson, Mr. Lundell and Mrs. Ericksen

AN ACT AMENDING SECTION 85-7-26, REVISED STATUTES OF UTAH, 1933, CONCERNING THE UTAH STATE HOSPITAL AND RELATING TO THE EXPENSE AND FEES OF THE SUPERINTENDENT OF THE UTAH STATE HOSPITAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 160 By Mr. Lundell, Mr. Watson and Mrs. Ericksen

AN ACT AMENDING SECTIONS 85-7-24, REVISED STATUTES OF UTAH, 1933, SECTION 85-7-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935, RELATING TO DUTIES OF THE BOARD OF TRUSTEES OF THE STATE HOSPITAL, AND WARRANTS OF COMMITMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 161 By Mrs. Ericksen, Mr. Lundell and Mr. Watson

AN ACT AMENDING SECTION 85-7-25, REVISED STATUTES OF UTAH, 1933, RELATING TO THE UTAH STATE HOSPITAL AND THE EXECUTION OF THE WARRANT OF COMMITMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 162 By Mrs. Ericksen, Mr. Lundell and Mr. Watson

AN ACT AMENDING SECTION 85-7-19, REVISED STATUTES OF UTAH, 1933, RELATING TO THE UTAH STATE HOSPITAL AND THE EXAMINATION ORDER TO PRODUCE ALLEGED INSANE PERSON, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 163 By Mrs. Ericksen, Mr. Lundell and Mr. Watson

AN ACT AMENDING SECTIONS 89-0-1, 89-0-2, 89-0-3 AND 89-0-6, REVISED STATUTES OF UTAH, 1933, RELATING TO STERILIZATION, PROVIDING FOR A BOARD OF STERILIZATION, POWERS AND DUTIES; PERSONS WHO MAY MAKE APPLICATIONS AND GROUNDS THEREFOR, NOTICE TO APPLICANTS AND FINDINGS NECESSARY TO GRANT APPLICATIONS, AND REPEALING SECTIONS 89-0-4, 89-0-5, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Williams the Senate recessed until tomorrow at 10:00 a.m.

TWENTY-SIXTH DAY

MORNING SESSION

February 7, 1941.

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

Roll Call—All Senators present except Senator Ashton, Excused.

Prayer by the Chaplain.

February 7, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 25th day and find it correct with minor amendments noted on the final copy.

Respectfully,

Report adopted and filed. GEO. A. CHRISTENSEN.

COMMUNICATION FROM THE HOUSE

February 6, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 26*, by Mr. Rees, Mr. Scherer, and Mr. Elswood, entitled, "AN ACT AMENDING SECTION 3 OF CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY SECTION 3, CHAPTER 103, LAWS OF UTAH, 1939, RELATING TO THE LICENSE REQUIRED TO DO BUSINESS IN THE STATE OF UTAH."

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98*, by Committee on Agriculture and Irrigation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 156*, by Mrs. Ericksen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 156 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 157*, by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 157 was ordered printed and referred to the Committee on Judiciary.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 158*, by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 158 was ordered printed and referred to the Committee on Judiciary.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 159*, by Messrs. Watson and Lundell and Mrs. Ericksen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 159 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1941:

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 160*, by Messrs. Lundell and Watson and Mrs. Ericksen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 160 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 161*, by Messrs. Lundell and Watson and Mrs. Ericksen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 161 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 162*, by Messrs. Lundell and Watson and Mrs. Ericksen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 162 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 163*, by Messrs. Lundell and Watson and Mrs. Ericksen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 163 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 13*, by Mr. Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 13 was placed on the Second Reading Calendar.

February 6, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 128*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 128 was placed on the Second Reading Calendar.

February 6, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 135*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 135 was placed on the Second Reading Calendar.

February 6, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 138*, by Mr. Dawson, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

February 6, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 129*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

February 6, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 50*, by Messrs. Schenk, Kerr and Frandsen, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

H. B. No. 50 was placed on the Second Reading Calendar.

On motion of Senator Miller the Senate accepted an invitation to inspect Snow College on February 12, 1941.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 2 on Third Reading.

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

In the title, line 1, strike "AND 75-12-15".

Line 3, in the title, after the word "FUNDS" strike the balance of the title.

Line 1, strike "and 75-12-15".

Line 2, after the figures "1933" strike the remainder of the paragraph with the exception of the last three words on line 4 and preceding the word "amended" insert the word "is".

Strike the whole of Section 75-12-10.

Page 2, strike the whole of lines 21 to 29, inclusive, and insert in lieu thereof the following:

"In school districts in cities of the first class the tax for the support and maintenance of schools shall not exceed fourteen mills on the dollar upon all taxable property in such city whose assessed valuation of taxable property is less than $3,000 for each child of school age resident in the district; shall not exceed thirteen and five-tenths mills on the dollar in cities whose assessed valuation of taxable property is from $3,000 to $4,000 for each child of school age resident in the district; shall not exceed twelve mills on the dollar in cities whose assessed valuation of taxable property is from $4,000 to $5,000 for each child of school age resident in the district; and shall not exceed eleven mills on the dollar in cities whose assessed valuation of taxable property is more than $5,000 for each child of school age resident in the district; and the tax for the purchase of school sites, erection and remodeling of school buildings, equipping the same, and for improving the property of the school district, shall not exceed one and three-tenths mills on the assessed valuation of the taxable property of the district."

Strike the balance of the bill.

Line 1 of the title and line 1 of the bill, the word "Sections" to read "Section".

On motion of Senator Child *S. B. No. 2* was made a Special Order of Business for this afternoon at 2:30.

S. B. No. 66 was read the third time and placed on its final passage.

S. B. No. 66 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Hirschi, Johnston.

S. B. No. 66 was transmitted to the House.

S. B. No. 81 was read the third time and placed on its final passage.

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

In the title, line 2, after the word "ARMORIES" strike the balance of the title and insert "AND FIXING THE MANNER IN WHICH THEIR LOCATION SHALL BE DETERMINED".

S. B. No. 81 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen (explained vote), Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Howard.

S. B. No. 81 was transmitted to the House.

S. B. No. 18 was read the third time and placed on its final passage.

S. B. No. 18 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Howard (explained vote).

Absent and not voting: Senator Ashton.

S. B. No. 18 was transmited to the House.

S. J. R. No. 2 was read the third time and placed on its final passage.

S. J. R. No. 2 failed to pass on the following roll call:

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

Those voting in the affirmative were: Senators Christensen (explained vote), Farr, Howard, Huggins (explained vote), Lundell, Miller, Williams.

Those voting in the negative were: Senators Bailey, Child, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Johnston, Macfarlane, McMurrin (explained vote), Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Ashton, Spence.

S. J. R. No. 2 was filed.

Senator Howard moved that when we do adjourn it be until Monday, February 10, 1941, at 10:00 a.m.

Motion carried.

On motion of Senator Hopkin 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 Ashton, excused.

REPORTS OF STANDING COMMITTEES

February 7, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 32,* by Mr. Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 32 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 69,* by Messrs. Huggins and McMurrin, substitute for Senate Bills No. 11 and 45, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 49*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 49 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 40*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 40 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 18*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

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

February 7, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 61*, by Messrs. Kerr, J. E. Rees, and Albrecht, has carefully considered said bill, and reports the same out favorably, with the following amendment:

Page 1, section 4, line 9, after the word "agriculture" insert "together with the county commissioner of the respective counties".

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 61 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

February 7, 1941.

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. 56*, by Mrs. Ericksen, entitled, "AN ACT LEASING CERTAIN STATE CAPITOL REAL ESTATE KNOWN AS THE TRIANGLE TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE ERECTION AND MAINTENANCE OF A PIONEER MEMORIAL BUILDING TO BE USED FOR THE PRESERVATION, HOUSING AND CARE OF HISTORICAL RECORDS, PIONEER DOCUMENTS AND RELICS RELATING TO THE LIFE AND WORK OF THE UTAH PIONEERS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Watson the Senate refused to concur in the House amendment and *S. B. No. 56* was returned to the House requesting them to recede from their position.

February 7, 1941.

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. T. M. Rees, Mrs. Jacob, Mr. Brewster, Mr. Hinckley, Mr. Kerr, Mr. Lund, Mr. Midgley, Mr. Miller and Mr. Pace, entitled, "AN ACT AMENDING CHAPTER 41, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 46, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTERS 58 AND 59, LAWS OF UTAH, 1939, BY ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 30, 31, 32, 33, 34, 35 AND 36, PROVIDING FOR INSURANCE RESERVES, FIXING THE BASIS OF SUCH RESERVES; PROVIDING THAT POLICIES WITH PRELIMINARY TERM INSURANCE INCLUDE A CLAUSE OUTLINING THE TERMS OF SUCH INSURANCE; PROVIDING FOR ADDITIONAL PREMIUMS OR ASSESSMENTS AND THE MANNER IN WHICH THEY MAY BE MADE, ASSESSED, CHARGED OR ENFORCED; PROVIDING FOR OPTION OF PAYMENT THEREOF AND HOW SUCH OPTION MAY BE EXERCISED; EXEMPTING CERTAIN CORPORATIONS FROM THE PROVISIONS HEREOF; REQUIRING APPROVAL BY THE INSURANCE COMMISSIONER OF SUCH ADDITIONAL PREMIUMS OR ASSESSMENTS; AND FIXING THE MANNER OF SUCH APPROVAL; REQUIRING DEPOSITS BY BENEFIT ASSOCIATIONS AND FIXING THE AMOUNT AND PURPOSE THEREOF; SPECIFYING REQUIRED CHARACTER OF INVESTMENTS AND LOANS; EXEMPTING CERTAIN ASSOCIATIONS FROM THE PROVISIONS

OF SECTIONS 11, 18, AND 27 OF CHAPTER 46, LAWS OF UTAH, 1937, AND SECTIONS 12, CHAPTER 58, LAWS OF UTAH, 1939, LIMITING THE AMOUNT OF INSURANCE WHICH MAY BE WRITTEN BY ANY BENEFIT ASSOCIATION UPON ONE RISK AND PERMITTING REINSURANCE BASED UPON A GIVEN FORMULA AND PROVIDING FOR APPROVAL THEREOF BY THE INSURANCE COMMISSIONER; AMENDING SECTION 13, CHAPTER 46, LAWS OF UTAH, 1937, DEFINING THE POWERS AND DUTIES OF THE INSURANCE COMMISSIONER OF THE STATE OF UTAH OVER BENEFIT ASSOCIATIONS AND ADDING SECTIONS 13 A, B, C, D, E, F, G, H, I; PROVIDING FOR THE EXAMINATION AND INVESTIGATION OF BOOKS AND PAPERS OF SUCH ASSOCIATIONS; FIXING PENALTIES FOR FALSE TESTIMONY WITH RELATION THERETO OR FOR THE WILLFUL MAKING OF FALSE CERTIFICATES, ENTRIES OR MEMORANDUMS UPON RECORDS, BOOKS OR PAPERS OF SUCH COMPANIES OR ASSOCIATIONS WITH INTENT TO DECEIVE THE INSURANCE COMMISSIONER AND FIXING PENALTIES THEREFOR; PROVIDING FOR THE CUSTODY, DEPOSIT AND ACCOUNTING OF SECURITIES DEPOSITED WITH THE STATE INSURANCE COMMISSIONER, PROVIDING PENALTIES FOR HIS WILLFUL FAILURE, REFUSAL OR NEGLECT TO FAITHFULLY KEEP, DEPOSIT, ACCOUNT FOR OR SURRENDER THE SAME IN THE MANNER PROVIDED BY LAW; REQUIRING SUCH COMPANIES TO SUBMIT TO THE COMMISSIONER OF INSURANCE ALL FORMS OF POLICIES AND AGENTS' MANUALS FOR HIS APPROVAL; AND PROVIDING FOR REVIEW THEREOF; PROHIBITING MISREPRESENTATION OF TERMS OF POLICIES AND PROVIDING THE PENALTY THEREFOR; PROHIBITING SPECIAL INDUCEMENTS TO PURCHASE INSURANCE AND PROVIDING PENALTY THEREFOR; PROHIBITING DISCRIMINATION BETWEEN RISKS OF SAME CLASS AND PROVIDING PENALTY THEREFOR," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 9 was read the first time and referred to the Committee on Banking and Commerce.

INTRODUCTION OF BILLS

S. B. No. 164 By Mr. Huggins

AN ACT AMENDING SECTION 18-6-2, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE MANNER IN WHICH COR-

PORATIONS NOT FOR PECUNIARY PROFIT MAY BE ORGANIZED, FOR THE AFFADAVIT OF ORGANIZATION, AND ITS CONTENTS, AND FOR THE QUALIFICATION OF THE MEMBERS OF THE BOARDS OF DIRECTORS (TRUSTEES, VESTRYMEN, WARDENS, AND OTHER OFFICERS OF SUCH CORPORATION), was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 165 By Mr. Huggins

AN ACT AMENDING SECTION 18-6-11, REVISED STATUTES OF UTAH, 1933, MAKING CERTAIN PROVISIONS OF CHAPTERS 1 AND 2 OF TITLE 18, REVISED STATUTES OF UTAH, 1933, APPLICABLE TO CORPORATIONS NOT FOR PECUNIARY PROFIT, INCLUDING THE AMENDMENT OF ARTICLES OF INCORPORATION, EXCEPT THAT NOTICE OF THE HOLDING OF THE MEETING OF MEMBERS OR STOCKHOLDERS FOR SUCH PURPOSE NEED NOT BE GIVEN BY PUBLICATION BUT MAY BE GIVEN BY MAILING AND POSTING, AND PROVIDING THE MANNER OF MAILING AND POSTING SUCH NOTICES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 166 By Mr. Miller

AN ACT AMENDING SECTION 39-0-1, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 39-0-2, 39-0-3, AND 39-0-4; TO PROTECT HOTEL, INN, BOARDING HOUSE, AND LODGING HOUSE KEEPERS, TO REGULATE THEIR DUTIES AND LIABILITIES TO THEIR GUESTS, BOARDERS, AND LODGERS AND TO DEFINE AND REGULATE THE LIENS OF HOTEL, INN, BOARDING HOUSE, AND LODGING HOUSE KEEPERS; REPEALING SECTION 52-2-2, 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. Miller (by request)

AN ACT AMENDING SECTION 80-13-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 89, LAWS OF UTAH, 1935, IMPOSING A FRANCHISE TAX ON CORPORATIONS DOING BUSINESS IN THE STATE OF UTAH, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 80-13-3A, REQUIRING RETURNS TO BE MADE AND TAX PAID QUARTERLY TO THE STATE TAX COMMISSION, AND PROVIDING FOR ENFORCEMENT AND 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. B. No. 21 was read the third time and placed on its final passage.

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

Line 1 of the title, after the word "SECTION" strike the balance of the line and insert "79-3-6," in lieu thereof.

On motion of Senator Huggins *S. B. No. 21* was made a Special Order of Business for this afternoon at 3:30.

H. B. No. 31 was read the third time and placed on its final passage.

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

Line 1 of the title, strike the word "TO" and change the word "AMEND" to read "AMENDING".

H. B. No. 31 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ellett, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Morrill, Rich, Spence, Williams, Mr. President.

Voting in the negative: Senator Miller.

Absent and not voting: Senators Ashton, Dawson, Ericksen, Farr, Lundell, Watson.

H. B. No. 31 was returned to the House.

H. B. No. 6 was read the third time and placed on its final passage.

H. B. No. 6 then passed on the folowing roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Ashton, Dawson, Farr, Lundell, Spence, Watson.

H. B. No. 6 was returned to the House.

SPECIAL ORDER

S. B. No. 2 on Final Passage.

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

At the end of the bill, after the word "districts" strike the period and insert the following "; provided that the provisions of section 75-12-11, revised statutes of Utah, 1933, shall not apply to school districts in cities of the first class."

Senator Child, with the aid of four Senators, requested a call of the Senate.

Senators Hopkin, Lundell, Farr and Watson were absent without leave.

On motion of Senator Ellett the call was lifted.

S. B. No. 2 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Lundell.

Absent and not voting: Senators Ashton, Farr, Williams.

S. B. No. 2 was transmitted to the House.

SPECIAL ORDER

H. B. No. 40 on Second Reading.

Senator Huggins moved to amend the bill as follows:

Line 7, after the word "Utah" insert the following: ", provided that the names of those persons continuing in such employment shall not be made public, but shall be accessible to the Industrial Commission only, provided further that such persons shall register as aforesaid within 24 hours after said strike shall have been halted".

On motion of Senator Ellett *H. B. No. 40* was made a Special Order of Business for Monday, February 10, 1941, at 10:30 a.m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 20 was read the second time.

Committee report read and adopted.

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

Line 1 of the title, strike the word "RELATING" and insert "REVISED".

Line 2, strike the word "DEFINITIONS".

Page 2, strike lines 28 and 33.

On motion of Senator Farr the rules were suspended and *S. B .No. 20* was read the third time and placed on its final passage.

S. B. No. 20 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Bailey, Howard, McMurrin.

S. B. No. 20 was transmitted to the House.

S. B. No. 62 was read the second time.

Committee report read and adopted.

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

Page 2, line 8, strike the last word.

Line 9, strike the whole of the line.

Line 10, strike the first two words and insert in lieu thereof "the board shall elect and appoint from its members".

On motion of Senator Macfarlane *S. B. No. 62* was recommitted to the Committee on Revision and Enrolling.

Senator Johnston moved that *S. B. No. 61* retain its position on the Calendar.

Motion carried.

S. B. No. 99 was read the second time.

Committee report read and adopted.

SPECIAL ORDER

S. B. No. 21 on Final Passage.

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

Page 2, line 6, strike the balance of the line after the word "building". Strike the whole of lines 7 to 13, inclusive.

Line 14, strike the first six words and the Senate amendment and insert the following:

"a. For human habitation, one and two family residences having a ground area of not exceeding 2,000 square feet, the cost of which shall not exceed $10,000, including the adjacent out buildings,

"b. Farm buildings of all kinds and apertinances thereto,".

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

Line 9 of the title, strike the last three words.

Line 10, strike up to and including the word "HEIGHT".

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

Line 8 of the title, strike the word "ANY" and place an "S" on the words "BUILDING" and "STRUCTURE".

S. B. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston (explained vote), Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Those voting in the negative were: Senators Child (explained vote), Mr. President.

Absent and not voting: Senators Ashton, Howard.

S. B. No. 21 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 99 on Second Reading.

On motion of Senator Dawson the rules were suspended and *S. B. No. 99* was read the third time and placed on its final passage.

S. B. No. 99 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr ,Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Ashton, Watson.

S. B. No. 99 was transmitted to the House.

On motion of Senator Hirschi the Senate accepted the invitation to inspect the Branch Agricultural College and Dixie College on February 22, 1941.

S. B. No. 90 was read the second time.

Committee report read and adopted.

On motion of Senator Farr *S. B. No. 90* was made a Special Order of Business for Thursday, February 13, 1941, at 3:30 p.m.

S. B. No. 30 was read the second time.

Committee report read and adopted.

On motion of Senator Dawson the rules were suspended and *S. B. No. 30* was read the third time and placed on its final passage.

S. B. No. 30 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr ,Hirschi. Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Ashton, Watson.

S. B. No. 30 was transmitted to the House.

S. B. No. 29 was read the second time.

Committee report read and adopted.

On motion of Senator Farr *S. B. No. 29* was made a Special Order of Business for Monday, February 10, 1941, at 11:00 a.m.

On motion of Senator Miller the Senate adjourned.

TWENTY-NINTH DAY

MORNING SESSION

February 10, 1941.

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

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

Prayer by the Chaplain.

February 10, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 26th day and find it correct with minor amendments noted on the final copy.

Respectfully,

GEO. A. CHRISTENSEN,
LYNNE ASHTON.

Report adopted and filed.

The President appointed Senators Farr and Dawson to revise the Journal for the week ending February 15, 1941.

COMMUNICATION FROM THE GOVERNOR

February 7, 1941.

TO THE SENATE:

I have today approved and transmitted to the Secretary of State, *S. B. No. 8*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PREPARATION AND CERTIFICATION OF ABSTRACTS OF TITLE BY COUNTY RECORDER; PROVIDING LIABILITY OF COUNTY."

Very respectfully yours,

HERBERT B. MAW,
Governor.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 7, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 164*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 164 was ordered printed and referred to the Committee on Judiciary.

February 7, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 165*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 165 was ordered printed and referred to the Committee on Judiciary.

February 7, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 166*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 166 was ordered printed and referred to the Committee on Judiciary.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 23*, by Mr. Hopkin, entitled, "AN ACT AMENDING SECTIONS 3, 33, 43, 44 AND 51, CHAPTER 7, LAWS OF UTAH, 1939, RELATING TO LIVESTOCK, CREATING AN ESTRAY FUND, ELIMINATING COMPULSORY MARKING OF LIVESTOCK AND PRO-

VIDING FOR SLAUGHTERING OF VEAL AND BEEF," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 33,* by Committee on Health and Labor, entitled, "AN ACT AMENDING SECTION 42-1-52, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1-52A, RELATING TO INDUSTRIAL COMMISSION AND WORKMEN'S COMPENSATION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 52,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 7-3-17, REVISED STATUTES OF UTAH, 1933, RELATING TO CHANGES IN THE ARTICLES OF INCORPORATION OF BANKS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 52 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 53*, by Mr. Miller, entitled, "AN ACT AMENDING SECTION 7-2-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 4, LAWS OF UTAH, 1933, AND CHAPTER 9, LAWS OF UTAH, 1935; SECTION 7-2-16, REVISED STATUTES OF UTAH, 1933; SECTION 7-2-24 AND SECTION 7-2-25, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY CHAPTER 5, LAWS OF UTAH, 1933, RELATING TO THE SUSPENSION AND LIQUIDATION OF BANKS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 53 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, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 54*, by Mr. Miller, entitled, "AN ACT AMENDING SECTION 8, CHAPTER 8, LAWS OF UTAH, 1935, RELATING TO THE POWERS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 54 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, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 51*, by Mr. Miller, entitled, "AN ACT REPEALING

SECTION 7-3-16, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIABILITY OF STOCKHOLDERS IN BANKS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 7, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 136*, by Mr. Rich, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 136 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 36*, by Mr. Ellett, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 36 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 101*, by Messrs. Lundell and Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 101 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 153*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 152*, by Mr. Johnston, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 152 was referred to the Committee on Public Institutions.

February 10, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 145*, by Mr. Watson (by request), has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 65*, by Mr. Brewster, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 65 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 168 By Mr. Christensen

AN ACT AMENDING SECTION 18, CHAPTER 65, LAWS OF UTAH, 1935, RELATING TO CONTRACT AND COMMON MOTOR CARRIER INSURANCE FOR PUBLIC LIABILITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 169 By Messrs. Miller and Watson

AN ACT AMENDING SECTION 54-1-35, REVISED STATUTES OF UTAH, 1933, RELATING TO STATE OFFICERS AND EMPLOYEES IN MILITARY SERVICE AND TO PROVIDE THAT ALL OFFICERS AND EMPLOYEES OF THE STATE OR ANY MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION OF THE STATE WHO ARE MEMBERS OF THE NATIONAL GUARD, NAVAL MILITIA, MEMBERS OF THE RESERVE CORPS OF THE UNITED STATES ARMY OR FORCES IN THE FEDERAL MILITARY, NAVAL, OR MARINE SERVICE MAY BE ABSENT FROM THEIR PLACES OF EMPLOYMENT AND SHALL RECEIVE COMPENSATION FROM THEIR RESPECTIVE EMPLOYERS WHILE SO ABSENT; PROVIDING FOR THEIR SERVICE AND MAKING PROVISION FOR DEPENDENTS OF MEMBERS OF THE NATIONAL GUARD WHILE THEY ARE ENGAGED IN SERVICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 170 By Mr. Spence

AN ACT RELATING TO THE PURCHASE OF GOODS OR SUPPLIES PRODUCED BY BLIND PERSONS; AND TO THE EMPLOYMENT OF BLIND PERSONS BY STATE INSTITUTIONS AND DEFINING TERMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 171 By Mr. Ellett (by request)

AN ACT CONCERNING ANNULMENTS OF VOID OR VOIDABLE MARRIAGES, REPEALING SECTION 40-1-17, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 172 By Mr. Watson

AN ACT AMENDING SECTION 87-1-1, REVISED STATUTES OF UTAH, 1933, RELATING TO SALARIES, OFFICERS OF EXECUTIVE DEPARTMENT, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Huggins the President appointed Senators Dawson, Hirschi and Ellett to draft an appropriate resolution of condolence to the family of former Senator Reed Smoot, and also appointed Senators Williams, Morrill and Spence to represent the State Senate at the funeral.

On motion of Senator Huggins *H. B. No. 40* was made a Special Order of Business for Thursday, February 13, 1941, at 2:30 p.m.

On motion of Senator Macfarlane *S. B. No. 29* was made a Special Order of Business for this afternoon at three o'clock.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 26 was read the second time.

On motion of Senator Spence 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 Ericksen, excused.

On motion of Senator Macfarlane the Senate accepted the invitation to inspect the University of Utah on Tuesday, February 18, 1941.

REPORTS OF STANDING COMMITTEES

February 10, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred *S. B. No. 62*, for correction, returns said bill, and recommends it resume its place upon the calendar.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 62 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 64*, by Messrs. Huggins and Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 64 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 84*, by Messrs. Grover and Ellett, has carefully considered said bill, and reports the same out without recommendation with the following amendments:

Line 4 of the title, delete the word "AND" at the end of the line.

Line 5 of the title, after the figure "16" delete the comma and insert "AND 26".

Line 24 of the bill, delete the word "and" after the figure "8". After the figure "16" insert "and 26".

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 84 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 86*, by Messrs. Grover and Ellett, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 86 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 87*, by Messrs. Grover and Ellett, has carefully considered said bill, and reports the same out without recommendation with the following amendment:

Change "department of public welfare" to "public welfare commission".

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred

S. B. No. 75, by Messrs. Ellett, Child and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 75 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 74*, by Messrs. Ellett, Child and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 74 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 76*, by Messrs. Ellett, Child and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

I am returning herewith *S. B. No. 97*, which was returned to me for rewriting.

Respectfully,

ABEL S. RICH.

Report filed.

S. B. No. 97 was referred to the Committee on Revision and Enrolling.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 83*, by Messrs. Grover and Ellett, has carefully considered said bill, and reports the same out without recommendation with the following amendments:

Change "department of public welfare" to "public welfare commission".

Page 2, line 5, strike the word "six" and insert in lieu thereof "four".

Page 2, line 14, after "$" insert "four thousand dollars".

Page 2, line 14, strike "quarterly" and insert in lieu thereof "monthly".

Page 3, lines 25 and 26, strike "hospital" and insert in lieu thereof "sanatorium".

Page 3, line 26, strike "state prison and self-help associations" and insert in lieu thereof "juvenile court and probation commission".

Page 3, line 15, delete the word "department" and insert in lieu thereof "commission".

Page 3, line 15, strike the word "may" and insert in lieu thereof "shall".

Page 3, line 27, after the period insert "The commission shall also operate, maintain and repair the buildings, grounds and other physical properties of said institutions; provided, however, that the roads and driveways within the property lines of said institutions shall be under the care and supervision of the department of engineering."

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

February 8, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 85*, by Messrs. Grover and Ellett, has carefully considered said bill, and reports the same out without recommendation with the following amendments:

Page 1, line 17, between the words "a" and "child" insert the word "needy". Delete the word "years," and after the word "sixteen" insert "or under the age of 18, if found by the commission to be regularly attending school."

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 63*, by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 63 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 102*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 102 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 173 By Mr. Dawson

AN ACT AMENDING SECTION 102-2-1, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ENUMERATION OF THE DUTIES OF THE CLERK OF THE COURT IN PROBATE MATTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 174 By Mr. Dawson

AN ACT AMENDING SECTIONS 102-1-3, 102-1-4 AND 102-1-6, REVISED STATUTES OF UTAH, 1933, RELATING TO TITLE AND JURISDICTION IN PROBATE MATTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 175 By Mr. Dawson

AN ACT AMENDING SECTION 105-10-5, REVISED STATUTES OF UTAH, 1933, ENUMERATING MAGISTRATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 176 By Mr. Dawson

AN ACT AMENDING SECTION 20-6-2, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PRACTICE OF LAW BY JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 177 By Mr. Dawson

AN ACT AMENDING SECTION 105-31-15, REVISED STATUTES OF UTAH, 1935, AS AMENDED BY CHAPTER 128, LAWS OF UTAH, 1935, RELATING TO PEREMPTORY CHALLENGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 178 By Mr. Dawson

AN ACT AMENDING SECTIONS 20-1-1 AND 20-1-2, REVISED STATUTES OF UTAH, 1933, ENUMERATING COURT OF JUSTICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 179 By Mr. Dawson

AN ACT AMENDING SECTION 20-7-15, REVISED STATUTES OF UTAH, 1933, ENUMERATING THE COURTS HAVING A SEAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 180 By Mr. Dawson

AN ACT PROVIDING FOR THE ORGANIZATION OF COUNTY COURTS, FIXING THEIR JURISDICTION BOTH CIVIL AND CRIMINAL, PROVIDING FOR APPOINTMENT, ELECTION, QUALFICATIONS AND SALARIES OF JUDGES, AND FIXING THEIR TERMS OF OFFICE, AND THEIR DUTIES, PROVIDING FOR CLERKS, THEREOF: PRESCRIBING FORMS OF PLEADING AND PROCESSES THEREIN AND PROVIDING FOR AND REGULATING TRIALS AND HEARINGS THEREIN AND APPEALS THEREFROM, AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 181 By Messrs. Lundell, Hopkin and Watson

AN ACT AMENDING SECTION 75-11-20, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A REFERENDUM TO THE PEOPLE OF A RURAL REPRESENTATIVE SCHOOL PRECINCT WHEN THE SCHOOL BOARD PROPOSES TO CONSOLIDATE GRADES BELOW AND INCLUDING THE SIXTH GRADE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 182 By Mr. Christensen

AN ACT AMENDING SECTION 2 OF CHAPTER 48, LAWS OF UTAH, 1937, RELATING TO TITLE INSURANCE GUARANTEE FUND DEPOSITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 183 By Mr. Morrill

AN ACT AMENDING SECTION 80-7-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTERS 102, LAWS OF UTAH, 1937, PERTAINING TO THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS AS A BOARD OF EQUALIZATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 184 By Mr. Hopkin

AN ACT AMENDING SECTION 90-0-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 78, LAWS OF UTAH, 1933, RELATING TO GENERAL POWERS AND DUTIES OF THE BOARD OF SUPPLIES AND PURCHASE, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 10, 1941.

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. Hopkin, entitled, "AN ACT AMENDING SECTIONS 3, 33, 43, 44 AND 51, CHAPTER 7, LAWS OF UTAH, 1939, RELATING TO LIVESTOCK, CREATING AN ESTRAY FUND, ELIMINATING COMPULSORY MARKING OF LIVESTOCK AND PROVIDING FOR SLAUGHTERING OF VEAL AND BEEF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 23 was transmitted to the Governor.

February 10, 1941.

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 Committee on Health and Labor, entitled, "AN ACT AMENDING SECTION 42-1-52, REVISED STATUTES OF UTAH, 1933, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1-52A, RELATING TO INDUSTRIAL COMMISSION AND WORKMEN'S COMPENSATION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 33 was transmitted to the Governor.

February 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 51*,

by Mr. Miller, entitled, "AN ACT REPEALING SECTION 7-3-16, REVISED STATUTES OF UTAH, 1933, RELATING TO THE LIABILITY OF STOCKHOLDERS IN BANKS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 51 was transmitted to the Governor.

February 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 52*, by Mr. Miller, entitled, "AN ACT AMENDING SECTION 7-3-17, REVISED STATUTES OF UTAH, 1933, RELATING TO CHANGES IN THE ARTICLES OF INCORPORATION OF BANKS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 52 was transmitted to the Governor.

February 10, 1941.

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. 53*, by Mr. Miller, entitled, "AN ACT AMENDING SECTION 7-2-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 4, LAWS OF UTAH, 1933, AND CHAPTER 9, LAWS OF UTAH, 1935; SECTION 7-2-16, REVISED STATUTES OF UTAH, 1933; SECTION 7-2-24 AND SECTION 7-2-25, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY CHAPTER 5, LAWS OF UTAH, 1933, RELATING TO THE SUSPENSION AND LIQUIDATION OF BANKS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 53 was transmitted to the Governor.

February 10, 1941.

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. 54*,

by Mr. Miller, entitled, "AN ACT AMENDING SECTION 8, CHAPTER 8, LAWS OF UTAH, 1935, RELATING TO THE POWERS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 54 was transmitted to the Governor.

UNFINISHED BUSINESS

S. B. No. 26 on Second Reading.

Committee report read and adopted.

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

Page 7, line 11, strike the word "terms" and insert in lieu thereof "teams".

Page 9, line 12, strike the word "signals" and insert in lieu thereof "signal".

Page 9, line 17, strike the word "along" and insert in lieu thereof "alone".

Page 9, line 25, strike the word "along" and insert in lieu thereof "alone".

Page 10, line 3, strike the word "go" and insert in lieu thereof "Go".

Page 10, line 28, strike the word "be" and insert in lieu thereof "by".

Page 15, line 31, after the word "state" insert a period.

Page 16, line 6, after period add: "For the purpose of this section such second violation shall have occurred within three years of the preceding violation."

Page 16, line 20, after the period add:

"For the purpose of this section such second violation shall have occurred within three years of the preceding violation.

"The department shall suspend, on recommendation of the court, for a period not exceeding three months, the operator's or chauffeur's license of any person convicted upon three charges of reckless driving committed within a period of 12 months; provided, however, that if, upon a first or second conviction the justice or judge shall recommend suspension of the convicted person's license, the department shall suspend the said license for a period not to exceed three months."

Page 35, line 33, strike the word "vehicle" and insert in lieu thereof "vehicles".

Page 41, line 17, between the words "road" and "lighting" insert a hyphen.

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

Page 12, line 1, after the word "convicted" insert "for a period not to exceed one year".

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

Page 11, line 33, strike the word "revoke" and insert the word "suspend".

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

Page 57, strike lines 12, 13 and 14.

Line 15, strike the letter "f" and insert "e".

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

Page 26, strike lines 24 to 33, inclusive.

Page 27, strike lines 1 to 18, inclusive, and renumber the following sections accordingly.

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

Page 27, line 23, after the word "bicycle" insert "operated during the period of one hour after sunset and one hour before sunrise."

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

Page 26, line 15, strike the words "confused or".

Page 20, line 23, strike the last nine words.

Strike the whole of line 24.

Page 18, line 22, strike the last appearing word "to" and insert "of".

Page 2, line 24, the word "use" to read "used".

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

Page 11, lines 15 and 17, strike the word "hereby".

Page 21, line 12, strike the word "hereby".

Page 43, line 33, strike the word "hereby".

Page 49, line 6, strike the last three words "at a distance".

S. B. No. 26 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Ericksen.

SPECIAL ORDER

S. B. No. 29 on Second Reading.

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

Page 1, line 11, strike the last three words.

Line 12, strike the first three words.

Page 2, line 17, strike the last five words.

Line 18, strike the first word.

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

Page 3, line 17, strike the word "hereby".

Line 16, strike the word "of".

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

Page 3, line 4, strike the word "five" and insert "six".

Lines 6 and 12, strike the word "fifth" and insert "sixth".

Page 2, line 29, strike the word "fifth" and insert "sixth".

Page 3, line 13, the word "thrity" to read "thirty".

S. B. No. 29 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Hopkin, Miller.

Absent and not voting: Senators Ericksen, Hirschi.

On motion of Senator Howard the Senate adjourned until tomorrow at 10:00 a.m.

THIRTIETH DAY

MORNING SESSION

February 11, 1941.

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

Roll Call—All Senators present except Senator Williams.

Prayer by the Chaplain.

February 11, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 29th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

DEXTER FARR,
WILLIAM A. DAWSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 10*, by Mr. Miller, Mr. Pace and Mr. Lund.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 10, 1941.

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. 1*, by Messrs. Leary, Johnson and Pace, entitled, "A RESOLUTION APPROVING THE FOREIGN POLICY OF THE PRESIDENT OF THE UNITED STATES, THE LEASE AND LEND PROPOSAL, ADEQUATE AID TO GREAT BRITAIN, AND OTHER AXIS OPPOSED DEMOCRACIES," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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.

February 10, 1941.

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. Rees, Mr. Elswood and Mr. Scherer, entitled,

"AN ACT AMENDING SECTION 3 OF CHAPTER 63, LAWS OF UTAH, 1933, AS AMENDED BY SECTION 3, CHAPTER 103, LAWS OF UTAH, 1939, RELATING TO THE LICENSE REQUIRED TO DO BUSINESS IN THE STATE OF UTAH," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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.

February 10, 1941.

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. 6*, by Resolutions and Memorials Committee, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE DAVID H. THOMAS UPON THE DEATH OF HIS MOTHER, MRS. AMY H. THOMAS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. 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 Secretary of State.

February 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to concur in the Senate amendments to *H. B. No. 5*, by Mr. Redd, and requests the Senate to recede from the same.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Christensen the Senate refused to recede from its position and the President appointed a Conference Committee consisting of Senators Lundell, Spence and Farr.

February 10, 1941.

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. 20*, by Mr. Reid and Mr. Cannon, entitled, "AN ACT RELATING TO THE CLEARANCE, REPLANNING, REHABILITATION AND RECONSTRUCTION OF SUBSTANDARD AND INSANITARY AREAS IN CITIES IN THE STATE AND PROVIDING FOR AND RELATING TO REDEVELOPMENT CORPORATIONS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 20 was read the first time and referred to the Committee on Social Relations and Relief.

REPORTS OF STANDING COMMITTEES

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, by Mr. Rich (by request), with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 97 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 10, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 168*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 168 was ordered printed and referred to the Committee on Banking and Commerce.

February 10, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 169*, by Messrs. Miller and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 169 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 10, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 170*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 170 was ordered printed and referred to the Committee on Public Institutions.

February 10, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 172*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 172 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 181*, by Messrs. Lundell, Hopkin and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 181 was ordered printed and referred to the Committee on Education.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 182*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 182 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 183*, by Mr. Morrill, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 183 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 7, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 50*, by Messrs. Huggins and Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 50 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 154*, by Mr. Child, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 154 was placed on the Second Reading Calendar.

February 7, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 92*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 13*, by Messrs. Pace and Miller, by request, has carefully considered said bill, and reports the same out favorably, with the following amendments.

Line 1 of the title, delete the words "GOVERNMENTAL LIENS" and insert in lieu thereof "TAXES".

Line 1 of the act, after the word "any" insert the word "personal".

Beginning on line 3, after the words "any and" delete the remaining words on the line, all of line 4, and line 5 up to the words "all taxes".

Line 5, delete the words "on personal" and insert in lieu thereof "thereon".

Line 6, delete the first five words up to the word "legally".

Line 14, after the words "of such" delete the words "liens, and".

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 13 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 144*, by Mr. McMurrin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 144 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 68*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN.
Chairman.

Report filed.

S. B. No. 68 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 70*, by Mr. Wood, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 70 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 134*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably with the following amendments:

On line 5, after the word "for" insert "promotion, development and advertising".

On line 8, after the word "state" delete the words "promotion, development, advertising,".

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 134 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 62*, by Mr. Albrecht, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 62 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 82*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 10*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. J. R. No. 10 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which has been referred *S. B. No. 133*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 133 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 4*, by Messrs. Twitchell, Miller and Rees, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 4 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 38*, by Mr. McGean, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 38 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 158*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 158 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 157*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 157 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 160*. by Messrs. Lundell, Watson and Mrs. Ericksen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 160 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 35*, by Mr. Ellett, has carefully considered said bill, and reports the same out without recommendation, with the following amendments:

Line 1, title, after the word "AMENDING" delete the word "SECTION" and insert in lieu thereof the word "SECTIONS"; after the figures "25-5-1" delete comma and insert "AND 25-5-4,".

Line 3, title, after the word "BALLOTS" delete period, insert semicolon and add "PROVIDING FOR A FORM OF APPLICATION."

Line 1, section 1, after "Section 1." delete "Section" and insert in lieu thereof the word "Sections"; after the figures "25-5-1" delete comma and insert "and 25-5-4,"; delete "is" and insert "are".

Insert new section to be known as 25-5-4.

"25-5-4. Application for such ballot shall be made upon a blank to be furnished by the county clerk of the county or the city recorder of the city of which the applicant is an elector, and shall be in substantially the following form:

"I, ..., a duly qualified elector, residing at .....Street, ...City, ...County, State of Utah, and to my best knowledge and belief entitled to vote at the next election therein, expecting to be absent from said county or city and not within twenty miles of my voting precinct or district, or am confined to my home or hospital on the day for holding such election, hereby make application for an official absent-voter ballot to be voted by me at such election.

Dated.....

Signed....."

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 35 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 185 By Messrs. Ellett and Hopkin

AN ACT AMENDING SECTIONS 100-2-1, 100-2-8, REVISED STATUTES OF UTAH, 1933; SECTION 100-5-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935; SECTION 100-3-16, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937; SECTION 100-3-25, AS ENACTED BY CHAPTER 130, LAWS

OF UTAH, 1937; SECTION 100-6-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937; SECTION 100-3-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTIONS 100-3-5 AND 100-3-8, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTION 100-5-13, AS ENACTED BY CHAPTER 130, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTION 100-5-14, AS ENACTED BY CHAPTER 111, LAWS OF UTAH, 1939, RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE THERETO, THE APPROPRIATION, ADMINISTRATION, AND DISTRIBUTION THEREOF, AND RELATING TO THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION AND AMENDING CHAPTER 2, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 100-2-16, AUTHORIZING THE STATE ENGINEER TO ASSIST IN THE SETTLEMENT OF DISPUTES OVER WATER AND THE DISTRIBUTION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 186 By Mr. Child

AN ACT AMENDING SECTIONS 14-4-4, 14-4-7 AND 14-4-8, REVISED STATUTES OF UTAH, 1933, RELATING TO CONSENT TO ADOPT, JURISDICTION OF DISTRICT COURT, AND PROCEDURE; CONTRACT OF ADOPTING PARENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 187 By Mr. Child

AN ACT AMENDING CHAPTER 4, TITLE 14, REVISED STATUTES OF UTAH, 1933, BY ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 14-4-14 AND 14-4-15, RELATING TO INVESTIGATION OF THE SOCIAL, PHYSICAL AND MENTAL CONDITION OF THE CHILD PROPOSED TO BE ADOPTED; THE FINANCIAL AND SOCIAL CONDITION OF THE ADOPTING PARENT OR PARENTS; THE REASONS FOR ADOPTION; THE SOCIAL AND MENTAL CONDITIONS OF THE PARENT OR PARENTS OF THE CHILD PROPOSED TO BE ADOPTED; AND THE PROBATIONARY RESIDENCE OF THE CHILD PROPOSED TO BE ADOPTED; RECORDS SEALED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 188 By Messrs. Lundell and Hirschi

AN ACT AMENDING CHAPTER 29, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 37, LAWS OF UTAH, 1939, PERTAIN-

ING TO PRIMARY ELECTIONS AND NOMINATIONS OF CANDIDATES FOR PUBLIC OFFICE, AND DESIGNATED AS THE UTAH DIRECT PRIMARY LAW, BY ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 51, 52, 53, 54, 55 AND 56, RELATING TO THE RECOGNITION AND QUALIFICATIONS OF POLITICAL PARTIES AND CANDIDATES; PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 189 By Mr. Watson

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, OPERATION, EXTENSION OR BETTERMENT OF ANY PLANT OR SYSTEM FOR TRANSMITTING OR DISTRIBUTING ELECTRICITY, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 26 was read the third time and placed on its final passage.

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

Page 11, line 33, strike the Senate amendment.

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

Page 16, the amendment inserted on line 20, strike the words ", on recommendation of the court,".

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

Page 18, line 22, strike the word "apparent".

Senator Hirschi moved to amend on page 17, line 9, strike the word "Twenty" and insert "Forty".

On motion of Senator Macfarlane the amendment was amended by striking "Forty" and inserting "Thirty".

Motion as amended carried.

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

Page 16, line 31, strike the word "Twenty" and insert the word "Thirty-five".

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

Page 17, line 9, strike the word "Thirty" and insert "Thirty-five".

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

Page 27, line 23, strike the Senate amendment and insert in lieu thereof "operated during the night time".

S. B. No. 26 then passed on the following roll call:

Yeas, 20, Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Ellett, Miller, Williams.

S. B. No. 26 was transmitted to the House.

S. B. No. 29 was read the third time and placed on its final passage.

On motion of Senator Child *S. B. No. 29* was made a Special Order of Business for this afternoon at three o'clock.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 6 on Second Reading.

On motion of Senator Macfarlane 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 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 173*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 173 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 174*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 174 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 175*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 175 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 176*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed .

S. B. No. 176 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 177*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 177 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 178,* by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 178 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 179,* by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 179 was ordered printed and referred to the Committee on Judiciary.

February 10, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 9,* by Mr. T. M. Rees, Mrs. Jacob, Mr. Brewster, Mr. Hinckley, Mr. Kerr, Mr. Lund, Mr. Midgley, Mr. Miller and Mr. Pace, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

H. B. No. 9 was placed on the Second Reading Calendar.

February 10, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 73,* by Mr. Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

COMMUNICATION FROM THE HOUSE

February 10, 1941.

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. 85*, by Mr. Joseph E. Rees, Mr. Thorne and Mr. Smith, entitled, "AN ACT TO AMEND SECTIONS 2, 4, 5, 7, 9, 11, 13, 14, 21 AND 24, CHAPTER 1, LAWS OF UTAH, 1935, RELATING TO REGULATING THE LICENSING, REGISTRATION, SALE, INSPECTION, SAMPLING AND ANALYSIS OF COMMERCIAL FERTILIZERS, SUPERPHOSPHATES AND FERTILIZER MATERIAL IN THE STATE OF UTAH; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 5A, REGULATING THE SALE OF ACID PHOSPHATE AND MIXED FERTILIZER," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 85 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Representatives Redd, Frandsen and Dalrymple to act with a like committee from the Senate on *H. B. No. 5*.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

Upon unanimous consent of the Senate, *S. B. No. 90* was withdrawn by Senator Farr.

PRESENTATION OF RESOLUTION

S. J. R. No. 11 By Messrs. Ellett, Dawson and Hirschi

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE HONORABLE REED SMOOT.

Be it resolved by the Legislature of the State of Utah:

WHEREAS, the Legislature of the State of Utah has learned with profound sorrow and deep regret of the death of the Honorable Reed Smoot, former United States Senator from Utah, and member of the Council of Twelve Apostles of the Church of Jesus Christ of Latter-day Saints; and

WHEREAS, we of Utah have loved and cherished him as a friend, neighbor and statesman, in life.

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the State of Utah does hereby pay tribute to him, in death:

For thirty years he served us in the United States Senate. What a wonderful opportunity and what a rare privilege was his to know—to be given the opportunity to really do something worthwhile and of lasting value to his country and his countrymen. And how magnificently he acquitted himself. His mind and soul were occupied by unbending devotion to his church, his state, his country, and the welfare of humankind. His record in the Senate and in his church will stand forever as a monument of which his family, his friends, and his countrymen may well be proud. He was truly a servant of his God, and a servant to his people.

In a world where nations' hands now drip with blood, and the right of liberty of body and of mind is strained and tested well nigh to the breaking point, we more than ever appreciate the value and philosophy of him who loved democracy so much, and we the more feel the great loss which we suffer in his passing. Utah and the nation will miss him; there is none to take his place. His keen intellect, his retentive mind, his powerful concentration of thought, his fine devotion to public service—all these things he has taken with him. Yet few men in departing this life have left so much of good behind. Truly, it can be said his nation, his state, his community are the better for his having been here.

BE IT FURTHER RESOLVED that a copy of this resolution be delivered to the family of Senator Smoot with an expression of our sincere sympathy and condolences, was read the first time.

On motion of Senator Dawson the rules were suspended and *S. J. R. No. 11* was read the second and third times and placed on its final passage.

S. J. R. No. 11 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Spence, Watson.

S. J. R. No. 11 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 190 By Mr. Howard

AN ACT AMENDING SECTION 30-0-12, REVISED STATUTES OF UTAH, 1933, LICENSES TO HUNT, TRAP OR FISH; PROVIDING THAT THE FISH AND GAME DEPARTMENT SHALL ISSUE UPON REQUEST TO PERSONS 75 YEARS OF AGE OR OVER A LICENSE TO HUNT, TRAP, OR FISH WITHOUT CHARGE, PROVIDING THAT BLIND PERSONS MAY FISH WITHOUT LICENSE CHARGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 191 By Messrs. Watson, Child and Dawson

AN ACT AMENDING SECTIONS 80-13-2 AND 80-13-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 89, LAWS OF UTAH, 1935, RELATING TO THE RATE AND

BASE OF CORPORATION FRANCHISE AND PRIVILEGE TAX AS TO NATIONAL BANKS, STATE BANKS AND OTHER CORPORATIONS, AND TO MAKE THE RATES HEREBY LEVIED MORE NEARLY UNIFORM WITH THE INCOME TAX RATES LEVIED AGAINST INDIVIDUALS, DATE TAX SHALL TAKE EFFECT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 192 By Messrs. Watson, Child and Dawson

AN ACT AMENDING SECTION 3 OF CHAPTER 101, LAWS OF UTAH, 1937, RELATING TO THE RATE OF OCCUPATION TAX ON ALL ENGAGED IN THE BUSINESS OF MINING OR PRODUCING METALLIFEROUS ORES, AND THE BASIS UPON WHICH THE TAX IS TO BE COMPUTED SO AS TO MORE NEARLY EQUALIZE THE BURDEN OF THIS TAX AS BETWEEN THE LARGE-VOLUME AND THE SMALL-VOLUME PRODUCERS OF SUCH ORES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 193 By Messrs. Child and Ellett (by request)

AN ACT AMENDING SECTION 75-12-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 81, LAWS OF UTAH, 1937, RELATING TO SCHOOL TAXES AND LIMITING THE SCHOOL TAX IN COUNTY DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 194 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE UTAH STATE TRAINING SCHOOL TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE GOVERNMENT AND CONTROL OF THE PUBLIC WELFARE COMMISSION; REPEALING SECTIONS 82-8-2, 82-8-3, 82-8-6, 82-8-7 AND 82-8-10, REVISED STATUTES OF UTAH, 1933, AND AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11, 85-8-12 AND 85-8-14, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 195 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 85-6-1 AND 85-6-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1933, AND SECTIONS 85-6-6, 85-6-8, 85-6-9, 85-6-10, 85-6-11, 85-6-12, 85-6-15, 85-6-16, 85-6-17 AND 85-6-18, REVISED STATUTES OF UTAH, 1933, TRANSFERRING THE SUPERVISION AND CONTROL OF THE STATE INDUSTRIAL SCHOOL FROM THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF

THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT TO THE STATE INDUSTRIAL SCHOOL, TERMINATING THE TERMS OF OFFICE OF THE BOARD OF TRUSTEES OF THE STATE INDUSTRIAL SCHOOL; AND REPEALING SECTIONS 85-6-2, 85-6-3 AND 85-6-4, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 196 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE GENERAL CONTROL AND SUPERVISION OF THE JUVENILE COURTS AND JUVENILE COURT PROBATION OFFICERS FROM THE JUVENILE COURT AND PROBATION COMMISSION TO THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT OF JUVENILE COURTS, JUVENILE COURT JUDGES, JUVENILE COURT PROBATION OFFICERS AND OTHER JUVENILE COURT EMPLOYEES; REPEALING SECTION 14-7-1, REVISED STATUTES OF UTAH, 1933, AND AMENDING SECTIONS 14-7-2, 14-7-3, 14-7-7, 14-7-8, 14-7-37 AND 14-7-38, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 197 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE GOVERNMENT AND CONTROL OF THE UTAH STATE HOSPITAL FROM THE BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION, DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT TO THE UTAH STATE HOSPITAL; REPEALING SECTION 85-7-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935, AND SECTION 85-7-3, REVISED STATUTES OF UTAH, 1933; AND AMENDING SECTIONS 85-7-4, 85-7-5, 85-7-6 AND 85-7-13, REVISED STATUTES OF UTAH, 1933, SECTION 85-7-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935, AND SECTION 85-7-14, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 198 By Committee on State and Municipal Affairs

AN ACT CREATING THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, PROVIDING FOR THE APPOINT-

MENT OF COMMISSIONERS, THEIR SALARIES, TERMS OF OFFICE, POWERS AND DUTIES, AND CREATING A PUBLICITY AND INDUSTRIAL DEVELOPMENT ADVISORY COUNCIL, PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE COUNCIL, THEIR TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 199 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 75-7-1 AND 75-7-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 56, LAWS OF UTAH, 1935, AND SECTIONS 75-7-7, 75-8-1, 75-8-2, 75-8-3, 85-3-1, 85-3-2, 85-3-4, 85-3-7, 85-3-9, 85-3-10, 85-3-13, 85-3-14 AND 85-3-15, REVISED STATUTES OF UTAH, 1933, COMBINING AND CONSOLIDATING THE FUNCTIONS OF THE STATE BOARD OF EDUCATION, THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND WITHIN A NEW DEPARTMENT TO BE KNOWN AS THE DEPARTMENT OF EDUCATION; REPEALING SECTIONS 75-7-3 AND 85-3-5, REVISED STATUTES OF UTAH, 1933; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 3, RELATING TO THE CONDUCT OF THE AFFAIRS OF THE DEPARTMENT OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 200 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 3 AND 4, CHAPTER 116, LAWS OF UTAH, 1937, RELATING TO THE POWERS AND DUTIES OF THE AGRICULTURAL COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 201 By Committee on State and Municipal Affairs

AN ACT RELATING TO THE STATE CHEMIST: TRANSFERRING THE OFFICE OF STATE CHEMIST TO THE DEPARTMENT OF AGRICULTURE; PROVIDING FOR THE METHOD OF APPOINTMENT, SALARY, TERM OF OFFICE, POWERS, DUTIES AND FUNCTIONS; AND REPEALING SECTIONS 87-7-1, 87-7-2 AND 87-7-3, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 202 By Committee on State and Municipal Affairs

AN ACT RELATING TO PUBLIC HEALTH; THE ADMINISTRATION OF HEALTH FUNCTIONS AND HEALTH PROGRAM OF THE STATE; CREATING A DEPARTMENT OF HEALTH; PRO-

VIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF HEALTH, APPOINTMENT, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE PERSONNEL OF THE STATE HEALTH COMMISSIONER, HIS SALARY AND QUALIFICATIONS; TERMINATING THE TERM OF OFFICE OF THE MEMBERS OF THE PRESENT BOARD OF HEALTH AND OF THE PRESENT STATE HEALTH COMMISSIONER; AND REPEALING SECTIONS 35-1-1, 35-1-3, 35-1-4, 35-1-7 AND 35-1-8, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 203 By Committee on State and Municipal Affairs

AN ACT RELATING TO AGRICULTURE; THE ADMINISTRATION OF THE AGRICULTURAL FUNCTIONS AND PROGRAM OF THE STATE; CREATING A DEPARTMENT OF AGRICULTURE; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF AGRICULTURE AND APPOINMENTS, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE OFFICE OF THE COMMISSIONER OF AGRICULTURE; CREATING A DEPARTMENT OF AGRICULTURE ADVISORY COUNCIL, MEMBERSHIP, TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS; TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF AGRICULTURE AND TERMINATING THE TERM OF OFFICE OF THE PRESENT COMMISSIONER OF AGRICULTURE; AND REPEALING SECTIONS 3-1-1, 3-1-2, 3-1-3, 3-1-9, 3-1-10 AND 3-1-11, REVISED STATUTES OF UTAH, 1933, AND SECTION 3-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1939, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 204 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 10, 11, 12, 13, 14, 17, 18, 19 AND 22, CHAPTER 4, LAWS OF UTAH, 1935, AND SECTIONS 5, 7, 8 AND 9, CHAPTER 4, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 8, LAWS OF UTAH, 1937, RELATING TO THE PRODUCE DEALERS' ACT AND TRANSFERRING THE POWERS AND DUTIES ENACTED BY THE PRODUCE DEALERS' ACT FROM THE STATE BOARD OF AGRICULTURE TO THE AGRICULTURAL COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 205 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE SUPERVISION, MANAGEMENT AND CONTROL OF STATE PARKS FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE DEPARTMENT OF AGRICULTURE, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE STATE BOARD OF AGRICULTURE WITH RESPECT THERETO AND REPEALING TITLE 68, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 206 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 86-1-1, 86-1-5, 86-1-6, 86-1-7, 86-1-8, 86-1-9, 86-1-10, 86-1-11, 86-1-12, 86-1-14, 86-1-18, 86-1-19, 86-1-20, 86-1-21, 86-1-22, 86-1-23, 86-1-24, 86-1-25, 86-1-26, 86-1-27, 86-1-28, 86-1-29, 86-1-30, 86-1-32, 86-1-33, 86-1-34, 86-1-35, 86-1-36, 86-1-37, 86-1-38, 86-1-39, 86-1-40, 86-1-41, 86-1-42, 86-1-43, 86-1-44, 86-1-45, 86-1-46, 86-1-47, 86-1-51, 86-1-53, 86-1-54, 86-1-55, 86-1-57, 86-1-58, 86-1-59, 86-1-60, 86-1-61, 86-1-63, 86-2-1, 86-2-2, 86-3-2, 86-3-3, 86-3-4, 86-3-5, 86-3-6, 86-3-7, 86-3-8, 86-3-10, 86-3-11, 86-3-12, 86-3-13, 86-3-16, 86-3-17, 86-4-2, 86-4-3, 86-4-4, 86-4-5, 86-4-6, 86-4-10 AND 86-5-1, REVISED STATUTES OF UTAH, 1933, SECTION 86-1-13, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1933, SECTION 86-1-49, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 126, LAWS OF UTAH, 1937, AND CHAPTER 107, LAWS OF UTAH, 1939, SECTION 86-1-50, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 127, LAWS OF UTAH, 1937, SECTION 86-5-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 108, LAWS OF UTAH, 1937, SECTIONS 1, 2, 3, AND 4, CHAPTER 99, LAWS OF UTAH, 1935, RELATING TO THE STATE LAND BOARD AND PROVIDING THAT THE DUTIES AND RESPONSIBILITIES SET OUT THEREUNDER SHALL BE VESTED IN THE FINANCE COMMISSION; REPEALING SECTIONS 86-1-2, 86-1-3 AND 86-1-4, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 207 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 42-4-1, 42-4-7, 42-4-8, 42-4-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE FIREMEN'S PENSION FUND AND PROVIDING THAT THE ADMINISTRATION OF SUCH FUND SHALL BE BY THE FINANCE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 208 By Committee on State and Municipal Affairs

AN ACT AMENDING CHAPTER 85, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 80, LAWS OF UTAH, 1939, RELATING TO THE TEACHER RETIREMENT ACT AND PROVIDING THAT THE CONTROL AND ADMINISTRATION OF SAID ACT SHALL BE IN THE DEPARTMENT OF FINANCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 209 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 42-1-47, 42-2-12, 42-2-14, 42-2-17, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 51, LAWS OF UTAH, 1939, RELATING TO THE STATE INSURANCE FUND AND PROVIDING THAT THE ADMINISTRATION OF SUCH FUND SHALL BE BY THE FINANCE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 210 By Committee on State and Municipal Affairs

AN ACT AMENDING TITLE 90, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 78, LAWS OF UTAH, 1933, RELATING TO THE BOARD OF SUPPLIES AND PURCHASE AND PROVIDING THAT THE POWERS AND DUTIES SET OUT THEREUNDER SHALL BE VESTED IN A COMMISSION OF FINANCE AND FURTHER PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF SUCH COMMISSION AND REPEALING SECTION 90-0-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 78, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 211 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 30-0-1, 30-0-2, 30-0-3, 30-0-4, 30-0-5, 30-0-10, 30-0-11, 30-0-26, 30-0-38, 30-0-57, 30-0-62, 30-0-63 AND 30-0-76, REVISED STATUTES OF UTAH, 1933, AND SECTION 30-0-25, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 23, LAWS OF UTAH, 1933, AND SECTION 30-0-50, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 34, LAWS OF UTAH, 1937, AND SECTION 30-0-54, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 27, LAWS OF UTAH, 1933, RELATING TO FISH AND GAME; CREATING THE DEPARTMENT OF FISH AND GAME; PROVIDING FOR THE APPOINTMENT OF THE FISH AND GAME COMMISSION TO SUCCEED TO THE POWERS AND DUTIES HERETOFORE EXERCISED AND PERFORMED BY THE FISH AND GAME COMMISSIONER; DEFINING THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF FISH AND GAME; APPOINTMENT OF COM-

MISSIONERS, THEIR TERM OF OFFICE AND SALARY, ADMINISTRATION, PERSONNEL; CREATING A FISH AND GAME ADVISORY COUNCIL TO SUCCEED TO THE POWERS AND DUTIES HERETOFORE EXERCISED AND PERFORMED BY THE STATE GAME REFUGE COMMITTEE; DEFINING THE POWERS AND DUTIES OF THE COUNCIL, AND PROVIDING FOR THE TERM OF OFFICE OF ITS MEMBERS AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 30-0-2A, 30-0-2B, 30-0-2C, 30-0-2D, 30-0-2E, 30-0-2F, 30-0-2G, 30-0-2H, 30-0-2I, 30-0-2J AND 30-0-2K, AND REPEALING SECTION 1, CHAPTER 33, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1937, AND SECTIONS 2 AND 3, CHAPTER 33, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 212 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 100-2-1, 100-2-4, REVISED STATUTES OF UTAH, 1933, SECTION 100-2-15, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY SECTION 1, CHAPTER 130, LAWS OF UTAH, 1937, SECTION 100-3-2, REVISED STATUTES OF UTAH, 1933, AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935, AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939, SECTION 100-4-2, REVISED STATUTES OF UTAH, 1933, AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935, AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937, RELATING TO WATER AND IRRIGATION, AND REPEALING SECTIONS 100-2-2 AND 100-2-3, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 213 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 36-5-2, 36-5-3 AND 36-7-2, REVISED STATUTES OF UTAH, 1933, SECTION 36-2-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1935, AND AS AMENDED BY CHAPTER 46, LAWS OF UTAH, 1939, SECTION 36-2-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 28, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1935, AND AS AMENDED BY CHAPTER 39, LAWS OF UTAH, 1937, AND SECTION 4, CHAPTER 68, LAWS OF UTAH, 1939, RELATING TO STATE HIGHWAYS AND THE STATE ROAD COMMISSION AND ITS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 214 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 2 AND 5, CHAPTER 10, LAWS OF UTAH, 1937, AND SECTION 4, CHAPTER 10, LAWS

OF UTAH, 1937, AS AMENDED BY CHAPTER 12, LAWS OF UTAH, 1939, RELATING TO AERONAUTICS WITHIN THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 215 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 10-0-1, 10-0-2, 10-0-3, 10-0-4, 10-0-5, 10-0-6, 10-0-7, 10-0-8, 10-0-9 AND 10-0-10, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CONSTRUCTION AND REPAIR OF STATE BUILDINGS; CHANGING THE NAME OF THE "UTAH STATE BUILDING COMMISSION" TO THE "UTAH STATE BUILDING BOARD," MAKING THE BOARD A PART OF THE DEPARTMENT OF ENGINEERING, AND PROVIDING THAT CONTRACTS MADE BY THE UTAH STATE BUILDING COMMISSION SHALL NOT BE AFFECTED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 216 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 80-5-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 59, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 99, LAWS OF UTAH, 1937, RELATING TO THE TAX COMMISSION AND FIXING THE SALARY OF THE COMMISSIONERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 217 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 5, CHAPTER 43, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1937, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTION 210, 211 AND 212, RELATING TO THE LIQUOR COMMISSION, HOW ORGANIZED, REQUIRING ALL MONEYS COLLECTED BY THE COMMISSION TO BE PAID INTO THE STATE TREASURY: THAT ALL ACCOUNTS OF THE LIQUOR COMMISSION BE DRAWN BY VOUCHER BY THE STATE AUDITOR, AND SETTING THE COMMISSION ON A BUDGET, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 218 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 1, 2 AND 3, CHAPTER 162, LAWS OF UTAH, 1937, RELATING TO THE APPROPRIATION OF MONEYS FROM THE MOTOR VEHICLE REGISTRATION FUND, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 6 on Second Reading.

Senator Farr, four Senators concurring therein, requested a call of the Senate.

Senators Christensen, McMurrin, Spence, Watson and Williams absent without leave.

On motion of Senator Grover the call of the Senate was lifted.

S. B. No. 6 failed to pass on the following roll call:

Yeas, 11; Nays, 12; Absent, 0.

Those voting in the affirmative were: Senators Christensen, Dawson, Farr, Hirschi, Hopkin, Howard, Huggins, Macfarlane, McMurrin, Morrill, Rich.

Those voting in the negative were: Senators Ashton, Bailey, Child, Ellett, Ericksen, Johnston, Lundell, Miller, Spence, Watson, Williams, Mr. President.

S. B. No. 6 was filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 25 was read the second time.

Comittee report read and adopted.

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

Page 1, line 2, after the word "patrols" insert the words "to adopt regulations covering and permitting the flagging of school busses by a school safety patrol member of the age of 12 years or over".

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

Line 11, after the word "traffic" insert "provided that this shall not prohibit the use of a flag or other approved signal by safety patrol member for the purpose of indicating to a driver that school children are crossing the street".

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

Page 1, line 15, after the word "member" insert "parents of safety patrol member".

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

Page 1, line 17, after the word "act" insert the following: "provided that the use of any pupil as a safety patrol without the written permission of a parent or guardian by any teacher or board member shall be a misdemeanor".

S. B. No. 25 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Morrill, Rich, Spence, Mr. President.

Those voting in the negative were: Senators Farr, Miller, Williams.

Absent and not voting: Senators Lundell, Watson.

SPECIAL ORDER

S. B. No. 29 on Final Passage.

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

In the title, line 1, strike "OF ARTICLE 6".

Line 3, strike "OF ARTICLE 11".

Page 1, line 1, strike "of article 6".

Line 2, strike "of article 11".

Page 3, line 16, strike "of article 6".

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

Page 1, lines 11 and 12, strike the amendment.

Page 2, lines 10, 11, 17 and 18, strike the amendment.

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

Page 1, lines 7 and 12, strike the words "or profit".

Page 2, lines 11, 17 and 18, strike the words "or profit".

S. B. No. 29 then passed on the following roll call:

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins (explained vote), Johnston, Lundell, Macfarlane, Morrill, Rich, Spence, Williams, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Miller,

Absent and not voting: Senators Child, Ericksen, McMurrin, Watson.

S. B. No. 29 was transmitted to the House.

On motion of Senator Howard the Senate adjourned until February 13, 1941, at 10:00 a.m.

THIRTY-SECOND DAY

MORNING SESSION

February 13, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 13, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 30th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

DEXTER FARR,
WILLIAM A. DAWSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 11, 1941.

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 Messrs. Ellett, Dawson and Hirschi, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE HONORABLE REED SMOOT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment to *S. B. No. 56*, by Mrs. Ericksen, and has appointed a conference committee consisting of Representatives T. M. Rees, Miller and Thomas to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Ericksen the President appointed a Conference Committee consisting of Senators Ericksen, Ashton and Bailey to act with a like committee from the House.

February 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 53*, by Mr. Leavitt, Mr. Bryan and Mr. Thomas, entitled, "AN ACT RELATING TO OCCUPATIONAL DISEASE DISABILITY COMPENSATION AND PROVIDING FOR THE ADMINISTRATION THEREOF BY THE INDUSTRIAL COMMISSION OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 53 was read the first time.

On motion of Senator Spence the rules were suspended and *H. B. No. 53* was substituted for *S. B. No. 67* on the Second Reading Calendar, which bills are identical.

Upon unanimous consent of the Senate *S. B. No. 67* was withdrawn.

February 11, 1941.

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. Bennion, entitled, "AN ACT ESTABLISHING COURSES OF INSTRUCTION IN POLICE SCIENCE AT THE UNIVERSITY OF UTAH AND PROVIDING FOR THE MANAGEMENT AND CONTROL OF COURSES OF INSTRUCTION BY THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH; AND REGISTERING FOR COURSES BY FULL TIME PEACE OFFICERS AND CREATING AN ADVISORY COMMITTEE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 69 was read the first time and referred to the Committee on Education.

February 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 73*, by Mr. J. E. Rees and Mr. White, entitled, "AN ACT REGULATING THE LABELING, SALE, AND OFFERING OR EXPOSING FOR SALE, OF AGRICULTURAL AND VEGE-

TABLE SEEDS TO PREVENT MISREPRESENTATION THEREOF AND DEFINING TERMS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 73 was read the first time and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 180*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 180 was ordered printed and referred to the Committee on Judiciary.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 184*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 184 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 186*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 186 was ordered printed and referred to the Committee on Social Relations and Relief.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 187*, by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 187 was ordered printed and referred to the Committee on Social Relations and Relief.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 188*, by Messrs. Lundell and Hirschi, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 188 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 189*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 189 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B .No. 190*, by Mr. Howard, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 190 was ordered printed and referred to the Committee on Fish and Game.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 191*, by Messrs. Watson, Child and Dawson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 191 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 192*, by Messrs. Watson, Child and Dawson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 192 was ordered printed and referred to the Committee on Mining and Smelting.

February 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 193*, by Messrs. Ellett and Child (by request), with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 193 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 156*, by Mrs. Ericksen, has carefully considered the same and reports the bill out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 156 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 58*, by Mr. Johnston, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 219 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 79-1-1, 79-1-2, 79-1-10, AND 79-12-28, REVISED STATUTES OF UTAH, 1933, AND SECTION 79-1-5, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 91, LAWS OF UTAH, 1939, RELATING TO THE DEPARTMENT OF REGISTRATION AND PROVIDING THAT THE DEPARTMENT OF REGISTRATION SHALL BE UNDER THE SUPERVISION AND CONTROL OF THE COMMISSION OF THE DEPARTMENT OF BUSINESS REGULATION; TERMINATING THE TERM OF OFFICE OF THE DIRECTOR OF REGISTRATION, AND REPEALING SECTION 7, CHAPTER 97, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 220 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 2, 6, 7, 13, 14, 16, 17 AND 22, CHAPTER 47, LAWS OF UTAH, 1937, TRANSFERRING THE REGULATION AND CONTROL OF LAND VALUE INSURANCE CORPORATION FROM THE INSURANCE COMMISSIONER TO THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 221 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 7, 8, 9, 10, 13, 16 AND 19, CHAPTER 41, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 46, LAWS OF UTAH, 1937, SECTIONS 15, 17, 20 AND 21, CHAPTER 41, LAWS OF UTAH, 1935, TRANSFERRING THE CONTROL AND REGULATION OF BENEFIT ASSOCIATIONS FROM THE INSURANCE COMMISSION TO THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 222 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 7-1-1, 7-1-7 AND 7-2-14, REVISED STATUTES OF UTAH, 1933, AND SECTION 7-1-11X, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY CHAPTER

3, SECOND SPECIAL SESSION LAWS OF UTAH, 1933, RELATING TO BANKS AND BANKING, THE STATE BANKING DEPARTMENT, THE BANK COMMISSION—POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 223 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 3, 6, 7, 10, 14 AND 16, CHAPTER 96, LAWS OF UTAH, 1937, AND SECTION 1, CHAPTER 97, LAWS OF UTAH, 1937, TRANSFERRING THE REGULATION OF PLUMBERS AND PROPHYLACTICS FROM THE DEPARTMENT OF REGISTRATION TO THE COMMISSION OF BUSINESS REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 224 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 2, 3, 6, 12, 13, 14, 19, 20 AND 24, CHAPTER 19, LAWS OF UTAH, 1937, RELATING TO COMMERCE AND TRADE; PROVIDING FOR THE MEMBERSHIP, POWERS AND DUTIES OF THE TRADE COMMISSION OF UTAH, AND REPEALING SECTIONS 4 AND 5, CHAPTER 19, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 225 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 43-2-1 AND 43-2-2, REVISED STATUTES OF UTAH, 1933, AND SECTION 43-2-5, AS AMENDED BY CHAPTER 39, LAWS OF UTAH, 1935, AND SECTION 13, CHAPTER 47, LAWS OF UTAH, 1937, RELATING TO INSURANCE AND PROVIDING FOR THE APPOINTMENT OF THE INSURANCE COMMISSIONER, HIS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 226 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 2, 4 AND 11, CHAPTER 48, LAWS OF UTAH, 1937, TRANSFERRING THE REGULATION AND CONTROL OF TITLE INSURANCE COMPANIES FROM THE INSURANCE COMMISSION TO THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 227 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 1 AND 2, CHAPTER 22, LAWS OF UTAH, 1939, RELATING TO TRANSFERRING THE REGULATING CONTROL OF SAVINGS AND LOAN ASSOCIATIONS FROM THE BANK COMMISSIONER TO THE COMMISSION OF BUSINESS REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 228 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 1, CHAPTER 19, LAWS OF UTAH, 1935, AND SECTIONS 2, 3 AND 4, CHAPTER 20, LAWS OF UTAH, 1935, PLACING THE REORGANIZATION OF BUILDING AND LOAN ASSOCIATIONS UNDER THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 229 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 7-8-8A AND 7-8-8C, CHAPTER 19, LAWS OF UTAH, 1939, RELATING TO TRANSFERRING THE REGULATIONS OF MAKING SMALL LOANS FROM THE BANK COMMISSIONER TO THE COMMISSION OF BUSINESS REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 230 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 1, CHAPTER 15, AND SECTION 1, CHAPTER 17, LAWS OF UTAH, 1935, TRANSFERRING CONTROL OF BUILDING AND LOAN ASSOCIATIONS TO THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 231 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 82-1-1, REVISED STATUTES OF UTAH, 1933, RELATING TO THE SECURITIES COMMISSION, PROVIDING FOR THE MEMBERS THEREOF, THEIR POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 232 By Committee on State and Municipal Affairs

AN ACT RELATING TO THE REGULATION OF BUSINESS BY THE STATE OF UTAH, CREATING A DEPARTMENT OF BUSINESS REGULATION, PROVIDING FOR A COMMISSION OF BUSINESS REGULATION, A BUSINESS REGULATION ADVISORY COUNCIL, PRESCRIBING THEIR POWERS, DUTIES AND FUNCTIONS, AND ADMINISTRATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 233 By Mr. Watson

AN ACT RELATING TO THE CONTROL AND REGULATION OF MARBLE MACHINES, PIN MACHINES, AND SIMILAR DEVICES; CREATING THE UTAH BOARD OF AMUSEMENT CONTROL AND PROVIDING FOR LICENSING AND PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 82 was read the second time.

Committee report read and adopted.

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

Line 8, strike the word "less" and insert in lieu thereof the word "fewer".

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

Line 5, after the word "warned" insert the words "as herein provided".

S. B. No. 82 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 6, Absent, 3.

Those voting in the affirmative were: Senators Bailey, Christensen, Hirschi, Hopkin, Howard, Huggins (explained vote), Johnston, Lundell, Macfarlane, McMurrin, Morrill, Spence (explained vote), Watson, Williams.

Those voting in the negative were: Senators Ashton, Dawson, Ellett (explained vote), Ericksen, Farr, Miller.

Absent and not voting: Senators Child, Rich, Mr. President.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present.

COMMUNICATION FROM THE HOUSE

February 11, 1941.

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. Stringham, Mr. Thorne and Mr. Albrecht, entitled, "AN ACT AMENDING SECTION 86-1-15, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 97, LAWS OF UTAH, 1935, RELATING TO THE RESERVATION OF STATE MINERALS IN STATE LANDS; PROVIDING FOR THE RESERVATION TO THE STATE OF SALTS AND OTHER MINERALS IN THE WATERS OF NAVIGABLE LAKES AND STREAMS; AND FOR THE SALE OF SUCH SALTS AND MINERALS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 67 was read the first time and referred to the Committee on Mining and Smelting.

REPORT OF SPECIAL COMMITTEE

February 13, 1941.

Mr. President:

Mr. Speaker:

Your Conference Committee, to which was referred *H. B. No. 5*, by Mr. Redd, begs leave to report as follows: on page 1, after the Senate amendment on line 10, insert section 3, "This act shall take effect January 1, 1942."

Respectfully,

FRANCIS S. LUNDELL,
Chairman Senate Committee,

LELAND REDD,
Chairman House Committee.

Report adopted and filed.

H. B. No. 5 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Ericksen, Farr, Hopkin, Williams.

H. B. No. 5 was returned to the House.

REPORTS OF STANDING COMMITTEES

February 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 11*, by Messrs. Ellett, Dawson and Hirschi, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE HONORABLE REED SMOOT," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 11, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. J. R. No. 2*, by Messrs. Miller, Selvin, Cannon, Leavitt, Frandsen, Pace, Lund and Bench, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

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

February 11, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 146*, by Mr. Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 146 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 166*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 166 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 165*, by Mr. Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 165 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 164*, by Mr. Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 164 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 76*, by Mr. Selvin, has carefully considered said bill, and reports the same out favorably with the following amendments:

Line 5, after the word "may" insert "in the discretion of the governing body thereof", also in line 5, after the word "be" insert "established".

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 76 was placed on the Second Reading Calendar.

February 11, 1941.

Mr. President:

Your Committee on Judiciary to which was referred *H. B. No. 2*, by Mr. Brewster, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 2 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 234 By Mr. Miller

AN ACT PROVIDING FOR THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 235 By Mr. McMurrin

AN ACT PROVIDING FOR THE CREATION AND ORGANIZATION OF CEMETERY DISTRICTS; PROVIDING FOR PETITION TO

ORGANIZE SUCH DISTRICTS TO BE FILED WITH COUNTY COMMISSIONERS, NOTICE OF HEARING OF PROTESTS THEREON, PROVIDING FOR NOTICE OF AND HOLDING THE ELECTION, QUALIFICATIONS OF ELECTORS, CANVAS OF ELECTION AND DETERMINATION BY THE COUNTY COMMISSIONERS OF RESULT OF THE ELECTION: PROVIDING FOR THE APPOINTMENT BY THE COMMISSIONERS OF A CEMETERY MAINTENANCE BOARD OF COMMISSIONERS FOR SAID DISTRICTS AND FIXING THEIR TERM OF OFFICE, FILLING OF VACANCIES AND FOR LATER ELECTION; PROVIDING FOR ANNEXATION OF ADJOINING TERRITORY IN SAME COUNTY AND IN ADJOINING COUNTIES; PROVIDING FOR ORGANIZATION OF THE BOARD OF CEMETERY COMMISSIONERS, MEETINGS TO BE HELD BY THEM AND FIXING THEIR OFFICIAL BONDS; PRESCRIBING SUCH CEMETERY MAINTENANCE DIRECTORS TO BE BODIES CORPORATE, FIXING CORPORATE POWERS, FIXING GENERAL POWERS AND DUTIES OF BOARD OF CEMETERY COMMISSIONERS, IMPOWERING THE CEMETERY MAINTENANCE DISTRICT TO TAKE LEGAL TITLE TO PROPERTY, PROVIDING THAT THE COMMISSIONERS SHALL RECEIVE NO COMPENSATION EXCEPT THEIR NECESSARY EXPENSES, PRESCRIBING THE DUTIES OF THE COUNTY ASSESSOR IN CONNECTION WITH COLLECTION OF TAXES LEVIED BY THE DISTRICT, PROVIDING FOR LEVIES BY CEMETERY MAINTENANCE BOARD OF COMMISSIONERS, LIMITING THE INDEBTEDNESS OF THE DISTRICTS, FIXING THE DUTIES OF THE TREASURER OF THE DISTRICTS AND THE MANNER OF ISSUING DISTRICT WARRANTS; EXCLUDING CITIES OF THE FIRST AND SECOND CLASS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 236 By Mr. Hopkin

AN ACT PROVIDING FOR THE ORGANIZATION OF THE UPPER BEAR RIVER WATER USERS COMMITTEE FOR THE PURPOSE OF MEETING WITH COMMITTEES OF THE STATES OF IDAHO AND WYOMING TO DIVIDE AND DISTRIBUTE THE WATERS OF THE UPPER BEAR RIVER, PENDING THE EXECUTION OF A COMPACT BETWEEN SAID STATES, MAKING APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 237 By Mr. Macfarlane

AN ACT AMENDING SECTIONS 1, 7, 10, 17, 18, 19, 20, 21 AND 25 OF CHAPTER 80, LAWS OF UTAH, 1935, RELATING TO AND MAKING UNIFORM THE LAWS REGARDING NARCOTIC DRUGS, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

H. B. No. 40 on Second Reading.

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

Line 7, after the word "Utah" insert the following: ", provided that the names of those persons continuing in such employment shall not be made public, but shall be accessible to the Industrial Commission only, provided further that such persons shall register as aforesaid within 24 hours after said strike shall have been halted."

On motion of Senator Spence the Enacting Clause of *H. B. No. 40* was stricken.

Senator Huggins moved that the rules be suspended and that the Senate consider *H. B. No. 53* on the Second Reading Calendar.

Motion carried.

H. B. No. 53 was read the second time.

H. B. No. 53 was placed on the Third Reading Calendar on the following roll call:

Yeas, 16; Nays, 1; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson, Mr. President.

Voting in the negative: Senator Howard.

Absent and not voting: Senators Bailey, Child, Dawson, Lundell, Rich, Williams.

COMMUNICATION FROM THE HOUSE

February 13, 1941.

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 Messrs. Ellett, Dawson and Hirschi, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE HONORABLE REED SMOOT," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 11 was transmitted to the Secretary of State.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 50 was read the second time.

Committee report read and adopted.

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

Page 3, line 16, strike the whole of this line.

Line 15, strike the words "of the" and insert "chapter 41, laws of Utah".

Page 4, line 30, strike "July 1, 1941" and insert "the date said association is licensed to do business".

Line 32, strike "July 1" and insert "the anniversary date".

Page 5, line 6, strike "of the" and "laws" and insert "statutes". After the word "Utah" insert "1933." and strike the balance of the line.

Line 17, strike the word "visitation" and insert "examination".

Line 18, strike the word "in" and insert the word "of". Strike the "s" on the word "associations".

Line 19, strike the word "business" and insert the words "books and records".

Line 20, strike the word "in" and insert the word "with".

Line 25, strike "of the 1933" and "laws" and insert the word "statutes". After the word "Utah" insert "1933" and strike the balance of the line.

Line 28, strike the last word.

Line 29, strike "the 1933" and the word "laws" and insert "statutes", and after the word "Utah" insert "1933" and strike the balance of the line.

Page 6, line 12, strike the last word.

Line 13, strike "of the 1933" and "laws" and insert "statutes". After the word "Utah" insert "1933" and strike the balance of the paragraph.

Line 19, the word "their" to be placed before the word "bona".

Page 8, line 6, strike "41" and insert "59". Strike the last two words.

Line 7, strike "1935" and after the word "Utah" insert "1939' and strike the balance of the line.

Page 11, line 7, strike the words "or without" also strike the word "may" and insert in lieu thereof the word "shall".

Line 14, the word "suecial" to read "special".

Page 13, strike the whole of section 26 and section 28.

Page 14, strike the whole of section 32.

Renumber the sections of the bill in accordance with amendments made.

Page 2, line 26, the word "issurace" to read "insurance".

Page 13, line 14, strike the words "domestic or".

Line 15, strike the word "foreign".

Line 17, place a period after the word "act" and strike the balance of the sentence.

H. B. No. 50 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senator Watson.

Senator Hirschi moved that the Senate, as a body, attend the funeral services of the late Senator Reed Smoot.

Motion carried.

H. B. No. 18 was read the second time.

Committee report read and adopted.

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

Page 1, line 21, strike "1,000" and insert "1,200".

Page 2, line 8, strike the first appearing "1,000" and insert "1,200".

H. B. No. 18 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams.

Absent and not voting: Senators Watson, Mr. President.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

THIRTY-THIRD DAY

MORNING SESSION

February 14, 1941.

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

Roll Call—All Senators present except Senator Lundell.

Prayer by the Chaplain.

February 14, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 32nd day and find it correct, with minor amendments noted on the final copy.

Respectfully,

DEXTER FARR,
WILLIAM A. DAWSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. M. No. 1,* by Mr. Watson, entitled, "A JOINT MEMORIAL BY THE LEGISLATURE OF THE STATE OF UTAH ON THE MATTER OF STATES' RIGHTS IN AND TO THE CONTROL OF STREAMS WITHIN THEIR RESPECTIVE BOUNDARIES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 18,* by Mr. Farr, entitled, "AN ACT IMPOSING AN EXCISE TAX ON THE USE OF FUEL AS DEFINED HEREIN FOR THE PROPELLING OF VEHICLES ON THE HIGH-

WAYS OF THIS STATE; PROVIDING FOR THE ISSUANCE OF PERMITS TO THE USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND THE RIGHT OF A FUEL USER TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIREMENT OF BOND TO GUARANTEE EXCISE TAX; DISPLAYING OF PERMIT NUMBERS ON VEHICLES IF DEEMED NECESSARY; PROVIDING FOR LEVY, ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION, DUE DATE AND DELINQUENCY DATE OF SUCH TAX AND MONTHLY REPORTS; MAINTENANCE OF RECORDS BY USERS AND THE AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF THE TAX AND REPORTS; PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION; PRESCRIBING REMEDIES FOR COLLECTION OF DELINQUENT PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 18 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 13, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 168*, by Mr. Christensen, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 168 was placed on the Second Reading Calendar.

February 14, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 170*, by Mr. Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 170 was placed on the Second Reading Calendar.

February 14, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 163*, by Mrs. Ericksen, Mr. Lundell and Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 163 was placed on the Second Reading Calendar.

February 14, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 162*, by Mrs. Ericksen, Mr. Lundell and Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 162 was placed on the Second Reading Calendar.

February 14, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 161*, by Mrs. Ericksen, Mr. Lundell and Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 161 was placed on the Second Reading Calendar.

February 14, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 159*, by Mr. Watson, Mrs. Ericksen and Mr. Lundell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 159 was placed on the Second Reading Calendar.

February 14, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 152*, by Mr. Johnston, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 152 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 169*, by Messrs. Miller and Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 169 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 238 By Messrs. Macfarlane and Huggins

AN ACT AMENDING SECTION 18-2-17, REVISED STATUTES OF UTAH, 1933, RELATING TO PAYMENT OF DIVIDENDS OR CAPITAL, AND REDEMPTION AND PURCHASE OF PREFERRED STOCK OF CORPORATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 239 By Messrs. Macfarlane and Huggins

AN ACT AMENDING SECTION 103-12-4, REVISED STATUTES OF UTAH, 1933, CONCERNING CERTAIN ACTS PROHIBITED BY CORPORATION DIRECTORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 240 By Mr. Huggins

AN ACT AMENDING SECTION 75-11-20, RELATING TO THE POWERS AND DUTIES OF BOARDS OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 25 was read the third time and placed on its final passage.

On motion of Senator McMurrin *S. B. No. 25* was made a Special Order of Business for this afternoon at three o'clock.

Senator Miller moved that the rules be suspended and that the Senate do now consider *S. B. No. 3* and *S. B. No. 169* on Second Reading.

Motion carried.

S. B. No. 169 was read the second time.

Committee report read and adopted.

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

Page 2, line 4, after the word "reemployment." strike the balance of the paragraph.

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

Page 4, line 13, the word "corporatiin" to read "corporation".

S. B. No. 169 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Voting in the negative: Senator Williams.

Absent and not voting: Senators Lundell, Spence.

On motion of Senator Christensen the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m.

Roll Call—All Senators present.

UNFINISHED BUSINESS

S. B. No. 3 was read the second time.

On motion of Senator Christensen the Enacting Clause was stricken on *S. B. No. 3*.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 82 was read the third time and placed on its final passage.

Senator Hopkin, four Senators concurring therein, requested a Call of the Senate.

Senators Child, Dawson, Ellett, Farr, Huggins, Macfarlane, Miller and Williams were absent without leave.

On motion of Senator Hopkin the call was lifted.

S. B. No. 82 on Final Passage.

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

Line 4, after the word "charge" strike up to and including the word "trespass" on line 6.

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

Line 3, after the word "fishing" insert "camping,".

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

Line 3, strike the word "fishing,".

S. B. No. 82 then passed on the following roll call:

Yeas, 16; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey (explained vote), Child, Christensen (explained vote), Hirschi (explained vote), Hopkin (explained vote), Howard, Johnston, Lundell (explained vote), Macfarlane, McMurrin, Morrill, Rich, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Dawson, Ellett, Ericksen, Farr, Huggins (explained vote), Miller, Spence.

S. B. No. 82 was transmitted to the House.

H. B. No. 53 was read the third time and placed on its final passage.

H. B. No. 53 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Howard, Williams.

H. B. No. 53 was returned to the House.

H. B. No. 50 was read the third time and placed on its final passage.

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

In the title, line 8, after the word "DEPARTMENT" strike the balance of the title.

H. B. No. 50 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Absent and not voting: Senators Hirschi, Hopkin, Howard, Williams, Mr. President.

H. B. No. 50 was returned to the House.

H. B. No. 18 was read the third time and placed on its final passage.

H. B. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Those voting in the negative were: Senators Dawson, Farr.

Absent and not voting: Senators Hirschi, Hopkin, Howard, Huggins, Mr. President.

H. B. No. 18 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 91 was read the second time.

Committee report read and adopted.

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

Page 2, strike lines 4 to 8, inclusive.

Renumber the following sections accordingly.

Senator Huggins moved that when we do adjourn it be until Monday, February 17, 1941, at 10:00 a.m.

Motion carried.

REPORTS OF STANDING COMMITTEE

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 151*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 151 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 167*, by Mr. Miller, by request, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 167 was ordered printed and referred to the Committee on Revenue and Taxation.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 234*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 234 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 235*, by Mr. McMurrin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 235 was ordered printed and referred to the Committee on State and Municipal Affairs.

COMMUNICATION FROM THE HOUSE

February 14, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted Joint Conference Committee Report as of February 13, and passed *H. B. No. 5*, by Mr. Redd, entitled, "AN ACT RELATING TO THE REGISTRATION AND DISTRIBUTION OF MOTOR VEHICLE LICENSE PLATES BY COUNTY TREASURERS AS AGENTS OF THE STATE TAX COMMISSION, AND PRESCRIBING METHOD OF NUMBERING MOTOR VEHICLE LICENSE PLATES."

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Lundell the Senate adjourned.

THIRTY-SIXTH DAY

MORNING SESSION

February 17, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 17, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 33rd day and find it correct, with minor amendments noted on the final copy.

Respectfully,

DEXTER FARR,
WILLIAM A. DAWSON.

Report adopted and filed.

The President appointed Senators Bailey and Rich to revise the Journal for the week ending February 22, 1941.

COMMUNICATIONS FROM THE HOUSE

February 15, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 50*, by Mr. Schenk, Mr. Kerr, and Mr. Frandsen.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 15, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 18*, by Mr. Miller.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 14, 1941.

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. 31,* by Mr. Redd and Mr. J. E. Rees, entitled, "AN ACT AMENDING SECTION 86-1-29, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR THE SALE OF PUBLIC LANDS AND FIXING THE NOTICE THAT SHALL BE GIVEN FOR THE SALE OF TRACTS OF LAND," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 31 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 14, 1941.

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. 10,* by Mr. Miller, Mr. Pace and Mr. Lund, entitled, "AN ACT AMENDING SECTION 51-3-3 AND 51-3-6, REVISED STATUTES OF UTAH, 1933, RELATING TO COUNTY PUBLIC LIBRARIES; THE APPOINTMENT OF A BOARD OF DIRECTORS, THE POWERS AND DUTIES THEREOF; THE APPOINTMENT OF LIBRARIANS; AND GIVING COUNTY LIBRARY BOARDS, CITY COUNCILS AND COUNTY SCHOOL BOARDS AUTHORITY TO COOPERATE IN ESTABLISHING AND MAINTAINING DISTRICT LIBRARIES AND TO ENTER INTO CONTRACTS RELATIVE THERETO," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 10 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 15, 1941.

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. Miller, entitled, "AN ACT AMENDING SECTION 15b, CHAPTER 59, LAWS OF UTAH, 1939, RELATING TO EXAMINATION FEES OF BENEFIT ASSOCIATIONS AND PROVIDING FOR FIXED EXAMINATION FEES BASED UPON MEMBERSHIP OF ASSOCIATIONS AND EXAMINATION FUND," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 51 was read the first time and referred to the Committee on Banking and Commerce.

February 15, 1941.

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 Mrs. C. B. Jack, Mr. Leavitt, Mr. Scherer, Mr. Hainsworth, Mr. Macfarlane, Mr. Selvin and Mrs. Albert Jensen, entitled, "AN ACT AMENDING SECTIONS 1, 3, 9, 10, 14, 15, 16, 17, 19, 20 AND 22, OF CHAPTER 38, LAWS OF UTAH, 1937, RELATING TO THE ESTABLISHMENT, GOVERNMENT, MANAGEMENT AND CONTROL OF THE UTAH STATE SANATORIUM, CHANGING ITS NAME TO UTAH STATE SANATORIUM, PROVIDING FOR THE ESTABLISHMENT, GOVERNMENT, MANAGEMENT AND CONTROL OF THE STATE MINERS' HOSPITAL FOR DISABLED MINERS AS A PART OF SAID INSTITUTION, PROVIDING FOR THE MANNER IN WHICH MEMBERS SHALL BE ADMITTED TO SAID SANATORIUM, VESTING IN SAID BOARD OF CONTROL THE PROCEEDS OF THE SALES OF PUBLIC LANDS GRANTED BY THE UNITED STATES TO THE STATE OF UTAH FOR A MINERS' HOSPITAL FOR DISABLED MINERS AND ALL MONEYS BELONGING TO SUCH FUND, AND FOR THE TRANSFER OF THE SAME TO IT, PROVIDING FOR THE INVESTMENT THEREOF AND OTHER FUNDS IN ITS POSSESSION BY SAID BOARD, AND REPEALING SECTIONS 3, 4 AND 5 OF CHAPTER 5, TITLE 42, REVISED STATUTES OF UTAH, 1933, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 26 AND 27, RELATING TO ADMISSIONS OF APPLICANTS; RELATING TO SALE AND DISPOSITION OF FUNDS OF PUBLIC LANDS DESIGNATED FOR THE MINERS' HOSPITAL," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 28 was read the first time and referred to the Committee on Health and Labor.

February 14, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of February 14, and passed *S. B. No. 56*, by Mrs. Ericksen, entitled, "AN ACT LEASING CERTAIN STATE CAPITOL REAL ESTATE KNOWN AS THE TRIANGLE TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE ERECTION AND MAINTENANCE OF A PIO-

NEER MEMORIAL BUILDING TO BE USED FOR THE PRESERVATION, HOUSING AND CARE OF HISTORICAL RECORDS, PIONEER DOCUMENTS AND RELICS RELATING TO THE LIFE AND WORK OF THE UTAH PIONEERS," and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

February 13, 1941.

Mr. President:

Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 56*, by Mrs. Ericksen, begs leave to report as follows: On page 1 of the House amendment, beginning on line 8, strike the words "Together with above described right-of-way".

Respectfully,

MRS. E. E. ERICKSEN,
Chairman of Senate Committee,

THOMAS M. REES,
Chairman of House Committee.

Report adopted and filed.

S. B. No. 56 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ellett, Huggins.

S. B. No. 56 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

COMMUNICATION

February 15, 1941.

Mr. President:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Mr. George A. Fisher, former Executive Secretary of the State Land Board, in the amount of $11,250.00 for loss of time, expense of travel, legal expense, and damage to standing and reputation.

This claim was 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, and

was rejected, with the exception of an item in the amount of $202.30 for salary due him as Executive Secretary of the State Land Board.

Claimant has appealed this claim to the Legislature under the provisions of Section 26-0-17, of the Revised Statutes of Utah, 1933, and all papers filed with the Board, together with notice of appeal, are transmitted herewith to your Honorable Body for your consideration.

Yours very truly,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

February 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. M. No. 1,* by Mr. Watson, entitled, "A JOINT MEMORIAL BY THE LEGISLATURE OF THE STATE OF UTAH ON THE MATTER OF STATES' RIGHTS IN AND TO THE CONTROL OF STREAMS WITHIN THEIR RESPECTIVE BOUNDARIES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 18,* by Mr. Farr, entitled, "AN ACT IMPOSING AN EXCISE TAX ON THE USE OF FUEL AS DEFINED HEREIN FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE; PROVIDING FOR THE ISSUANCE OF PERMITS TO THE USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND THE RIGHT OF A FUEL USER TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIREMENT OF BOND TO GUARANTEE EXCISE TAX; DISPLAYING OF PERMIT NUMBERS ON VEHICLES IF DEEMED NECESSARY; PROVIDING FOR LEVY, ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION, DUE DATE AND DELINQUENCY DATE

OF SUCH TAX AND MONTHLY REPORTS; MAINTENANCE OF RECORDS BY USERS AND THE AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF THE TAX AND REPORTS; PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION, PRESCRIBING REMEDIES FOR COLLECTION OF DELINQUENT PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 185*, by Messrs. Ellett and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 185 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 233*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 233 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 236*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 236 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Agriculture and Irrigation.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 238*, by Messrs. Macfarlane and Huggins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 238 was ordered printed and referred to the Committee on Judiciary.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 239*, by Messrs. Macfarlane and Huggins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 239 was ordered printed and referred to the Committee on Judiciary.

February 14, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 240*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 240 was ordered printed and referred to the Committee on Education.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 137*, by Mr. Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 137 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 172*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation, subject to the fact that we consider this a supplementary bill to the governor's with the following amendments:

On line 4, strike the capital G and substitute therefor a small g.

On line 4, delete ".00" and leave it "$6,000" and after "state" on the same line, delete ".00" and leave it "$4,500".

On line 5, after the first "( )" delete ".00" and leave it "$4,000" and after the second "( )" delete ".00" and leave it "$4,000" and after "attorney general", delete ".00" and leave it "$4,500" and on line 6, after the word "instruction", delete ".00" and leave it "$4,000".

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 172 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 183*, by Mr. Morrill, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 183 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 147*, by Messrs. Grover, Child and Ellett, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 147 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 155*, by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 155 was placed on the Second Reading Calendar.

February 13, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 97*, by Mr. Rich, has carefully considered said bill, and reports the same out without recommendation, with the following amendment:

On line 16, page 2, delete the word "between" and in lieu thereof insert the word "among".

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 97 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Education, to which ws referred *H. B. No. 81*, by Messrs. Adams, Foote, Thomas, Warner and Leavitt, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 81 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 69*, by Mr. Bennion, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 69 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 181*, by Messrs. Lundell, Hopkin and Watson, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 181 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 241 By Mr. Child

AN ACT PROVIDING FOR THE REVERSION OF ABANDONED CEMETERY LOTS TO THE OPERATING CEMETERY AUTHORITY OF A MUNICIPAL OR COUNTY AND PROVIDING FOR NOTICE, HEARING AND RESALE OF ABANDONED PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 242 By Mr. Christensen

AN ACT AMENDING SECTIONS 15-7-22 AND 15-7-24 OF ARTICLE 7, CHAPTER 7, OF TITLE 15, REVISED STATUTES OF UTAH, 1933, RELATING TO SPECIAL TAXES BY CITIES AND TOWNS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 243 By Mr. Lundell

AN ACT PROVIDING FOR THE REFUND OF TAX COLLECTED ON MOTOR FUEL PURCHASED AND USED IN THE STATE OF UTAH FOR OPERATING STATIONARY ENGINES, TRACTORS, AND OTHER CRAFT OTHER THAN AIRCRAFT, NOT OPERATED ON PUBLIC HIGHWAYS OR STREETS, OR FOR CLEANING, DYEING, OR OTHER NON-TRANSPORTATION PURPOSES; AND PRO-

VIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES FOR MAKING FALSE CLAIMS OR OTHER VIOLATION OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 244 By Mr. Lundell

AN ACT AMENDING SECTION 30-0-49, REVISED STATUTES OF UTAH, 1933, RELATING TO THE TRAPPING OF FUR BEARING ANIMALS AND PROVIDING FOR THE SALE OF THEIR FURS, AND DISPOSITION OF MONEY THEREFROM, LICENSES, OPEN SEASON; PROTECTION OF; AND PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 245 By Mr. Huggins

AN ACT AMENDING SECTION 19-5-55, REVISED STATUTES OF UTAH, 1933, RELATING TO CARE OF INDIGENTS BY COUNTIES, AND PROVIDING FOR THE CARE OF INDIGENTS AND NEEDY PERSONS BY THE COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 246 By Mr. Johnston

AN ACT APPROPRIATING $100,000 TO THE SNOW JUNIOR COLLEGE FOR MATERIAL, SUPPLIES, AND LABOR TO REMODEL THE GYMNASIUM AND COLLEGE BUILDING FOR LIBRARY AND CLASS ROOMS; TO CONSTRUCT A NEW HEATING PLANT, AUDITORIUM, AND GYMNASIUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 247 By Mr. Grover (by request)

AN ACT AMENDING SECTIONS 15-9-12, 15-9-13, 15-9-14, 15-9-17, 15-9-18 AND 15-9-21, ARTICLE 12, REVISED STATUTES OF UTAH, 1933, RELATING TO THE CIVIL SERVICE COMMISSION, AND PROVIDING FOR THE APPOINTMENT OF OFFICERS AND EMPLOYEES BY THE COMMISSION, AND PROVIDING FUNDS FOR ADDITIONAL EQUIPMENT, AND PROBATIONARY TRIAL FOR PROMOTION AND FOR DEMOTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 248 By Mr. Grover (by request)

AN ACT CREATING STATE DEPARTMENT OF CIVIL SERVICE; PROVIDING FOR THE APPOINTMENT OF A CIVIL SERVICE BOARD; AUTHORIZING THE APPOINTMENT OF A DIRECTOR AND OTHER ASSISTANTS AND EMPLOYEES OF THE DEPARTMENT AND PROVIDING FOR THEIR COMPENSATION; DEFINING THE POWERS AND DUTIES OF SUCH BOARD AND SUCH

DIRECTOR; PROVIDING FOR THE ADOPTION OF THIS SERVICE BY THE STATE TAX COMMISSION; PROVIDING FOR PARTICIPATION BY OTHER STATE DEPARTMENTS; PROVIDING FOR RETIREMENT; CREATING A RETIREMENT BOARD; MAKING AN APPROPRIATION; PENALTIES; AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 249 By Mr. Christensen

AN ACT AMENDING SECTION 139, CHAPTER 46, ARTICLE 11, LAWS OF UTAH, 1935, RELATING TO FEES CHARGED FOR THE TRANSFER OF REGISTRATION, ISSUANCE OF CERTIFICATES OF TITLE, AND THE FILING OF INSTRUMENTS EVIDENCING LIENS AND ENCUMBRANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 250 By Mr. Christensen

AN ACT AMENDING SECTION 150, CHAPTER 46, ARTICLE 12, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1937, RELATING TO THE DISPOSITION OF FEES RECEIVED AND COLLECTED UNDER THE PROVISIONS OF THE MOTOR VEHICLE ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 251 By Mr. Christensen

AN ACT AMENDING SECTIONS 83 AND 84, CHAPTER 46, ARTICLE 5, LAWS OF UTAH, 1935, RELATING TO THE DESTRUCTION OF INSTRUMENTS EVIDENCING LIENS OR ENCUMBRANCES AND THE ISSUANCE OF A NEW CERTIFICATE OF TITLE UPON THE FAILURE TO RENEW SUCH INSTRUMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 252 By Messrs. Williams, Watson and Grover

AN ACT TO PROVIDE FOR A STATE GUARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 253 By Messrs. Williams, Watson and Grover

AN ACT TO REGULATE THE MANUFACTURE, SALE, DISTRIBUTION, USE AND POSSESSION OF EXPLOSIVES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 254 By Messrs. Williams, Watson and Grover

AN ACT RELATING TO NATIONAL AND STATE DEFENSE, PROVIDING FOR THE ESTABLISHMENT OF A STATE COUNCIL

OF DEFENSE AND OF LOCAL AND DISTRICT COUNCILS OF DEFENSE, AND PRESCRIBING THE POWERS AND DUTIES THEREOF, MAKING AN APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 255 By Messrs. Williams, Watson and Grover

AN ACT AUTHORIZING THE APPOINTMENT OF AND PRESCRIBING THE POWERS AND DUTIES OF SPECIAL POLICEMEN FOR THE PROTECTION AND PRESERVATION OF PUBLIC PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 25 on Final Passage.

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

Line 13, after the word "traffic" insert "but shall direct traffic from the sidewalk".

S. B. No. 25 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting. Senator Ellett.

S. B. No. 25 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 169 was read the third time and placed on its final passage.

S. B. No. 169 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Farr, Hirschi, Lundell, Williams.

Absent and not voting: Senators Ellett, Howard.

S. B. No. 169 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 79 was read the second time.

Committee report read and adopted.

S. B. No. 79 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 Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Dawson, Ellett, Howard, Spence, Watson.

Senator Johnston moved that the rules be suspended and that the Senate do now consider *S. B. No. 58* on the Second Reading Calendar.

Motion carried.

S. B. No. 58 was read the second time.

Committee report read and adopted.

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

Page 1, line 10, strike the word "or" and insert the word "of".

Page 3, line 23, strike the last word.

Line 24, after the word "association" insert "and the associated registered pharmacists".

Page 5, line 6, strike the word "board" and insert "National Associated Board of Pharmacists".

Line 23, strike the words "into the state treasury" and insert "to the secretary of the board".

Line 32, after the word "shall" insert "be turned over to the state treasurer by the secretary of the board, and shall".

Page 6, strike lines 10 to 17, inclusive, and insert the following:

"Section 7. The secretary of the board shall issue a receipt to each person paying said license fee, if such person shall have theretofore been a registered pharmacist, and not having had his license revoked, and thereupon shall issue to such person a license in such form as the board may prescribe for the year for which said license fees were paid."

Page 7, line 19, after the word "poisons" insert "or any wholesaler of chemicals for industrial use".

Line 25, strike the last two words.

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

Page 3, line 8, strike the last three words.

Page 6, line 31, after the word "resides" insert "and shall be conducted by a trial anew".

Line 32, strike the first three words, and insert the word "as", also preceding the word "the" insert "according to".

Line 33, strike the word "supreme" and insert the word "such".

Page 9, line 30, place a period after the word "misdemeanor" and strike the balance of the section.

Page 10, line 18, place a period after the word "misdemeanor" and strike the balance of the section.

Line 15, place a period after the word "misdemeanor" and strike the balance of the section.

Line 23, place a period after the word "misdemeanor" and strike the balance of the section.

Page 3, line 24, preceding the word "submit" insert the word "jointly".

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

Page 2, line 19, at the end of the line insert ", provided, however, that the term poisons shall not mean and include insecticides, germicides, dusting powders and other materials used by farmers, poultrymen, livestock raisers, gardeners and others engaged in agriculture, horticulture and similar pursuits for the elimination of flies, bugs, pests and weeds."

On motion of Senator Farr the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:00 p.m.

Roll Call—All Senators present.

UNFINISHED BUSINESS

S. B. No. 58 on Second Reading.

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

Page 5, line 28, after the word "shall" insert "upon hearing by the board after notice to the pharmacist".

Line 24, strike the words "Utah session" and after the word "of" insert the word "Utah".

Line 25, strike the word "Utah" and "laws". In lieu of the word "laws" insert the word "Statutes". At the end of the line, strike the words "Utah session".

Line 26, after the word "of" insert the word "Utah".

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

Page 7, line 31, strike the last three words and insert in lieu thereof the word "of".

Line 32, strike the word "twenty" and insert the word "two".

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

Page 7, line 10, strike the word "may" and insert the word "shall".

On motion of Senator Dawson, the bill was amended as follows:

Page 7, line 10, strike the first nine words.

Line 11, strike the words "in such store but not elsewhere".

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

Page 7, line 9, after the word "times" insert the words "when business is being conducted".

Line 11, after the word "dealer" insert the words "upon application therefore".

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

Page 7, line 14, beginning with the word "No" strike up to and including the word "application" on line 16.

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

Page 7, strike lines 10 to 14, inclusive.

Line 33, strike the last word.

Line 29, strike the words "and conducting a retail place of business".

On motion of Senator Hopkin the Senate adjourned.

THIRTY-SEVENTH DAY

February 18, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 18, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 36th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

THOMAS BAILEY,
ABEL S. RICH.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 18, 1941.

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. Farr, entitled, "AN ACT IMPOSING AN EXCISE TAX ON THE USE OF FUEL AS DEFINED HEREIN FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE; PROVIDING FOR THE ISSUANCE OF PERMITS TO THE USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND THE RIGHT OF A FUEL USER TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIREMENT OF BOND TO GUARANTEE EXCISE TAX; DISPLAYING OF PERMIT NUMBERS ON VEHICLES IF DEEMED NECESSARY; PROVIDING FOR LEVY, ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION, DUE DATE AND DELINQUENCY DATE OF SUCH TAX AND MONTHLY REPORTS; MAINTENANCE OF RECORDS BY USERS AND THE AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF THE TAX AND REPORTS; PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING INFORMATION, PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION, PRESCRIBING REMEDIES FOR COLLECTION OF DELINQUENT PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 18 was transmitted to the Governor.

February 18, 1941.

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. Watson, entitled, "A JOINT MEMORIAL BY THE LEGISLATURE OF THE STATE OF UTAH ON THE MATTER OF STATES' RIGHTS IN AND TO THE CONTROL OF STREAMS WITHIN THEIR

RESPECIVE BOUNDARIES," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 130*, by Mr. Ellett, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 142*, by Mr. Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 142 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 143*, by Mr. Farr, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 143 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 148,* by Mr. Grover, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 149,* by Mr. Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 167,* by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 167 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 193,* by Messrs. Ellett and Child, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 193 was placed on the Second Reading Calendar.

February 17, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 56,* by Mrs. Ericksen, entitled, "AN ACT LEASING CERTAIN STATE CAPITOL REAL ESTATE KNOWN AS THE TRIANGLE TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE ERECTION AND MAINTENANCE OF A PIONEER MEMORIAL BUILDING TO BE USED FOR THE PRESERVATION, HOUSING AND CARE OF HISTORICAL RECORDS, PIONEER DOCUMENTS AND RELICS RELATING TO THE LIFE AND WORK OF THE UTAH PIONEERS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 56 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 241,* by Mr. Child, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 241 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 242,* by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 242 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 243*, by Mr. Lundell, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 243 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 244*, by Mr. Lundell, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 244 was ordered printed and referred to the Committee on Fish and Game.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 245*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 245 was ordered printed and referred to the Committee on Social Relations and Relief.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 246*, by Mr. Johnston, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 246 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Public Institutions.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 247*, by Mr. Grover, by request, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 247 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 248*, by Mr. Grover, by request, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 248 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 249*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 249 was ordered printed and referred to the Committee on Judiciary.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 250*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 250 was ordered printed and referred to the Committee on Highways.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 251*, by Mr. Christensen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 251 was ordered printed and referred to the Committee on Judiciary.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 252*, by Messrs. Williams, Watson and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 252 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 253*, by Messrs. Williams, Watson and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 253 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 254*, by Messrs. Williams, Watson and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 254 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 255*, by Messrs. Williams, Watson and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 255 was ordered printed and referred to the Committee on State and Municipal Affairs.

INTRODUCTION OF BILLS

S. B. No. 256 By Education Committee (by request)

AN ACT AMENDING SECTIONS 3, 9, 11 AND 12 OF CHAPTER 85, LAWS OF UTAH, 1937, RELATING TO RETIREMENT OF TEACHERS IN THE PUBLIC SCHOOL SYSTEM WITH ANNUITIES AND DISABILITY BENEFITS, SO AS TO PROVIDE RETIREMENT FOR NON-TEACHING EMPLOYEES OF BOARDS OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 257 By Mr. Huggins

AN ACT PROVIDING A METHOD OF PROCEDURE OF ESCHEATING TO THE STATE OF UTAH UNCLAIMED DIVIDENDS AND DEPOSITS OF LIQUIDATED BANKS, was read the first time.

S. B. No. 258 By Mr. Lundell (by request)

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF THE UTAH STATE HOSPITAL FOR THE PURCHASE OF NEEDED LAND, 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. 257*.

Motion carried.

S. B. No. 257 was read the second time.

On motion of Senator Huggins the rules were suspended and *S. B. No. 257* was read the third time and placed on its final passage.

S. B. No. 257 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Lundell.

S. B. No. 257 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 58 on Second Reading.

On motion of Senator Johnston *S. B. No. 58* was made a Special Order of Business for tomorrow at 2:30 p.m.

S. B. No. 91 on Second Reading.

Senator Hirschi moved to amend the bill as follows:

Page 1, line 4, strike the last eight words.

Line 5, strike the first word.

Upon request of Senator Huggins, four Senators concurring therein, a roll call was ordered.

Senator Williams, four Senators concurring therein, requested a Call of the Senate.

Senators Spence and Dawson were absent without leave.

On motion of Senator Miller the call was lifted.

The motion to amend failed to carry on the following roll call:

Yeas, 8; Nays, 15; Absent, 0.

Those voting in the affirmative were: Senators Dawson, Hirschi, Hopkin, Howard, Lundell, Macfarlane, Morrill, Williams.

Those voting in the negative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Huggins, Johnston, McMurrin, Miller, Rich, Spence, Watson, Mr. President.

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

Page 1, line 7, after the word "Utah" insert the words "except for fishing, hunting or other public purposes".

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

Page 1, line 2, after the word "mineral" insert the word "directly".

Line 7, after the word "shall" insert the word "wilfully".

Line 11, after the word "minerals" insert the word "directly".

S. B. No. 91 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 9; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Huggins, Johnston, Miller, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Hirschi, Hopkin, Howard, Lundell, Macfarlane, McMurrin, Morrill, Williams.

Senator Hopkin moved that the President appoint a Sifting Committee composed of nine Senators and that said committee begin its duties at conclusion of business February 19, 1941.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 79 was read the third time and placed on its final passage.

S. B. No. 79 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Child.

S. B. No. 79 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 62 on Second Reading.

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

Page 1, line 4, strike the word "six" and insert the word "seven".

Line 12, at the end, insert "and one of whom shall be a member of the United States Grazing Service".

Page 2, line 5, after the words "chief" insert the words "forester". And after the word "the" insert the word "chairman,".

Line 7, after the word "chief" insert the word "forester".

Between lines 23 and 24, insert the following: "The district grazier of the United States grazing service and their subordinates shall be ex-officio deputy fire wardens for each of the areas within the several grazing districts and lands adjacent thereto."

Page 3, line 23, after the word "fire" insert "or the land owner upon whose land said fire is burning".

Line 31, after the word "deputies" insert "to enforce the provisions of this act when any fire has been reported to the chief forester fire warden or any of his deputies".

Page 2, line 24, strike the first appearing word "and".

Line 28, strike the word "and".

Page 3, lines 3, 11, 25 and 30, strike the word "and".

Page 4, line 11, strike the word "and".

Page 5, line 3, strike the word "state" and insert "chief", and after the last word insert "fire warden".

Line 7, after the word "trees" insert "who are not operating under a retail license".

Line 28, after the word "act" insert "in order to match federal funds".

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

In the title, line 11, after the figures "19" insert "AND EXEMPTING THE PROVISIONS OF THIS ACT FROM SECTIONS 103-26-79 AND 103-26-80, REVISED STATUTES OF UTAH, 1933".

Page 5, strike the whole of lines 17, 18 and 19, and insert the following in lieu thereof:

"Sec. 17. Section 103-26-79 and 103-26-80, revised statutes of Utah, 1933, permitting exceptions to timber cutting regulations shall have no application to the provisions of this act."

Page 2, line 7, after the word "quorum" strike up to and including the word "compensation" on line 15.

Page 4, line 1, place a period after the word "incurred" and strike the balance of the sentence.

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

Page 2, line 7, reinstate stricken material up to and including the word "work" on line 10, and place a period after said word.

Line 11, reinstate the stricken material up to and including the word "act" on line 15, and place a period after said word.

Line 13, change the word "meeting" to read "meetings".

Line 14, after the word "assistants" insert the word "and", also strike the words "and other employees".

Page 3, line 14, after the word "chief" insert the word "forester".

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

Page 5, line 23, place a period after the word "misdemeanor" and strike the balance of the sentence.

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

Page 5, line 28, place a period after the word "act" and strike the balance of the line.

Line 26, strike the words "for each".

Line 27, strike the word "biennium", and after the word "dollars" insert the following: "or so much thereof as may be necessary".

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

Page 5, line 28, after the word "act" insert the following: "and in order to match federal funds".

S. B. No. 62 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 Ashton, Child, Christensen, Ellett, Ericksen, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Watson.

Those voting in the negative were: Senators Bailey, Dawson, Farr, Hirschi, Howard, Morrill, Williams.

Absent and not voting: Senators Spence, Mr. President.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

THIRTY-EIGHTH DAY

MORNING SESSION

February 19, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 19, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 37th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

THOMAS BAILEY,
ABEL S. RICH.

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

February 18, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 84*, by Mrs. Jacob, entitled, "AN ACT AMENDING SECTION 19-11-17, REVISED STATUTES OF UTAH, 1933, RE-

LATING TO COUNTY CHARGES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 84 was read the first time and referred to the Committee on Social Relations and Relief.

REPORTS OF STANDING COMMITTEES

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 258*, by Mr. Lundell, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 258 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Public Institutions.

February 18, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 256*, by Education Committee, by request, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 256 was ordered printed and referred to the Committee on Education.

February 18, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 151*, by Mr. Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 151 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 184*, by Mr. Hopkin, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 184 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 188*, by Messrs. Lundell and Hirschi, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 188 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 189*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 189 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 233*, by Mr. Watson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 233 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 235*, by Mr. McMurrin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 235 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTION

S. C. R. No. 1 By Mr. Grover, by request

A CONCURRENT RESOLUTION MEMORIALIZING THE UTAH DELEGATION IN CONGRESS TO SPONSOR AND SUPPORT LEGISLATION WHICH WILL DECLARE CERTAIN RIVERS AND STREAMS IN UTAH NON-NAVIGABLE, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILL

S. B. No. 259 By Messrs. Farr and Hopkin

AN ACT AMENDING SECTION 30-0-54, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 27, LAWS OF UTAH, 1933, RELATING TO STATE FISH AND GAME ADVISORY COMMITTEE, STATE BOARD OF BIG GAME CONTROL, APPOINTMENT AND DUTIES, PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF HOUSE BILLS ON SECOND READING

H. B. No. 61 was read the second time.

Committee report read and adopted.

H. B. No. 61 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 Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Child, Lundell.

H. B. No. 65 was read the second time.

Committee report read and adopted.

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

Line 14, strike the words "article 3, chapter 8, title 15", also the last word "of".

Line 15, strike the word "the".

On motion of Senator Watson the Enacting Clause was stricken.

H. B. No. 65 was returned to the House.

H. B. No. 13 was read the second time.

Committee report read and adopted.

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

Lines 9 and 18, strike the words "liens and".

H. B. No. 13 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 Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Christensen, Lundell.

H. B. No. 70 was read the second time.

Committee report read and adopted.

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

Line 4, after the word "August" insert the following: "or within 30 days after the county auditors of the state have filed their report with the state tax commission as provided in section 80-8-3, revised statutes of Utah, 1933".

Line 5, after the word "county" insert "as provided in paragraph 8, section 80-5-46, revised statutes of Utah, 1933".

Lines 5 and 6, strike the words "or of any assessment contained therein".

H. B. No. 70 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Ashton, Child, Spence, Williams.

H. B. No. 62 was read the second time.

Committee report read and adopted.

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

Page 2, line 12, page 3, lines 12 and 19, after the word "herd" insert the words "or hive".

Page 2, line 22, after the word "head" insert the words "or hive".

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

Page 5, line 2 and lines 18 and 19, strike the words "punished by a fine of not less than $10 or more than $300." and insert in lieu thereof the words "guilty of a misdemeanor."

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

Page 3, line 27, strike the underscoring under the word "provided".

H. B. No. 62 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 Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Spence.

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

Committee report read and adopted.

On motion of Senator Hirschi *H. B. No. 4* was made a Special Order of Business for tomorrow at 10:30 a.m.

H. B. No. 38 was read the second time.

Committee report read and adopted.

On motion of Senator Farr the rules were suspended and *H. B. No. 38* was read the third time and placed on its final passage.

H. B. No. 38 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Howard.

H. B. No. 38 was returned to the House.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present.

COMMUNICATION FROM THE HOUSE

February 19, 1941.

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. 56*, by the Traffic Safety Committee, entitled, "AN ACT TO REPEAL SECTION 11, CHAPTER 45, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1935; AND TO AMEND SECTIONS 7, 8, AND 19, CHAPTER 45, LAWS OF UTAH, 1933, AND SECTIONS 1, 4, 5, 6, 13, 14, 16, 17, 18 AND 21, CHAPTER 45, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1935, AND SECTION 8X, CHAPTER 47, LAWS OF UTAH, 1935, 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 THE REVOCATION, SUSPENSION AND CANCELLATION OF SUCH LICENSES, AND DEFINING TERMS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 56 was read the first time and referred to the Committee on Highways.

The President appointed a Sifting Committee composed of Senators Lundell, Ellett, Farr, Hopkin, Hirschi, Johnston, Macfarlane, Spence and Watson.

REPORTS OF STANDING COMMITTEES

February 19, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 198*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 198 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 19, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 236*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably with the following amendment:

Section 2, line 2, strike out the words "one thousand" and insert in lieu thereof a blank.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 236 was referred to the Committee on Agriculture and Irrigation.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 180*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 180 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 179*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 179 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 178*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 178 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 177*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 177 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 176*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 176 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 174*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 174 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 175*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 175 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 173*, by Mr. Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 173 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 150*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 150 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 239*, by Messrs. Macfarlane and Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 239 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 238*, by Messrs. Macfarlane and Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 238 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 44*, by Mr. Elswood, has carefully considered said bill, and reports the same out favorably with the following amendment:

Strike line 8.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 44 was placed on the Second Reading Calendar.

February 18, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 182*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 182 was placed on the Second Reading Calendar.

February 19, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 19*, by Mr. Spence, reports the same has been withdrawn and herewith return the same to the Secretary of the Senate for filing.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 19 was filed.

February 17, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 8*, by Messrs Hinckley, Twitchell, Bennion, Chamberlain and Clyde, has carefully considered said bill, and reports the same out without recommendation with the following amendments:

Iine 2, title, after the figures "1933" insert "AS AMENDED BY CHAPTER 17, SECOND SPECIAL SESSION LAWS OF UTAH, 1933". After the word "ADDING", delete "THREE" and insert in lieu thereof "TWO".

Line 3, title, after the word "AS" delete "SECTION 93-1-14, SECTION 93-1-15, AND SECTION 93-1-16, and insert in lieu thereof, "SECTIONS 93-1-18 AND 93-1-19".

Line 4, title, after the word "MAKING" insert "IT A MISDEMEANOR TO PERMIT MINORS TO PATRONIZE". Delete "THE MAINTENANCE IN ANY PLACE ACCESSIBLE TO MINORS OF".

Line 8, title, after the word "WHATSOEVER" delete "A MISDEMEANOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;".

Line 12, title, after the word "THEREOF" delete semicolon, insert period, then delete the remainder of line 12 and all of line 13.

Line 1, section 1. after the figures "1933" insert "as amended by chapter 17, second special session laws of Utah, 1933".

Line 2, delete "three" and insert "two". Delete "section" and insert "sections".

Line 3, delete "93-1-14, section 93-1-15, and section 93-1-16", and insert in lieu thereof, "93-1-18 and 93-1-19".

Line 4, delete "93-1-14" and insert "93-1-18". Delete "any" and insert "his". After the word "place" insert "of business and permits minors to patronize".

Line 5, after the word "disposition" insert "to minors".

Line 8, after the word "misdemeanor" delete comma, insert period, then delete the rest of paragraph.

Page 2, line 2, delete "93-1-15" and insert "93-1-19". After the word "person" insert "violating any of the provisions of section 93-1-18 of this act". After the word "person" delete the remainder of line 2, all of lines 3 and 4 and over to the words "shall be deemed etc." on line 5.

Page 2, line 6, after the word "nuisance" delete the remainder of line 6 and all of lines 7 and 8.

Line 10, after the word "nuisance" delete the remainder of paragraph.

Delete lines 14, 15 and 16.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 260 By Mr. Huggins

AN ACT AMENDING SECTION 19, CHAPTER 1, LAWS OF UTAH, 1936, SPECIAL SESSION, AS AMENDED BY CHAPTER 43, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 52, LAWS

OF UTAH, 1939, RELATING TO UNEMPLOYMENT COMPENSATION AND DEFINING TERMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 261 By Mr. Grover (by request)

AN ACT CREATING AND ESTABLISHING SMOKE ABATEMENT DISTRICTS, DEFINING THE POWERS OF THE BOARD OF TRUSTEES AND PERMITTING THE DISTRICT TO LEVY A TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 262 By Messrs. Huggins and Farr

AN ACT MAKING IT A FELONY FOR ANY PERSON ACTING AS A PURCHASING AGENT OR WHO IN ANY OFFICIAL CAPACITY PARTICIPATES IN THE PURCHASE OF MATERIALS OR SUPPLIES FOR THE STATE OF UTAH OR ANY POLITICAL SUBDIVISION THEREOF, TO ASK, RECEIVE OR OFFER TO RECEIVE ANY EMOLUMENT, GRATUITY, CONTRIBUTION, LOAN OR REWARD, OR PROMISE THEREOF, FROM ANY PERSON INTERESTED IN THE SALE OF SUCH MATERIALS OR SUPPLIES; OR FOR ANY PERSON INTERESTED IN THE SALE OF SUCH MATERIALS OR SUPPLIES TO GIVE OR OFFER TO GIVE ANY SUCH EMOLUMENT, GRATUITY, CONTRIBUTION, LOAN OR REWARD, OR PROMISE THEREOF, TO ANY PERSON ACTING AS A PURCHASING AGENT OR WHO IN ANY OFFICIAL CAPACITY PARTICIPATES IN THE PURCHASE OF SUCH MATERIALS OR SUPPLIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 263 By Messrs. Huggins, Macfarlane and Dawson

AN ACT PROVIDING FOR THE COMPILATION, PUBLICATION AND ANNOTATION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF HOUSE BILLS ON SECOND READING

H. B. No. 9 was read the second time.

Committee report read and adopted.

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

Page 3, line 4, strike the words "Life Insurance Reserves."

Line 27, strike the words "additional premiums or assessments."

Page 4, line 30, strike the words "Special Exemption."

Page 5, line 3, strike the word "Deposit".

Line 22, strike the words "Required Character of Investments and Loans."

Page 6, line 1, strike the words "Exemptions and maximum risk".

Line 20, strike the word "That".

Line 21, strike the words "as follows".

Line 15, strike the word "Constitutionality."

Line 21 of the title, strike the word "OF".

Page 2, line 1 of the bill, strike the word "That".

Page 3, line 2, strike the word "hereby".

Line 3, strike the words "as follows".

SPECIAL ORDER

S. B. No. 58 on Second Reading.

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

Page 2, line 20, strike up to and including line 6 on page 3.

Page 7, line 26, strike up to and including line 11 on page 8.

Page 9, line 8, strike the words "the supreme" and insert the word "such".

Line 23, strike the words "patent and proprietary remedies".

S. B. No. 58 failed to pass on the following roll call:

Yeas, 8; Nays, 11; Absent, 4.

Those voting in the affirmative were: Senators Christensen, Dawson, Farr, Huggins, Johnston, McMurrin, Rich, Watson.

Those voting in the negative were: Senators Bailey, Child, Ellett, Ericksen, Hirschi, Lundell, Macfarlane, Miller, Morrill, Spence, Williams.

Absent and not voting: Senators Ashton, Hopkin, Howard, Mr. President.

FURTHER CONSIDERATION OF HOUSE BILLS ON SECOND READING

H. B. No. 9 on Second Reading.

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

Page 7, line 21, place a period at the end of the line and strike the balance of the sentence.

Line 31, place a period after the word "misdemeanor" and strike the balance of the sentence.

Page 9, line 26, place a comma after the word "misdemeanor" and strike up to and including the word "imprisonment" on line 28.

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

Page 8, line 26, after the first appearing word "commissioner" insert "under the provisions of section 34 of this act".

Line 28, strike the word "maner" and insert "manner" in lieu thereof.

Page 9, line 5, after the word "forms" insert the words "which do not conform to this act".

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

Page 7, line 13, after the word "falsely" insert the words "under oath".

H. B. No. 9 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, Johnston, Macfarlane, Miller, Morrill, Watson, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Howard, Lundell, McMurrin, Rich, Spence.

H. J. R. No. 2 was read the second time.

Committee report read and adopted.

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

Line 4, strike the word "four" and insert the word "ten".

Line 7, place a period after the word "perquisite" and strike the balance of the section.

H. J. R. No. 2 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 9; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ellett, Ericksen (explained vote), Hirschi, Huggins (explained vote), Johnston, Macfarlane, Rich, Spence, Watson.

Those voting in the negative were: Senators Bailey, Dawson, Hopkin, Howard, Lundell (explained vote), McMurrin, Miller, Morrill, Williams (explained vote).

Absent and not voting: Senators Farr, Mr. President.

H. B. No. 76 was read the second time.

Committee report read and adopted.

H. B. No. 76 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Farr.

H. B. No. 2 on Second Reading.

On motion of Senator Miller *H. B. No. 2* was tabled.

H. B. No. 81 was read the second time.

Committee report read and adopted.

H. B. No. 81 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Watson, Mr. President.

Absent and not voting: Senators Farr, Lundell, Morrill, Spence, Williams.

H. B. No. 69 was read the second time.

Committee report read and adopted.

H. B. No. 69 failed to pass on the following roll call:

Yeas, 5; Nays, 15; Absent, 3.

Those voting in the affirmative were: Senators Child, Christensen, Ericksen, Hirschi, Huggins.

Those voting in the negative were: Senators Ashton, Bailey, Ellett, Farr, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Dawson, Spence, Watson.

H. B. No. 69 was returned to the House.

On motion of Senator Lundell all bills on the Second Reading Calendar were referred to the Sifting Committee.

INTRODUCTION OF BILL

S. B. No. 264 By Messrs. Lundell and Farr

(Introduced by title only.)

AN ACT DECLARING UTAH LAKE SITUATED IN UTAH COUNTY, STATE OF UTAH, TO BE A NAVIGABLE FRESH BODY OF WATER; DECLARING CERTAIN USEFUL AND BENEFICIAL PURPOSES TO WHICH THE WATERS OF SAID LAKE HAVE BEEN USED; CREATING A "UTAH LAKE AUTHORITY" AND DEFINING

THE RIGHTS, POWERS AND DUTIES OF SAID AUTHORITY IN CONTROLLING AND REGULATING THE LANDS AND WATERS OF SAID LAKE; AUTHORIZING SAID AUTHORITY TO DETERMINE AND FIX BOUNDARIES OF SAID LAKE, AND TO DETERMINE, FIX AND ESTABLISH A HIGH WATER LEVEL AND A LOW WATER LEVEL OF SAID LAKE; TO DETERMINE AND ESTABLISH THE EXTENT AND PRIORITY OF THE USES OF THE WATERS OF SAID LAKE; TO ISSUE PERMITS FOR THE USE OF THE WATERS OF SAID LAKE, EXCEPT IRRIGATION, AND TO COLLECT FEES THEREFOR, AND TO LEASE THE UNWATERED LANDS OF SAID LAKE, AND TO COLLECT RENTALS THEREFOR; TO COOPERATE AND MAKE CONTRACTS WITH OTHER STATE AND FEDERAL AGENCIES; TO HOLD HEARINGS AND COMPEL THE ATTENDANCE OF WITNESSES AND PRODUCTION OF EVIDENCE, AND PROVIDING THAT THE POWERS GRANTED TO THE GOVERNOR UNDER CHAPTER 109, LAWS OF UTAH, 1935, SHALL HENCEFORTH BE EXERCISED BY SAID AUTHORITY, AND REPEALING ALL LAWS IN CONFLICT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Howard the Senate adjourned until tomorrow at 10:00 a.m.

THIRTY-NINTH DAY

MORNING SESSION

February 20, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 20, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 38th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

THOMAS BAILEY,
ABEL S. RICH.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 19, 1941.

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. 107*, by Mr. Miller, entitled, "AN ACT AUTHORIZING THE GOVERNOR TO CONVEY CERTAIN PROPERTY OWNED BY THE STATE IN CONSIDERATION OF A CONVEYANCE TO THE STATE OF OTHER PROPERTY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 107 was read the first time.

On motion of Senator Ericksen the rules were suspended and *H. B. No. 107* was read the second and third times and placed on its final passage.

H. B. No. 107 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Huggins, Morrill, Williams.

H. B. No. 107 was returned to the House.

February 19, 1941.

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. Farr, entitled, "AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING SEROLOGICAL BLOOD TESTS FOR SYPHILIS OF PREGNANT OR RECENTLY DELIVERED WOMEN AND LABORATORY STATEMENTS WITH RESPECT THERETO, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 72 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 19, 1941.

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. 71*, by Mr. Farr, entitled, "AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING PREMARITAL EXAMINATIONS FOR VENEREAL DISEASES; PROVIDING FOR EXAMINATIONS AND STANDARD SEROLOGICAL TESTS FOR APPLICANTS FOR MARRIAGE, AND PHYSICIAN'S CERTIFICATES AND LABORATORY STATEMENTS WITH RESPECT THERETO; REQUIRING APPROVAL OF LABORATORIES BY THE STATE BOARD OF HEALTH; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Farr the Senate concurred in the House amendment.

S. B. No. 71 then passed on the following roll call:

Yeas, 17; Nays, 2; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Johnston, Lundell, McMurrin, Miller, Rich, Spence, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Ellett, Howard.

Absent and not voting: Senators Hopkin, Huggins, Macfarlane, Morrill.

S. B. No. 71 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 19, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 70*, by Mr. Farr, entitled, "AN ACT AMENDING SECTION 40-1-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1939, RELATING TO PROHIBITED AND VOID MARRIAGES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 70 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 19, 1941.

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. 5*, by Mr. Redd, entitled, "AN ACT RELATING TO THE REGISTRATION AND DISTRIBUTION OF MOTOR VEHICLE LICENSE PLATES BY COUNTY TREASURERS AS AGENTS OF THE STATE TAX COMMISSION, AND PRESCRIBING THE METHOD OF NUMBERING MOTOR VEHICLE LICENSE PLATES," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 5 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 19, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House and Senate, *S. B. No. 7*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 13-0-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISCHARGE OF CHATTEL MORTGAGES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendment.

S. B. No. 7 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Huggins, Morrill.

S. B. No. 7 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 19, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 88*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 28-2-3, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF COUNTY RECORDER," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 88 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. R. No. 1*, by Mr. Grover, by request, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 218*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 218 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on State and Municipal Affairs.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 259*, by Messrs. Farr and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 259 was ordered printed and referred to the Committee on Fish and Game.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 260*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 260 was ordered printed and referred to the Committee on Health and Labor.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 261*, by Mr. Grover, by request, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 261 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 262*, by Messrs. Huggins and Farr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 262 was ordered printed and referred to the Committee on Judiciary.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 263*, by Messrs. Huggins, Macfarlane and Dawson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 263 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Judiciary.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 264*, by Messrs. Lundell and Farr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 264 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 20, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 246*, by Mr. Johnston, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 246 was referred to the Committee on Public Institutions.

Senator Macfarlane moved that the Senate request the House to return *H. B. No. 69* so that the Senate can reconsider its action on said bill.

Motion carried.

SPECIAL ORDER

H. B. No. 4 on Second Reading.

On motion of Senator Macfarlane *H. B. No. 4* was returned to the House for correction.

On motion of Senator Macfarlane 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 20, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 51*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

H. B. No. 51 was referred to the Sifting Committee.

February 20, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 250*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 250 was referred to the Sifting Committee.

INTRODUCTION OF BILLS

S. B. No. 265 By Mr. Hirschi
(Introduced by title only)

AN ACT AUTHORIZING THE UTAH STATE BOARD OF EDUCATION TO PURCHASE PROPERTY FOR THE DIXIE JUNIOR COLLEGE AND APPROPRIATING $27,000 THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 266 By Mr. Hopkin

AN ACT AMENDING SECTION 3-5-27, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 8, LAWS OF UTAH, 1939, RELATING TO THE TUBERCULAR INDEMNITY FUND, BY STRIKING THEREFROM THE TEXT ON RANGE CATTLE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 267 By Mr. Miller

AN ACT AMENDING SECTION 90-0-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 78, LAWS OF UTAH, 1933, RELATING TO THE GENERAL POWERS AND DUTIES OF THE BOARD OF SUPPLIES AND PURCHASE, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

February 20, 1941.

Mr. President:

Upon your request we are returning herewith *H. B. No. 69* for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane the Senate proceeded to reconsider *H. B. No. 69*.

H. B. No. 69 on Second Reading.

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

Line 1 of the title, strike the word "ESTABLISHING" and insert the words "PERMITTING THE ESTABLISHMENT OF".

Page 1, line 1, strike the word "shall" and insert the word "may".

H. B. No. 69 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Child, Christensen, Ericksen, Hirschi, Huggins, Lundell, Macfarlane, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Dawson, Ellett, Farr, Hopkin, Johnston, McMurrin.

Absent and not voting: Senators Howard, Spence.

CONSIDERATION OF HOUSE BILLS ON THIRD READING

H. B. No. 61 was read the third time and placed on its final passage.

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

Line 3 of the title and line 9 of the bill, after the word "AGRICULTURE" insert the words "TOGETHER WITH THE COUNTY COMMISSIONERS OF THE RESPECTIVE COUNTIES".

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

Line 8, after the word "not" insert "exceed one-half mill in counties having an assessed valuation in excess of two hundred million dollars and not to", and after the word "mill" insert "in the other counties of the state".

H. B. No. 61 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett (explained vote), Ericksen, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams (explained vote), Mr. President.

Absent and not voting: Senators Farr, Howard, Spence.

H. B. No. 61 was returned to the House.

H. B. No. 13 was read the third time and placed on its final passage.

H. B. No. 13 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Farr, Howard, Spence.

H. B. No. 13 was returned to the House.

H. B. No. 70 was read the third time and placed on its final passage.

H. B. No. 70 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Howard, Lundell, Spence.

H. B. No. 70 was returned to the House.

H. B. No. 62 was read the third time and placed on its final passage.

On motion of Senator Lundell *H. B. No. 62* was made a Special Order of Business for February 26, 1941, at 10:30 a.m.

H. B. No. 9 was read the third time and placed on its final passage.

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

Page 9, line 28, after the word "that" insert the word "wilfully".

H. B. No. 9 then passed on the following roll call:

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

Those voting in the affirmative were Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins,

Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Howard, Spence.

H. B. No. 9 was returned to the House.

H. B. No. 76 was read the third time and placed on its final passage.

H. B. No. 76 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Dawson, Hopkin, Howard, Johnston, Spence.

H. B. No. 76 was returned to the House.

H. 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, 17, Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Hirschi, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Voting in the negative: Senator Farr.

Absent and not voting: Senators Dawson, Hopkin, Howard, Johnston, Spence.

H. B. No. 81 was returned to the House.

REPORT OF SPECIAL COMMITTEE

February 19, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places on the Second Reading Calendar:

H. B. Nos. 51, 44 and 8.

S. B. Nos. 132, 133, 80, 55, 44, 105, 106 and 107.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

On motion of Senator Lundell the rules were suspended and the Senate proceeded to consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 51 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *H. B. No. 51* was read the third time and placed on its final passage.

H. B. No. 51 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Macfarlane, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Child, Howard, Huggins, Johnston, Lundell, McMurrin, Spence, Williams.

H. B. No. 51 was returned to the House.

H. B. No. 44 was read the second time.

Committee report read and adopted.

H. B. No. 44 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 Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Child, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Spence, Williams.

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

Committee report read and adopted.

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

Page 1, line 4, strike the words "accessible to minors".

On motion of Senator Watson the Enacting Clause was stricken.

H. B. No. 8 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 91 was read the third time and placed on its final passage.

Senator Watson, four Senators concurring therein, requested a call of the Senate.

Senators Spence, Hirschi, Christensen and Morrill were absent without leave.

On motion of Senator Ellett the call was lifted.

Further consideration of *S. B. No. 91.*

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

Page 1, lines 2 and 11, strike the words "directly".

Senator Ellett, four Senators concurring therein, requested a call of the Senate.

Senator Spence was absent without leave.

On motion of Senator Ellett the call was lifted.

S. B. No. 91 then passed on the following roll call:

Yeas, 16; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Hirschi, Hopkin, Howard, Lundell, Morrill, Williams.

S. B. No. 91 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 268 By Mr. Lundell

AN ACT GRANTING TITLE TO LANDS BELOW THE MEANDER LINE OF NAVIGABLE LAKES AND STREAMS TO THE PERSONS WHO HAVE BEEN IN POSSESSION OF AND PAID THE TAXES THEREON FOR A PERIOD OF SEVEN YEARS OR MORE, AND PROVIDING FOR PROCEDURE TO QUIET TITLE TO SUCH LANDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 269 By Mr. Miller

AN ACT TO PROMOTE THE MANUFACTURE OF SOLID SMOKELESS FUEL BY LOW TEMPERATURE CARBONIZATION OF UTAH COAL, AND PROVIDING LIMITED FINANCIAL AID TO ENCOURAGE THE MANUFACTURE OF SUCH FUEL, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

FORTIETH DAY

MORNING SESSION

February 21, 1941.

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

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

Prayer by the Chaplain.

February 21, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 39th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

THOMAS BAILEY,

ABEL S. RICH.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 20, 1941.

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. 20,* by Mr. Hopkin, entitled, "AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 20 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 99,* by Mr. Christensen, entitled, "AN ACT AMENDING CHAPTER 65, LAWS OF UTAH, 1935, BY ADDING

A NEW SECTION TO BE KNOWN AS SECTION 28, PROVIDING FOR THE TRANSFER OF INTEREST OF DECEASED MOTOR CARRIERS, CONDITIONS OF TRANSFER, PROVIDING FOR TEMPORARY OPERATION BY FIDUCIARIES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 99 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1941.

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. Christensen, entitled, "AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS, REPAIRS OR BUILDINGS OF STRUCTURES OUTSIDE OF CORPORATE TOWNS, WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 21 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1941.

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 Mr. Farr, entitled, "AN ACT AUTHORIZING THE STATE FISH AND GAME COMMISSIONER TO USE CERTAIN STATE OWNED PROPERTY

FOR BIRD REFUGES, SANCTUARIES, PUBLIC SHOOTING GROUNDS, FISHING, AND OTHER RECREATIONAL ACTIVITIES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 48 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *S. J. R. No. 7*, by Messrs. Howard and Huggins, entitled, "A JOINT RESOLUTION REQUESTING THE STATE BUILDING COMMISSION TO INVESTIGATE AND REPORT TO THE LEGISLATURE CONCERNING CERTAIN PROPERTY CONVEYED TO THE STATE OF UTAH, BY SALT LAKE CITY FOR A GOVERNOR'S MANSION SITE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Howard the Senate concurred in the House amendments.

S. J. R. No. 7 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Johnston, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Hirschi, Huggins, Lundell, Macfarlane, Spence, Williams.

S. J. R. No. 7 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 1*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 75-11-12, REVISED STAT-

UTES OF UTAH, 1933, RELATING TO ENUMERATORS OF SCHOOL POPULATION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 1 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1941.

Mr. President:

I beg to transmit herewith *H. B. No. 4*, substitute bill for printer's copy. Unaccountably printer's copy was received by your Honorable Body in place of the substitute bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 4 was referred to the Committee on Judiciary.

February 20, 1941.

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. 6*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTIONS 80-10-4 AND 80-10-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE COLLECTION OF TAXES ON PERSONAL PROPERTY AND FIXING THE RATES OF LEVY TO BE USED IN COMPUTING THE TAX THEREON AND FOR THE DISTRIBUTION THEREOF, AND REPEALING SECTIONS 80-10-7, 80-10-8 AND 80-10-11, REVISED STATUTES OF UTAH, 1933," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. 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.

February 20, 1941.

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. 18,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 19-13-14, REVISED STATUTES OF UTAH, 1933, FIXING THE MAXIMUM SALARIES TO BE PAID COUNTY OFFICERS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 18 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 20, 1941.

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. 56,* by Mrs. Ericksen, entitled, "AN ACT LEASING CERTAIN STATE CAPITOL REAL ESTATE KNOWN AS THE TRIANGLE TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE ERECTION AND MAINTENANCE OF A PIONEER MEMORIAL BUILDING TO BE USED FOR THE PRESERVATION, HOUSING AND CARE OF HISTORICAL RECORDS, PIONEER DOCUMENTS AND RELICS RELATING TO THE LIFE AND WORK OF THE UTAH PIONEERS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 56 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 71,* by Mr. Farr, entitled, "AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING PREMARITAL EXAMINATIONS FOR VENEREAL DISEASES; PROVIDING FOR EXAMINATIONS AND

STANDARD SEROLOGICAL TESTS FOR APPLICANTS FOR MARRIAGE, AND PHYSICIAN'S CERTIFICATES AND LABORATORY STATEMENTS WITH RESPECT THERETO; REQUIRING APPROVAL OF LABORATORIES BY THE STATE BOARD OF HEALTH; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 71 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 72*, by Mr. Farr, entitled, "AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING SEROLOGICAL BLOOD TESTS FOR SYPHILIS OF PREGNANT OR RECENTLY DELIVERED WOMEN, AND LABORATORY STATEMENTS WITH RESPECT THERETO AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 7*, Mr. Huggins, entitled, "AN ACT AMENDING SECTION 13-0-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISCHARGE OF CHATTEL MORTGAGES," examined by this

committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 7 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 88*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 28-2-3, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF COUNTY RECORDER," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 20, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 70*, by Mr. Farr, entitled, "AN ACT AMENDING SECTION 40-1-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1939, RELATING TO PROHIBITED AND VOID MARRIAGES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 70 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 20, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 28*, by Mrs. Jack, Mr. Leavitt, Mr. Scherer, Mr. Hainsworth, Mr. Macfarlane, Mr. Selvin and Mrs. Jensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 28 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 20*, by Messrs. Reid and Cannon, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 20 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 84*, by Mrs. Jacob, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 84 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 187*, by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 187 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 245*, by Mr. Huggins, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 245 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 186*, by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 186 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 240*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 240 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 265*, by Mr. Hirschi, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 265 was ordered printed and referred to the Committee on Appropriations and Claims and then to the Committee on Public Institutions.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 266*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 266 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 268*, by Mr. Lundell, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 268 was ordered printed and referred to the Committee on Judiciary.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 269*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 269 was ordered printed and referred to the Committee on State and Municipal Affairs.

PRESENTATION OF RESOLUTION

S. J. R. No. 12 By Messrs. Rich, Farr and Huggins

A JOINT RESOLUTION ASKING CONGRESS FOR THE PASSAGE OF LEGISLATION PROVIDING FOR DUCK REFUGE IN UTAH, was read the first time.

On motion of Senator Farr the rules were suspended and *S. J. R. No. 12,* was read the second and third times and placed on its final passage.

S. J. R. No. 12 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Christensen, Ellett, Hirschi, Miller, Watson.

S. J. R. No. 12 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 270 By Mrs. Ericksen (by request)

AN ACT AMENDING SECTION 103-37-1, REVISED STATUTES OF UTAH, 1933, CONCERNING INDECENT AND OBSCENT EXPOSURES, EXHIBITS, PICTURES, MAGAZINES, BOOKS, ETC. was read the first time and referred to the Comittee on Revision and Enrolling.

S. B. No. 271 By Messrs. Christensen and Dawson

AN ACT AMENDING SECTIONS 75-2-1 AND 75-6-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 76, LAWS OF UTAH, 1937, RELATING TO STUDENT FEES OF UNIVERSITY OF UTAH AND UTAH STATE AGRICULTURAL COLLEGE AND JUNIOR COLLEGE STUDENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 272 By Messrs. Macfarlane, Christensen, Dawson, Huggins, Spence and Child

AN ACT PROVIDING FOR THE REFUND OF MOTOR FUEL TAX COLLECTED ON MOTOR FUEL PURCHASED IN THE STATE OF UTAH AND USED FOR OPERATING OR PROPELLING AIRCRAFT; PROVIDING FOR METHODS OF ADMINISTRATION, AND FOR PENALTIES FOR MAKING FALSE CLAIM OR OTHER VIOLATION OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Hopkin the President appointed a committee consisting of Senators McMurrin and Hopkin to draw up a resolution of condolence to the family of former State Senator John W. Anderson.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 62 was read the third time and placed on its final passage.

S. B. No. 62 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Farr, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Mr. President.

Voting in the negative: Senator Williams.

Absent and not voting: Senators Bailey, Ellett, Ericksen, Hirschi, Lundell, Watson.

S. B. No. 62 was transmitted to the House.

H. J. R. No. 2 was read the third time and placed on its final passage.

H. J. R. No. 2 then passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Macfarlane, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Howard, Lundell, McMurrin, Miller.

Absent and not voting: Senator Hirschi.

H. J. R. No. 2 was returned to the House.

H. B. No. 69 was read the third time and placed on its final passage.

H. B. No. 69 then passed on the following roll call:

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Child, Christensen, Dawson (explained vote), Ellett (explained vote), Ericksen, Farr, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Williams (explained vote), Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Hopkin, Miller.

Absent and not voting: Senators Hirschi, Watson.

H. B. No. 69 was returned to the House.

H. B. No. 44 was read the third time and placed on its final passage.

H. B. No. 44 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Hirschi, Macfarlane, Watson.

H. B. No. 44 was returned to the House.

REPORT OF SPECIAL COMMITTEE

February 20, 1941.

Mr. President:

Your Sifting Committee reports out *S. B. No. 131* to take its place at the head of the Second Reading Calendar, and recommends that the rules be suspended and that *S. B. No. 131* be now considered.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 131 was read the second time.

Committee report read and adopted.

S. B. No. 131 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 Ashton, Bailey, Child, Dawson, Ellett, Farr, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Christensen.

Absent and not voting: Senators Ericksen, Hirschi, Howard, Lundell.

S. B. No. 132 was read the second time.

Committee report read and adopted.

On motion of Senator Spence 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 Hirschi, excused.

COMMUNICATIONS FROM THE HOUSE

February 21, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 9*, by Mr. T. M. Rees, Mrs. Jacob, Mr. Brewster, Mr. Kerr, Mr. Hinckley, Mr. Lund, Mr. Midgley, Mr. Miller and Mr. Pace.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 21, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 13*, by Mr. Pace, Mr. Miller, by request.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

COMMUNICATIONS

STATE OF UTAH
State Board of Examiners
Salt Lake City

February 20, 1941.

TO THE SENATE

Gentlemen:

I am directed by the State Board of Examiners to transmit to your honorable body the claim of Mrs. Lauella Barnes of Richmond, Utah, in the amount of $2,513.40, covering personal injuries and damage to automobile in a collision with a truck owned and operated by LaMont Griffin, of Logan, who was employed by the State Road Commission.

This claim was filed with the board and acted upon as provided in Sections 26-0-11 and 26-0-14, of the Revised Statutes of Utah, 1933, and was rejected.

Claimant has appealed this claim from the decision of the Board to the Legislature under the provisions of Section 26-0-17, of the Revised Statutes of Utah, 1933, and all papers filed with the Board, together with notice of appeal, are transmitted herewith to your honorable body for your consideration.

Yours very truly,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

STATE OF UTAH

State Board of Examiners

Salt Lake City

February 20, 1941.

TO THE SENATE

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Mrs. Thora Day of Richmond, Utah, in the amount of $1,013.40, covering personal injuries sustained while riding in an automobile driven by Mrs. Milton Barnes, in a collision with a truck owned and operated by LaMont Griffin, of Logan, who was employed by the State Road Commission. Accident occurred at Cove, Utah, July 7, 1939.

This claim was 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, and was rejected.

Claimant has appealed this claim from the decision of the Board to the Legislature under the provisions of Section 26-0-17, of the Revised Statutes of Utah, 1933, and all papers filed with the Board, together with notice of appeal, are transmitted herewith to your Honorable Body for your consideration.

Yours very truly,

E. E. MONSON,

Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

REPORT OF STANDING COMMITTEE

February 21, 1941.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 192,* by Messrs. Watson, Child and Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

BYRON A. HOWARD,

Chairman.

Report filed.

S. B. No. 192 was referred to the Sifting Committee.

PRESENTATION OF RESOLUTION

S. J. R. No. 13 By Messrs. Hopkin and McMurrin

A JOINT RESOLUTION OF CONDOLENCE ON THE DEATH OF FORMER SENATOR JOHN WILLIAM ANDERSON, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Hopkin the rules were suspended and *S. J. R. No. 13* was read the second and third times and placed on its final passage.

S. J. R. No. 13 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hirschi.

S. J. R. No. 13 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 132 on Second Reading.

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

Page 2, line 13, after the word "deemed" insert "reasonable and".

Line 26, strike the words "and duty".

Page 3, line 28, strike the word "forestry" and insert the word "arboretum".

Page 4, line 29, preceding the word "road" insert the word "public".

Page 7, line 29, strike the last two words. Strike all of line 30.

Page 10, line 15, after the word "provided" insert "in writing".

Line 17, after the word "board" insert "provided further that said rules and regulations shall be available to the public at the office of the county commissioners at all times."

Page 12, line 31, strike the word "shall" and insert "may".

Page 13, line 10, after the word "county" insert "and by posting in three public places designed to give notice thereof to the persons affected".

Page 17, line 19, place a period after the word "equipment" and strike the balance of the sentence.

Page 16, line 22, place a period after the word "misdemeanor" and strike up to and including the word "offense" on line 26.

Page 15, strike lines 27 to 33, inclusive.

Page 16, strike lines 1 to 6, inclusive.

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

Page 16, line 17, beginning with the word "It" strike up to and including the word "act." on line 20.

Line 21, strike the word "such".

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

Page 3, line 14, strike the words "agricultural areas".

Line 15, strike the word "food".

Line 16, strike the semi-colon, insert a period and strike the balance of the section.

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

Page 3, line 12, strike the word "buildings,".

On motion of Senator Child *S. B. No. 132* was made a Special Order of Business for February 25, 1941, at 10:30 a.m.

S. B. No. 133 was read the second time.

Committee report read and adopted.

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

Line 17, after the word "are" insert the words "hereby accepted, ratified and".

On motion of Senator Miller the rules were suspended and *S. B. No. 133* was read the third time and placed on its final passage.

S. B. No. 133 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, McMurrin, Miller, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Child, Hirschi, Howard, Johnston, Lundell, Macfarlane, Morrill, Williams.

S. B. No. 133 was transmitted to the House.

S. B. No. 80 was read the second time.

Committee report read and adopted.

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

Page 3, at the end of line 16, insert the following: "Provided, that this section shall not invalidate or supercede any ordinance relating to inspection and sale of meat of a municipality now owning and operating a slaughtering plant where meat is inspected in the manner required by this act."

S. B. No. 80 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 Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Those voting in the negative were: Senators Ashton, Miller.

Absent and not voting: Senators Child, Hirschi.

On motion of Senator Watson the Secretary of the Senate was instructed to request the House to return to the Senate *H. B. No. 8.*

S. B. No. 55 was read the second time.

Committee report read and adopted.

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

Line 5, strike the amendment.

Line 6, reinstate the words "of each and every month".

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

Line 5, strike the word "fifth" and insert "tenth", also strike the word "twentieth" and insert "twenty-fifth".

On motion of Senator Hopkin the rules were suspended and *S. B. No. 55* was read the third time and placed on its final passage.

S. B. No. 55 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Mr. President.

Absent and not voting: Senators Hirschi, Watson, Williams.

S. B. No. 55 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

February 21, 1941.

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. 12,* by Messrs. Rich, Farr and Huggins, entitled, "A JOINT RESOLUTION ASKING CONGRESS FOR THE PASSAGE OF LEGISLATION PROVIDING FOR DUCK REFUGE IN UTAH," and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 12 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 21, 1941.

Mr. President:

At your request, I am returning herewith *H. B. No. 8.*

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

Senator Watson moved to reconsider the vote whereby *H. B. No. 8* failed of passage.

On motion of Senator Christensen the motion to reconsider was made a Special Order of Business for February 26, 1941, at 2:30 p.m.

February 21, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 61,* by Mr. Kerr, Mr. J. E. Rees, and Mr. Albrecht.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 21, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 51,* by Mr. Miller.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 21, 1941.

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. Wood.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 21, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 76*, by Mr. Selvin.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

INTRODUCTION OF BILLS

S. B. No. 273 By Mr. Spence

AN ACT AMENDING SECTION 103-53-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 136, LAWS OF UTAH, 1937, RELATING TO TRANSACTION OF BUSINESS ON SUNDAY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 274 By Mr. Watson (by request)

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 15-9-21X, PROVIDING FOR A REMEDY TO OFFICERS OR EMPLOYEES WRONGFULLY DISCHARGED OR DEMOTED BY REASON OF ANY DECISION OF THE CIVIL SERVICE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 275 By Committee on Revenue and Taxation

AN ACT AMENDING SECTION 80-12-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1935, AND SECTIONS 80-12-3, 80-12-4, 80-12-8, AND 80-12-23, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A TAX UPON ESTATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 276 By Messrs. Williams, Watson and Grover

AN ACT PROVIDING FOR THE PROTECTION OF PROPERTY BY MAKING CRIMINAL CERTAIN UNLAWFUL ENTRIES ON, INJURIES TO AND INTERFERENCES WITH PROPERTY, CONSPIRACY TO DAMAGE PROPERTY, EVIDENCE, POSTING OF SIGNS, AUTHORIZING THE CLOSING OF STREETS, AND TO PROVIDE PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 277 By Messrs. Spence and Lundell

AN ACT AMENDING SECTIONS 76 AND 90, CHAPTER 43, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 50, LAWS OF UTAH, 1937, AND SECTION 80 OF CHAPTER 43, LAWS OF UTAH, 1935, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTION 75X AND SECTION 90X, RELATING TO BONDS OF LICENSEES TO SELL BEVERAGES; EXEMPTING RETAILERS AND WHOLESALERS OF BEER FROM GIVING BONDS; REQUIRING THAT LICENSES FOR THE SALE OF BEER BE ISSUED BY THE SECRETARY OF STATE PROVIDING FOR THE DISTRICTING OF THE STATE FOR PURPOSES OF LICENSE FEES FOR RETAILING BEER; AND REGULATING THE AMOUNT OF SAID FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 278 By Committee on State and Municipal Affairs

AN ACT CREATING THE PUBLIC WELFARE COMMISSION; PROVIDING FOR THE APPOINTMENT OF THE PUBLIC WELFARE COMMISSION AND THE PUBLIC WELFARE COMMISSION ADVISORY COUNCIL THEIR TERMS OF OFFICE, SALARIES, AND DUTIES AND POWERS; TRANSFERRING THE ADMINISTRATION OF THE STATE DEPARTMENT OF PUBLIC WELFARE TO THE PUBLIC WELFARE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF PUBLIC WELFARE AND THE DIRECTOR THEREOF; REPEALING SECTIONS 2 AND 3, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 279 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE ADMINISTRATION OF THE LAWS PROVIDING PUBLIC ASSISTANCE TO AGED AND BLIND PERSONS IN NEED, TO DEPENDENT CHILDREN AND OTHER PERSONS IN NECESSITOUS CIRCUMSTANCES TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION, AND AMENDING SECTIONS 1, 2, 7 AND 9, CHAPTER 90, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 280 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE ADMINISTRATION OF THE LAWS RELATING TO OLD AGE ASSISTANCE TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION, AND AMENDING SECTIONS 2, 5, 8, 16 AND 26, CHAPTER 89, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 281 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 1, 4, 5 AND 6, CHAPTER 69, LAWS OF UTAH, 1935; SECTION 8, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 86, LAWS OF UTAH, 1939; AND SECTIONS 13 AND 17, CHAPTER 69, LAWS OF UTAH, 1935, AS ENACTED BY CHAPTER 88, LAWS OF UTAH, 1937, RELATING TO THE STATE DEPARTMENT OF PUBLIC WELFARE AND THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 282 By Mr. McMurrin

AN ACT AMENDING SECTIONS 25-2-7, 25-2-8 AND SECTION 25-2-14, REVISED STATUTES OF UTAH,' 1933, RELATING TO THE REGISTRATION OF ABSENT VOTERS AND THE DETERMINATION OF PLACE OF RESIDENCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 283 By Mr. Huggins

AN ACT AMENDING SECTIONS 25-2-7 AND 25-2-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE REGISTRATION OF ABSENT VOTERS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Macfarlane the Senate adjourned until February 24, 1941, at 10:00 a.m.

FORTY-THIRD DAY

MORNING SESSION

February 24, 1941.

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

Roll Call—All Senators present except Senators Hirschi and Howard. Senator Hirschi excused.

Prayer by the Chaplain.

February 24, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 40th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

THOMAS BAILEY,
ABEL S. RICH.

Report adopted and filed.

The President appointed Senators Hopkin and Ashton to revise the Journal for the week ending March 1, 1941.

REPORT OF SPECIAL COMMITTEE

February 24, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places on the Second Reading Calendar:

S. B. Nos. 136, 182, 183, 74, 75, 76, 147, 104, 101, 96, 108, 109, 110.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 270*, by Mrs. Ericksen, by request, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 270 was ordered printed and referred to the Committee on Judiciary.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 271*, by Mr. Dawson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 271 was ordered printed and referred to the Committee on Education.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 278*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 278 was ordered printed and referred to the Committee on Social Relations and Relief.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 279*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 279 was ordered printed and referred to the Committee on Social Relations and Relief.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 280*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 280 was ordered printed and referred to the Committee on Social Relations and Relief.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 281*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 281 was ordered printed and referred to the Committee on Social Relations and Relief.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 48*, by Mr. Farr, entitled, "AN ACT AUTHORIZING THE STATE FISH AND GAME COMMISSIONER TO USE CERTAIN STATE OWNED PROPERTY FOR BIRD REFUGES, SANCTUARIES, PUBLIC SHOOTING GROUNDS, FISHING, AND OTHER RECREATIONAL ACTIVITIES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 99*, by Mr. Christensen, entitled, "AN ACT AMENDING CHAPTER 65, LAWS OF UTAH, 1935, BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 28, PROVIDING FOR THE TRANSFER OF INTEREST OF DECEASED MOTOR CARRIERS, CONDITIONS OF TRANSFER, PROVIDING FOR TEMPORARY OPERATION BY FIDUCIARIES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 12*, by Messrs. Rich, Farr and Huggins, entitled, "A JOINT RESOLUTION ASKING CONGRESS FOR THE PASSAGE OF

LEGISLATION PROVIDING FOR DUCK REFUGE IN UTAH," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. J. R. No. 12 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 24, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 98*, by Committee on Agriculture and Irrigation, is returning the same herewith with the recommendation that it be referred to the Committee on Revenue and Taxation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 98 was referred to the Committee on Revenue and Taxation.

February 24, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 41*, by Messrs. Smith, Bennion and Adams, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 41 was referred to the Sifting Committee.

February 24, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 25*, by Mr. Elswood, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 25 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 236*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably with the following amendment:

Section 1, line 8, following the word "who" add "are the owners of water rights in this state only".

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 236 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 85*, by Messrs. Joseph E. Rees, Thorne and Smith, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 85 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. C. R. No. 1*, by Mr. Grover, by request, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. C. R. No. 1 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 254*, by Messrs. Williams, Watson and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 254 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 255,* by Messrs. Williams, Watson and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 255 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 252,* by Messrs. Williams, Watson and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 252 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 253,* by Messrs. Williams, Watson and Grover, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 253 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 248,* by Mr. Grover, by request, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 248 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 241*, by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 241 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 247*, by Mr. Grover, by request, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 247 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 131 was read the third time and placed on its final passage.

On motion of Senator Huggins consideration of *S. B. No. 131* was deferred until after consideration of *S. B. No. 132*.

S. B. No. 80 was read the third time and placed on its final passage.

S. B. No. 80 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Hirschi, Howard.

S. B. No. 80 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 44 was read the second time.

On motion of Senator Farr *S. B. No. 44* was made a Special Order of Business for February 25, 1941, at 11:00 a.m.

S. B. No. 105 was read the second time.

Committee report read and adopted.

On motion of Senator Macfarlane 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, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Hirschi, Howard.

S. B. No. 105 was transmitted to the House.

S. B. No. 106 was read the second time.

Committee report read and adopted.

On motion of Senator Macfarlane the rules were suspended and *S. B. No. 106* was read the third time and placed on its final passage.

S. B. No. 106 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen (explained vote), Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Hirschi, Howard, Watson.

S. B. No. 106 was transmitted to the House.

S. B. No. 107 was read the second time.

Committee report read and adopted.

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

Line 3, preceding the word "The" insert "( )".

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

Line 8, strike the word "or" and insert the word "and".

S. B. No. 107 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 Ashton, Child. Christensen, Dawson, Ellett (explained vote), Ericksen, Farr, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Morrill, Rich, Spence, Watson, Williams.

Those voting in the negative were: Senators Bailey, Miller.

Absent and not voting: Senators Hirschi, Howard, Lundell, Mr. President.

On motion of Senator Christensen the rules were suspended and the Senate continued to consider bills on the Second Reading Calendar.

S. B. No. 136 was read the second time.

Committee report read and adopted.

S. B. No. 136 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 2; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hopkin, Johnston, Lundell, McMurrin, Morrill, Rich, Spence, Watson.

Those voting in the negative were: Senators Huggins (explained vote), Miller.

Absent and not voting: Senators Dawson, Hirschi, Howard, Macfarlane, Williams, Mr. President.

S. B. No. 182 was read the second time.

Committee report read and adopted.

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

Line 3, preceding the word "Every" insert "Sec. 2."

S. B. No. 182 was placed on the Third Reading Calendar on the following roll call:

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Mr. President.

Those voting in the negative were: Senators Child, Ellett, Miller.

Absent and not voting: Senators Hirschi, Howard, Watson, Williams.

S. B. No. 183 was read the second time.

Committee report read and adopted.

On motion of Senator Spence the rules were suspended and *S. B. No. 183* was read the third time and placed on its final passage.

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

Page 1, line 19, strike the word "such".

On motion of Senator Huggins the bill was amended as follows: Page 1, line 19, strike the word "effected" and insert the word "affected".

Page 2, line 1, strike the words "or only".

S. B. No. 183 then passed on the following roll call:

Yeas, 17; Nays 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Mr. President.

Absent and not voting: Senators Christensen, Hirschi, Howard, Macfarlane, Watson, Williams.

S. B. No. 183 was transmitted to the House.

On motion of Senator Spence 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 McMurrin, excused.

COMMUNICATIONS FROM THE HOUSE

February 24, 1941.

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. 83,* by Mrs. Jensen, Mr. T. M. Rees, Mr. Leavitt, Mrs. Jack, Mr. Bryan, Mr. Foote, Mr. Thorne, Mr. J. E. Rees, Mr. Scherer, Mr. Liddell, Mr. Nichols, Mr. Dix, Mr. Macfarlane, Mr. Hainsworth, Mr. Reid and Mr. Ingleby, entitled, "AN ACT AMENDING SECTIONS 2, 3, 10 AND 16, CHAPTER 89, LAWS OF UTAH, 1937, RELATING TO OLD-AGE ASSISTANCE AND PROVIDING FOR DEFINITIONS, ELIGIBILITY REQUIREMENTS FOR ASSISTANCE AND APPEALS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 83 was read the first time and referred to the Committee on Social Relations and Relief.

February 24, 1941.

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. 82,* by Reorganization Committee, entitled, "AN ACT DEFINING THE ADMINISTRATIVE FUNCTIONS OF THE STATE; REORGANIZING, COMBINING, REVISING AND CO-ORDINATING THE VARIOUS EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS, COMMISSIONS, DIVISIONS, BOARDS AND AGENCIES OF THE STATE; ALLOCATING STATE FUNCTIONS TO THE DEPARTMENTS AND AGENCIES ESTABLISHED BY THIS ACT; PROVIDING FOR NEW ADMINISTRATIVE DEPARTMENTS, COMMISSIONS, AND ADVISORY AND ADMINISTRATIVE BOARDS; CREATING AN EXECUTIVE DEPARTMENT. PRESCRIBING THE POWERS AND DUTIES AND ORGANIZATION THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE ADJUTANT GENERAL, THE BOARD OF PARDONS AND PAROLE, AND THE STATE PLANNING BOARD, AND THOSE FUNCTIONS HERETOFORE PERFORMED BY THE STATE ROAD COMMISSION RELATING TO THE HIGHWAY PATROL AND BY THE STATE TAX COMMISSION RELATING TO REGISTRATION AND INSPECTION OF MOTOR VEHICLES, GIVING TO THE GOVERNOR SUPERVISORY AND ADMINISTRATIVE CONTROL OVER APPROPRIATIONS MADE BY THE LEGISLATURE; CREATING A DEPARTMENT OF STATE, PRESCRIBING THE POWERS, DUTIES AND ORGANIZATION THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE SECRETARY OF STATE AND THE STATE HISTORICAL SOCIETY; CREATING A DEPARTMENT OF ATTORNEY GENERAL AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF FINANCE PRESCRIBING THE POWERS AND DUTIES AND ORGANIZATION THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE BOARD OF SUPPLIES AND PURCHASES, THE TEACHER'S RETIREMENT BOARD AND THE STATE LAND BOARD AND THOSE FUNCTIONS HERETOFORE PERFORMED BY THE INDUSTRIAL COMMISSION INSOFAR AS THEY RELATE TO THE ADMINISTRATION OF THE STATE INSURANCE FUND, AND PROVIDING THAT THE STATE TREASURER BE A MEMBER OF SAID DEPARTMENT AND DEFINING HIS POWERS, AND PROVIDING FOR A PURCHASING STANDARDIZATION COMMITTEE AND DEFINING THE POWERS AND DUTIES THEREOF, PROVIDING FOR A POST AUDIT OF ALL FINANCIAL TRANSACTIONS AND ACCOUNTS OF THE STATE; CREATING A DEPARTMENT OF PUBLIC WELFARE AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE STATE BOARD OF PUBLIC WELFARE, BOARD OF TRUSTEES OF

THE UTAH STATE HOSPITAL, STATE INDUSTRIAL SCHOOL, BOARD OF TRUSTEES OF THE STATE TRAINING SCHOOL, JUVENILE COURT AND PROBATION COMMISSION AND THE TUBERCULOSIS SANATORIUM BOARD; CREATING A DEPARTMENT OF ENGINEERING AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE STATE ENGINEER, THE STATE ROAD COMMISSION, THE STATE AERONAUTICS COMMISSION, THE STATE BUILDING COMMISSION, AND THE STATE WATER STORAGE COMMISSION, CREATING A DEPARTMENT OF BUSINESS REGULATION, AND PRESCRIBING THE ORGANIZATION POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE BANK COMMISSIONER, INSURANCE COMMISSIONER, TRADE COMMISSION, PUBLIC SERVICE COMMISSION, DEPARTMENT OF REGISTRATION, SECURITIES COMMISSION AND THE LIQUOR CONTROL COMMISSION, PROVIDING FOR THE APPOINTMENT OF PUBLIC UTILITY, LIQUOR CONTROL, AND BANKS, INSURANCE AND SECURITIES ADMINISTRATORS; CREATING A DEPARTMENT OF EDUCATION, PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF, AND ASSIGNING TO IT THE FUNCTIONS HERETOFORE PERFORMED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION AND THE BOARDS OF TRUSTEES FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND; CREATING AN INDUSTRIAL COMMISSION AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF AGRICULTURE, PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF AND PROVIDING FOR THE STATE SOIL CONSERVATION COMMITTEE; CREATING A DEPARTMENT OF FISH AND GAME AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF HEALTH, AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A STATE TAX COMMISSION AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; CREATING A DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT AND PRESCRIBING THE ORGANIZATION, POWERS AND DUTIES THEREOF; AND PROVIDING FOR THE STATE FAIR ASSOCIATION AND BOARD OF PARK COMMISSIONERS; PROVIDING FOR THE APPOINTMENT OF ADVISORY COUNCILS FOR THE VARIOUS DEPARTMENTS AND COMMISSIONS; PROVIDING FOR THE CONTINUATION OF THE ADMINISTRATIVE FUNCTIONS OF THE VARIOUS DEPARTMENTS, COMMISSIONS AND STATE AGENCIES UNTIL THE REORGANIZATION IS COMPLETED; PROVIDING FOR THE TRANSFER OF THE FUNCTIONS OF STATE AND THE PROPERTY OF

THE STATE TO THE NEW DEPARTMENTS AND COMMISSIONS AND BOARDS; PROVIDING FOR THE CO-OPERATION OF ALL STATE AGENCIES IN EFFECTING A TRANSFER OF AUTHORITY AND FUNCTIONS TO THE NEW DEPARTMENTS, COMMISSIONS AND BOARDS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 82 was read the first time and referred to the Committee on State and Municipal Affairs.

February 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 7*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 13-0-5, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DISCHARGE OF CHATTEL MORTGAGES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 7 was transmitted to the Governor.

February 24, 1941.

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 Mr. Farr, entitled, "AN ACT AUTHORIZING THE STATE FISH AND GAME COMMISSIONER TO USE CERTAIN STATE OWNED PROPERTY FOR BIRD REFUGES, SANCTUARIES, PUBLIC SHOOTING GROUNDS, FISHING AND OTHER RECREATIONAL ACTIVITIES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 48 was transmitted to the Governor.

February 24, 1941.

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. Farr, entitled, "AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING SEROLOGICAL BLOOD TESTS FOR SYPHILIS OF PREGNANT OR RECENTLY DELIVERED WOMEN, AND LABORATORY STATEMENTS WITH RESPECT THERETO AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 72 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEE

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 1*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 75-11-12, REVISED STATUTES OF UTAH, 1933, RELATING TO ENUMERATORS OF SCHOOL POPULATION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 20*, by Mr. Hopkin, entitled, "AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE

INDIVIDUAL INCOME TAX ACT," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 20 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 7*, by Messrs. Howard and Huggins, entitled, "A JOINT RESOLUTION REQUESTING THE STATE BUILDING COMMISSION TO INVESTIGATE AND REPORT TO THE LEGISLATURE CONCERNING CERTAIN PROPERTY CONVEYED TO THE STATE OF UTAH BY SALT LAKE CITY FOR A GOVERNOR'S MANSION SITE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. J. R. No. 7 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 194*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 194 was ordered printed and referred to the Committee on Social Relations and Relief.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 196*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 196 was ordered printed and referred to the Committee on Judiciary.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 197*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 197 was ordered printed and referred to the Committee on Social Relations and Relief.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 267*, by Mr. Miller, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 267 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 272*, by Messrs. Macfarlane, Christensen, Dawson, Huggins, Spence and Child, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 272 was ordered printed and referred to the Committee on Judiciary.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 273*, by Mr. Spence, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 273 was ordered printed and referred to the Committee on Health and Labor.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 274*, by Mr. Watson (by request), with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 274 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 275*, by Committee on Revenue and Taxation, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 275 was ordered printed and referred to the Committee on Revenue and Taxation.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 276*, by Messrs. Williams, Watson and Grover, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 276 was ordered printed and referred to the Committee on Judiciary.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 277*, by Messrs. Spence and Lundell, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 277 was ordered printed and referred to the Committee on Judiciary.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 282*, by Mr. McMurrin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 282 was ordered printed and referred to the Committee on Judiciary.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 283*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be not printed, but that *S. B. No. 11* be renumbered as *S. B. No. 283*.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 283 was referred to the Committee on Judiciary.

Upon unanimous consent of the Senate the following bills were introduced:

S. C. R. No. 2 By Committee on Highways

A CONCURRENT RESOLUTION OFFERING FACILITIES OF STATE ROAD COMMISSION IN DEVELOPMENT OF HIGHWAYS IMPORTANT TO NATIONAL DEFENSE, AND MEMORIALIZING CONGRESS TO AUTHORIZE ADDITIONAL FEDERAL AID HIGHWAY FUNDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 284 By Committee on State and Municipal Affairs

AN ACT TRANSFERRING THE ADMINISTRATION AND CONTROL OF THE UTAH STATE TUBERCULOSIS SANATORIUM FROM THE STATE BOARD OF HEALTH TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION, DEFINING THE POWERS AND DUTIES OF THE COMMISSION WITH REGARD TO THE SANATORIUM, AND AMENDING SECTIONS 12, 15, 16, 17, 18 AND 19, CHAPTER 38, LAWS OF UTAH, 1937, AND REPEALING SECTIONS 4, 5, 6, 7, 8, 9, 10 AND 13, CHAPTER 38, LAWS OF UTAH, 1937, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 74 was read the second time.

Committee report read and adopted.

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

Page 10, line 13, strike the word "not" and insert the word "nor".

Line 24, after the word "per" insert the word "annum".

Page 15, line 9, after the figure "2" insert a "," and strike the word "of". After the figures "13" insert a "," and strike the words "of the". After the word "constitution" insert the words "of the state of Utah" and strike the last word on the line "of" and insert a ",".

Line 10, strike the word "the".

S. B. No. 74 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Hopkin, Johnston, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Farr, Hirschi, Howard, Huggins, Lundell, Macfarlane, Miller, Morrill, Williams.

Absent and not voting: Senator McMurrin.

COMMUNICATIONS FROM THE HOUSE

February 24, 1941.

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. 70,* by Mr. Farr, entitled, "AN ACT AMENDING SECTION 40-1-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER

50, LAWS OF UTAH, 1939, RELATING TO PROHIBITED AND VOID MARRIAGES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 70 was transmitted to the Governor.

February 24, 1941.

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. 71*, by Mr. Farr, entitled, "AN ACT PROVIDING FOR THE PROTECTION OF UNBORN CHILDREN AND THE PUBLIC HEALTH BY REQUIRING PREMARITAL EXAMINATIONS FOR VENEREAL DISEASES; PROVIDING FOR EXAMINATIONS AND STANDARD SEROLOGICAL TESTS FOR APPLICANTS FOR MARRIAGE, AND PHYSICIAN'S CERTIFICATES AND LABORATORY STATEMENTS WITH RESPECT THERETO; REQUIRING APPROPAL OF LABORATORIES BY THE STATE BOARD OF HEALTH; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 71 was transmitted to the Governor.

February 24, 1941.

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 Mr. Huggins, entitled, "AN ACT AMENDING SECTION 28-2-3, REVISED STATUTES OF UTAH, 1933, RELATING TO FEES OF COUNTY RECORDER," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 88 was transmitted to the Governor.

February 24, 1941.

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. Christensen, entitled, "AN ACT AMENDING CHAPTER 65, LAWS OF UTAH, 1935, BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 28, PROVIDING FOR THE TRANSFER OF INTEREST OF DECEASED MOTOR CARRIERS, CONDITIONS OF TRANSFER, PROVIDING FOR TEMPORARY OPERATION BY FIDUCIARIES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 99 was transmitted to the Governor.

February 24, 1941.

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. 12*, by Messrs. Rich, Farr and Huggins, entitled, "A JOINT RESOLUTION ASKING CONGRESS FOR THE PASSAGE OF LEGISLATION PROVIDING FOR DUCK REFUGE IN UTAH," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 12 was transmitted to the Secretary of State.

February 24, 1941.

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. 13*, by Mr. Hopkin and Mr. McMurrin, entitled, "A JOINT RESOLUTION OF CONDOLENCE ON THE DEATH OF FORMER SENATOR JOHN WILLIAM ANDERSON," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 13 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 69*, by Mr. Bennion.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 44*, by Mr. Elswood.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

FORTY-FOURTH DAY

MORNING SESSION

February 25, 1941.

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

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

Prayer by the Chaplain.

February 25, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 43rd day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ALONZO F. HOPKIN,
LYNNE ASHTON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. J. R. No. 2*, by Mr. Miller, Mr. Selvin, Mr. Cannon, Mr. Leavitt, Mr. Frandsen, Mr. Pace, Mr. Lund and Mr. Bench, and requests the Senate to recede from its amendments.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane the Senate refused to recede from its position and the President appointed a Conference Committee consisting of Senators Spence, Macfarlane and Dawson to act with a like committee from the House.

February 24, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, Substitute for *H. B. No. 74*, by Mr. McShane, Mrs. Jensen and Mrs. Jack, entitled, "AN ACT AMENDING SECTION 42-1-64, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 41, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 51, LAWS OF UTAH, 1939, RELATING TO THE INDUSTRIAL COMMISSION, WORKMEN'S COMPENSATION AND TO THE PAYMENT OF BURIAL EXPENSES AND BENEFITS BY THE EMPLOYER OR INSURANCE CARRIER IN CASE OF DEATH OF EMPLOYEE DUE TO INJURY ARISING OUT OF OR IN THE COURSE OF HIS EMPLOYMENT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 74 was read the first time and referred to the Committee on Health and Labor.

February 24, 1941.

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. Liddell and Mr. Smith, entitled, "AN ACT AMENDING SECTIONS 2, 3, 4 AND 5, CHAPTER 4, LAWS OF UTAH, 1939, RELATING TO CONTROLLING THE SPREADING OF NOXIOUS WEEDS BY TRANSPORTING THE SEED FROM FARM TO FARM BY THE OPERATION OF FARM MACHINERY, DEFINING TERMS, AND PROVIDING PENALTIES FOR VIOLATION OF ACT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 80 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 25, 1941.

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.*

7, by Messrs. Howard and Huggins, entitled, "A JOINT RESOLUTION REQUESTING THE STATE BUILDING COMMISSION TO INVESTIGATE AND REPORT TO THE LEGISLATURE CONCERNING CERTAIN PROPERTY CONVEYED TO THE STATE OF UTAH BY SALT LAKE CITY FOR A GOVERNOR'S MANSION SITE," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 7 was transmitted to the Secretary of State.

February 25, 1941.

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. Child, entitled, "AN ACT AMENDING SECTION 75-11-12, REVISED STATUTES OF UTAH, 1933, RELATING TO ENUMERATORS OF SCHOOL POPULATION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 1 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 25, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 260*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 260 was referred to the Sifting Committee.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. R. No. 2*, by Committee on Highways, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. C. R. No. 2 was ordered printed and referred to the Committee on Highways.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 217*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 217 was ordered printed and referred to the Committee on Judiciary.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 284*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 284 was ordered printed and referred to the Committee on Health and Labor.

February 24, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 13*, by Messrs. Hopkin and McMurrin, entitled, "A JOINT RESOLUTION OF CONDOLENCE ON THE DEATH OF FORMER SENATOR JOHN WILLIAM ANDERSON," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. J. R. No. 13 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 21, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 21,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS, REPAIRS OR BUILDING OF STRUCTURES OUTSIDE OF CORPORATE TOWNS, WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

SPECIAL ORDER

S. B. No. 132 on Second Reading.

On motion of Senator Child *S. B. No. 132* was made a Special Order of Business for February 28, 1941, at 10:30 a.m.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 107 was read the third time and placed on its final passage.

S. B. No. 107 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Huggins, Lundell, Miller, Spence.

S. B. No. 107 was transmitted to the House.

S. B. No. 136 was read the third time and placed on its final passage.

S. B. No. 136 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Morrill, Rich, Mr. President.

Absent and not voting: Senators Ashton, Huggins, Lundell, Miller, Spence, Watson, Williams.

S. B. No. 136 was transmitted to the House.

S. B. No. 182 was read the third time and placed on its final passage.

S. B. No. 182 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Morrill, Rich, Mr. President.

Absent and not voting: Senators Ashton, Huggins, Lundell, Miller, Spence, Watson, Williams.

S. B. No. 182 was transmitted to the House.

On motion of Senator Ellett *S. B. No. 74* retains its position on the Third Reading Calendar; also *S. B. Nos. 75, 76* and *147* retain their positions on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 101 was read the second time.

Committee report read and adopted.

On motion of Senator Lundell the rules were suspended and *S. B. No. 101* was read the third time and placed on its final passage.

S. B. No. 101 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Rich, Williams, Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Howard, Miller, Morrill, Spence, Watson.

S. B. No. 101 was transmitted to the House.

S. B. No. 104 was read the second time.

Committee report read and adopted.

S. B. No. 104 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Ericksen, Miller, Mr. President.

S. B. No. 96 was read the second time.

Committee report read and adopted.

S. B. No. 96 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Miller, Watson.

SPECIAL ORDER

S. B. No. 44 on Second Reading.

Committee report read and adopted.

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

Page 3, line 11, after the word "products" insert the words "stores or show rooms maintained by public utilities for the sale or exhibition of gas or electrical merchandise or equipment".

On motion of Senator Johnston 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 25, 1941.

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 Mrs. Jack, entitled, "AN ACT AMENDING SECTION 3-3-22, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 5, LAWS OF UTAH, 1937, RELATING TO THE ERADICATION OF NOXIOUS WEEDS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 108 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 25, 1941.

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. 110*, by Mr. Hinckley, entitled, "AN ACT EMPOWERING THE AUDITOR OF THE STATE OF UTAH TO DESTROY CERTAIN FILES AND RECORDS OF HIS OFFICE WHICH ARE OR BECOME TEN YEARS OLD," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 110 was read the first time and referred to the Committee on Judiciary.

February 25, 1941.

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. 117*, by Revenue and Taxation Committee, entitled, "AN ACT AMENDING SECTIONS 80-14-5, 80-14-6, 80-14-10, 80-14-12, 80-14-34, 80-14-50, 80-14-53, 80-14-56, 80-14-65, REVISED STATUTES OF UTAH, 1933, AND SECTION 80-14-7, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 90, LAWS OF UTAH, 1935, RELATING TO THE METHOD OF COMPUTING INDIVIDUAL INCOME TAX AND THE ALLOWANCES AND DEDUCTIONS THEREUNDER," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 117 was read the first time and referred to the Committee on Revenue and Taxation.

February 25, 1941.

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. 107*, by Mr. Miller, entitled, "AN ACT AUTHORIZING THE GOVERNOR TO CONVEY CERTAIN PROPERTY OWNED BY THE STATE IN CONSIDERATION OF A CONVEYANCE TO THE STATE OF OTHER PROPERTY," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 107 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 25, 1941.

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. 38*, by Mr. McGean, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 15, LAWS OF UTAH, 1937, RELATING TO THE DISPOSITION OF CHATTEL MORTGAGES AFTER THE SAME HAVE BEEN RELEASED OR HAVE BEEN ON FILE 10 YEARS OR MORE," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 38 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

February 25, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 211*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 211 was ordered printed and referred to the Committee on Fish and Game.

February 25, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 237*, by Mr. Macfarlane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 237 was ordered printed and referred to the Committee on Judiciary.

February 21, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 242*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 242 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 243*, by Mr. Lundell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 243 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 191*, by Messrs. Watson, Child and Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 191 was referred to the Sifting Committee.

February 21, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 198*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably with the following amendments:

Page 5, line 23, after the word "department" delete the word "shall" and insert "is authorized and empowered to".

Line 28, after the word "department" delete the words "shall have power and its duty shall be" and insert in lieu thereof "is authorized and empowered".

Page 6, line 30, after the word "state" delete the word "and", and insert the following "is authorized and empowered".

Page 7, line 9, after the word "department" delete the word "shall" and insert the following: "is authorized and empowered to".

Page 8, line 2, after the word "department" delete the word "shall" and insert in lieu thereof the word "may".

Line 7, after the word "department" delete the word "shall" and insert in lieu thereof the word "may".

Line 14, after the word "associations" insert the following: "as the legislature may provide".

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 198 was referred to the Sifting Committee.

February 25, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 82*, by Reorganization Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 82 was referred to the Sifting Committee.

February 25, 1941.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. J. M. No. 2*, by Mr. Williams, has carefully considered said bill, and reports the same out favorably.

Respectfully,

BYRON A. HOWARD,
Chief Clerk.

Report filed.

On motion of Senator Williams the rules were suspended and *S. J. M. No. 2* was placed at the head of the Second Reading Calendar.

Upon unanimous consent of the Senate the following bill was introduced:

S. B. No. 285 By Mr. Hopkin

AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT, was read the first time.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 285* was read the second and third times and placed on its final passage.

S. B. No. 285 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Christensen, Macfarlane.

S. B. No. 285 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 44 on Second Reading.

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

Page 5, line 7, place a period after the word "misdemeanor" and strike the balance of the paragraph.

Senator Bailey, four senators concurring therein, requested a Call of the Senate.

Senators Christensen and Johnston were absent without leave.

On motion of Senator Grover the call was lifted.

S. B. No. 44 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 10; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson (explained vote), Ellett, Ericksen (explained vote), Farr (explained vote), Hirschi, Johnston, Morrill, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Christensen (explained vote), Hopkin, Howard, Huggins (explained vote), Lundell (explained vote), Macfarlane, McMurrin, Miller, Rich, Williams.

CONSIDERATION OF BILLS ON SECOND READING

S. J. M. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Williams the rules were suspended and *S. J. M. No. 2* was read the third time and placed on its final passage.

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

Page 3, line 8, after the word "states" insert the words "the president of the United States", and also strike the words "the Congress of the United States".

Line 10, after the first appearing word "States" insert the words "the Congress of the United States".

Line 11, strike "Uath" and insert "Utah".

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

Page 2, line 31, after the word "ratio" strike the balance of the line.

Line 32, preceeding the word "gold" insert the word "to".

Page 3, line 5, strike the word "the" and insert the word "a".

Line 6, strike the words "of fourteen ounces of silver to one ounce of" and insert the word "to", and after the word "gold" insert "as herein above provided".

In the title, line 3, after the word "AT" insert "A GIVEN".

Line 4, strike the words "THE" "FOURTEEN OUNCES OF" and "ONE".

Line 5, strike the words "OUNCE OF".

Page 2, line 31, after the word "a" insert the word "given".

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 Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Hirschi.

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

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

FORTY-FIFTH DAY

MORNING SESSION

February 26, 1941.

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

Roll Call—All Senators present except Senators Dawson, Ellett, Ericksen, Hirschi, Huggins and Spence, excused; and Senators Farr, Macfarlane and Morrill.

Prayer by the Chaplain.

February 26, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 44th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ALONZO F. HOPKIN,
LYNNE ASHTON.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

February 25, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places on the Second Reading Calendar:

H. B. Nos. 82, 25, 41, 28, 20 and 84.

S. B. Nos. 166, 111, 112 and 113.

Respectfully,

ALONZO F. HOPKIN,
Acting Chairman.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 26, 1941.

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. 13,* by Messrs. Hopkin and McMurrin, entitled, "A JOINT RESOLUTION OF CONDOLENCE ON THE DEATH OF FORMER SENATOR JOHN

WILLIAM ANDERSON," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Comunication filed.

S. J. R. No. 13 was transmitted to the Secretary of State.

February 25, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 94*, by Mr. Bench, entitled, "AN ACT AMENDING SECTION 3, CHAPTER 68, LAWS OF UTAH, 1919, AS AMENDED BY CHAPTER 73, LAWS OF UTAH, 1921, AND SECTION 17, CHAPTER 68, LAWS OF UTAH, 1919, AS AMENDED BY CHAPTER 80, LAWS OF UTAH, 1929, RELATING TO IRRIGATION AND CONSERVATION DISTRICTS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 94 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 25, 1941.

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 Mr. Scherer, entitled, "AN ACT AMENDING SECTIONS 4, 5, 8, 9, 10, 12, 13 AND 14, CHAPTER 60, LAWS OF UTAH, 1937, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 16, 17 AND 18, RELATING TO PAYMENT OF WAGES OR COMPENSATION FOR LABOR OR SERVICE IN THE MINING OF METALLIFEROUS ORES OR COAL, MAKING PERSONS LIABLE TO EMPLOYEES OF CONTRACTORS; EXCEPTIONS; PENALTIES; PROVIDING FOR ASSIGNMENT OF CAUSE OF ACTION AGAINST SURETIES; AND PROVIDING FOR THE GUARANTEE OF WAGE CLAIMS BY PERSONS AS SELF INSURERS OR BY INSURANCE, PROVIDING PENALTIES FOR VIOLATION HEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 86 was read the first time and referred to the Committee on Health and Labor.

February 25, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 93*, by Mr. Frandsen, entitled, "AN ACT REPEALING SECTION 100-1-14, REVISED STATUTES OF UTAH, 1933, RELATING TO WATER RIGHTS APPURTENANT TO LAND UNDER FEDERAL PROJECTS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 93 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 25, 1941.

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. 91*, by Mr. Adams, entitled, "AN ACT AMENDING SECTION 100-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 104, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939, RELATING TO THE REVERSION TO PUBLIC BY ABANDONMENT OR FAILURE TO USE WATER WITHIN FIVE YEARS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 91 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 25, 1941.

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 Mrs. Jack, entitled, "AN ACT PROHIBITING THE PLANTING, CULTIVATING, HARVESTING, DRYING, PROCESSING, SELLING, GIVING AWAY OR POSSESSION OF MARIJUANA AND PRESCRIBING THE PENALTY FOR THE VIOLATION THEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 111 was read the first time and referred to the Committee on Health and Labor.

February 25, 1941.

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. Christensen, entitled, "AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS, REPAIRS OR BUILDING OF STRUCTURES OUTSIDE OF CORPORATE TOWNS, WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 21 was transmitted to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 25 was read the second time.

Committee report read and adopted.

H. B. No. 25 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hopkin, Howard, Johnston, McMurrin, Miller, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, Lundell, Macfarlane, Morrill, Spence.

H. B. No. 41 was read the second time.

Committee report read and adopted.

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

Page 11, line 29, after the word "misdemeanor" strike the balance of the section.

Page 13, strike lines 30 and 31.

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

Page 3, line 1, after the word "all" insert the word "seeds,".

On motion of Senator Grover *H. B. No. 41* retains its position on the Second Reading Calendar.

On motion of Senator Grover *H. B. No. 62* was made a Special Order of Business for tomorrow at 10:30 a.m.

H. B. No. 84 was read the second time.

Committee report read and adopted.

H. B. No. 84 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hopkin, Howard, Lundell, McMurrin, Miller, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, Johnston, Macfarlane, Morrill, Spence.

S. B. No. 108 was read the second time.

Committee report read and adopted.

S. B. No. 108 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hopkin (explained vote), Howard (explained vote), Lundell, McMurrin, Miller, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, Johnston, Macfarlane, Morrill, Spence.

S. B. No. 109 was read the second time.

Committee report read and adopted.

On motion of Senator Miller *S. B. No. 109* retains its position on the Second Reading Calendar.

On motion of Senator Grover the reconsideration of the vote, whereby *H. B. No. 8* failed of passage, was made a Special Order of Business for tomorrow to follow consideration of *H. B. No. 62*.

On motion of Senator Grover the Senate adjourned until tomorrow at 10:00 a.m.

FORTY-SIXTH DAY

MORNING SESSION

February 27, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 27, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 45th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ALONZO F. HOPKIN,
LYNNE ASHTON.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

February 27, 1941.

Mr. President:

Your Sifting Committee reports out the following bill to take its place on the Second Reading Calendar, ahead of House Bill No. 82:

S. B. No. 198.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

REPORT OF STANDING COMMITTEE

February 27, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 278*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably with the following recommendations:

All appointments hereunder shall be submitted to the Senate for confirmation before the appointees are allowed to assume the duties of their office, either in regular session of the Legislature or by extraordinary session of the Senate.

The Committee calls attention to the sweeping power given to the Governor in lines 5 and 6, page 1, and recommends some limitations.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 278* was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Howard, Huggins, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ericksen, Hopkin, Johnston, Macfarlane.

H. B. No. 25 was returned to the House.

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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Macfarlane, Spence.

H. B. No. 84 was returned to the House.

SPECIAL ORDER

H. B. No. 62 on Final Passage.

H. B. No. 62 then passed on the following roll call:

Yeas, 12; Nays, 7; Absent, 4.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Howard, McMurrin, Morrill, Rich, Williams.

Those voting in the negative were: Senators Ashton, Ellett, Huggins, Johnston, Lundell, Miller, Mr. President.

Absent and not voting: Senators Ericksen, Macfarlane, Spence, Watson.

H. B. No. 62 was returned to the House.

On motion of Senator Watson the Senate reconsidered the vote by which *H. B. No. 8* failed of passage.

H. B. No. 8 on Second Reading.

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

Page 1, line 5, preceding the word "vending" insert the word "tobacco", also after the word "machine" insert the words "accessible to minors".

Line 4, after the word "maintains" insert "after June 30, 1941".

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

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

In the title, line 4, strike the words "PERMIT MINORS TO PATRONIZE".

Line 5, after the word "MACHINES" insert the words "ACCESSIBLE TO MINORS".

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

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins (explained vote), Lundell (explained vote), McMurrin, Morrill, Rich, Spence, Watson, Williams, Mr. President (explained vote).

Those voting in the negative were: Senators Ashton, Farr, Johnston (explained vote), Miller.

Absent and not voting: Senator Macfarlane.

H. B. No. 8 was returned to the House.

On motion of Senator Hopkin, the rules were suspended and the Senate proceeded to consider *S. B. No. 198* on Second Reading.

S. B. No. 198 was read the second time.

Committee report read and adopted.

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

Page 3, line 11, strike the word "commission" and insert the word "governor", also strike the word "elect" and insert the word "appoint".

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

Page 4, line 1, strike the word "five" and insert the word "four".

On motion of Senator Hirschi, the bill was amended as follows:

Page 3, line 18, preceding the word "file" insert the words "and shall".

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

Page 8, strike lines 15 to 18 inclusive, and renumber succeeding sections.

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

Page 2, line 19, strike the word "quarterly" and insert the word "monthly".

Line 20, strike the first seven words.

Line 24, after the word "his" insert the word "full".

Page 3, line 4, strike the word "any" and insert the word "no", and after the word "case" strike the balance of the section and insert in lieu thereof the following: "no such member of such commission shall receive any additional compensation therefor."

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

Page 1, line 13, strike the words "at the pleasure of the governor" and insert the words "for a term of six years".

Page 2, line 7, strike the figure "5" and insert the figure "3".

Line 8, strike the word "fourth" and insert the words "odd numbered".

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

Page 5, line 21, place a period after the word "residents" and strike the whole of line 22.

President Grover, being ill, appointed Senator Macfarlane to act as President pro tempore.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present except President Grover, excused.

COMMUNICATIONS FROM THE HOUSE

February 27, 1941.

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 Mr. Farr, entitled, "AN ACT AMENDING SECTION 79-5-2, REVISED STATUTES OF UTAH, 1933, RELATING TO CHIROPODY," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 43 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 27, 1941.

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. 22,* by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 109, CHAPTER 46, LAWS OF UTAH, 1935, AND REPEALING SECTIONS 110, 111 AND 112 OF CHAPTER 46, LAWS OF UTAH, 1935, PERTAINING TO UNLAWFUL TAKING OF MOTOR VEHICLES, OBTAINING POSSESSION THEREOF BY FRAUD, DEPRIVING OWNERS OF POSSESSION THEREOF AND REMOVING PARTS THEREOF OR CONTENTS THEREFROM," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 22 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. J. R. No. 6* by Mr. Dawson, and the same is returned herewith for your files.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 6 was filed.

February 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 26th day of February, veto *H. B. No. 5.*

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 8,* by Messrs. Hinckley, Twitchell, Bennion, Chamberlain and Clyde.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 27, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 194*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 194 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 197*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 197 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 279*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 279 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 280*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 280 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 281*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 281 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 275*, by Committee on Revenue and Taxation, has carefully considered said bill, and reports the same out favorably.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 275 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 267*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 267 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 269*, by Mr. Miller, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 269 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 272*, by Messrs. Macfarlane, Christensen, Dawson, Huggins, Spence and Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 272 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 274*, by Mr. Watson (by request), has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 274 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 263*, by Messrs. Huggins, Macfarlane and Dawson, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 263 was referred to the Committee on Judiciary.

UNFINISHED BUSINESS

S. B. No. 198 on Second Reading.

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

Page 6, line 18, after the word "state" insert the following: "provided said contracts and agreements, if any, shall not involve the state of Utah in any pledge of funds or expenditure of money in excess of the unexpended appropriations made for the purposes covered in this act at the immediately next preceding session of the legislature."

Page 1, line 12, place a period after the word "senate" and strike the balance of the sentence and insert in lieu thereof the following: "provided that for the year 1941 one member shall be appointed for two years, one for four years, and one for six years, and thereafter each member shall be appointed for a term of six years. Each commissioner shall be subject to removal at the pleasure of the governor."

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

Page 2, line 6, beginning with the word "and" strike up to and including the first word on line 10 and insert in lieu thereof the following: "During each regular session of the legislature the governor shall submit to the senate all interim appointments and also the name of a member of the commission to fill the vacancy occurring by expiration of the term of the member expiring on the 1st day of March."

S. B. No. 198 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Howard, Lundell, Mr. President.

REPORT OF SPECIAL COMMITTEE

February 27, 1941.

Mr. President:

Your Sifting Committee reports out S. B. No. 83 to be considered jointly with S. B. No. 278.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

On motion of Senator Lundell the rules were suspended and the Senate proceeded to consider *S. B. Nos. 278* and *83* on Second Reading.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 278 was read the second time.

Committee report read and adopted.

S. B. No. 83 was read the second time.
Committee report read and adopted.

On motion of Senator Ellett *S. B. No. 278* and *S. B. No. 83* were made a Special Order of Business for tomorrow at 2:30 p.m.

H. B. No. 41 on Second Reading.

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

Page 4, lines 15 and 18, strike "(2-3)".

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

Page 13, line 9, strike the word "defender" and insert the words "the defendant".

Page 2, line 17, strike the word "acres" and insert the word "acre".

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

Page 2, lines 1 and 7, strike the word "hereby".

Line 32, strike the word "Definitions".

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

Page 10, line 23, strike "(50%)".

Page 11, lines 15 and 24, strike the word "hereby".

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

Page 13, strike lines 15 to 20 inclusive.

H. B. No. 41 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Ellett, Farr, Hirschi, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Those voting in the negative were: Senators Ashton, Bailey, Howard.

Absent and not voting: Senators Ericksen, Hopkin, Mr. President.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

FORTY-SEVENTH DAY

MORNING SESSION

February 28, 1941.

The Senate was called to order at 10:00 a.m. Senator Huggins in the chair.

Roll Call—All Senators present, except President Grover, excused.

Prayer by the Chaplain.

February 28, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 46th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ALONZO F. HOPKIN,
LYNNE ASHTON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 62*, by Mr. Albrecht.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 27, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 92*, by Mr. White, entitled, "AN ACT VALIDATING, RATIFYING, APPROVING AND CONFIRMING BONDS HERETOFORE ISSUED AND CERTAIN PROCEEDINGS HERETOFORE TAKEN FOR THE PURPOSE OF FINANCING OR AIDING IN FINANCING ANY WORK, UNDERTAKING, OR PROJECT BY ANY PUBLIC BODY TO WHICH ANY LOAN OR GRANT HAS BEEN MADE OR IS HEREAFTER MADE BY THE UNITED STATES OF AMERICA OR ANY OF ITS AGENCIES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 92 was read the first time and referred to the Committee on Banking and Commerce.

With unanimous consent of the Senate the following bills were introduced:

S. B. No. 286 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 42-3-2, 42-3-3, 42-3-4, 42-3-5, 42-3-6, 42-3-7, 42-3-8 AND 42-3-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION AS A BUREAU OF IMMIGRATION, LABOR AND STATISTICS AND TRANSFERRING CERTAIN SUCH POWERS AND DUTIES TO THE STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND REPEALING SECTION 42-3-1, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 287 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 3-3-3, REVISED STATUTES OF UTAH, 1933, SECTIONS 59 AND 61, LAWS OF UTAH, 1939, AND SECTIONS 5 AND 18, CHAPTER 10, LAWS OF UTAH, 1939, RELATING TO POWERS OF THE STATE BOARD OF AGRICULTURE AND PROVIDING FOR RESTRICTIONS UPON THE POWER OF THE BOARD WITH RESPECT TO EMPLOYMENT AND EXPENSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 288 By Committee on State and Municipal Affairs

AN ACT RELATING TO THE SUPERVISION OF HOTELS AND LODGING HOUSES BY THE STATE BOARD OF HEALTH, AND REPEALING CHAPTER 12, TITLE 3, REVISED STATUTES OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 289 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 85-4-1, 85-4-3, 85-4-5 AND 85-4-6, REVISED STATUTES OF UTAH, 1933, RELATING TO THE UTAH STATE FAIR ASSOCIATION, AND TO THE POWERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION, AND PROVIDING FOR RESTRICTIONS IN THE POWERS OF THE BOARD WITH RESPECT TO THE EMPLOYMENT OF BOARD OFFICERS AND EMPLOYEES, CONVERSION OF PROPERTY AND THE FIXING OF SURETY BONDS FOR EMPLOYEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 290 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 4, CHAPTER 116, LAWS OF UTAH, 1937, RELATING TO THE STATE SOIL CONSERVATION COMMITTEE: PROVIDING FOR A CHANGE IN THE MEMBERSHIP OF THE COMMITTEE; RESTRICTING THE POWERS OF THE COMMISSION WITH RESPECT TO APPOINTMENT OF EMPLOYEES; FIXING OF SALARIES AND QUALIFICATIONS OF EMPLOYEES AND EMPLOYMENT OF LEGAL COUNCIL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 291 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 35-1-15, 35-1-20, 35-2-1 AND 35-6-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH AND

PROVIDING FOR STANDARDS OF COMPENSATION OR SALARIES OF EMPLOYEES AND FOR DISPOSITION OF FUNDS COLLECTED, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Ellett moved that all bills dealing with the reorganization program be given preference on the calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 104 was read the third time and placed on its final passage.

S. B. No. 104 then passed on the following roll call:

Yeas, 15; Nays, 2. Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Ellett, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Morrill, Rich, Spence, Watson, Williams.

Those voting in the negative were: Senators Ashton, Miller.

Absent and not voting: Senators Christensen, Ericksen, Farr, Hirschi, Lundell, Mr. President.

S. B. No. 104 was transmitted to the House.

S. B. No. 96 was read the third time and placed on its final passage.

S. B. No. 96 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Hopkin, Howard, Huggins, Johnston, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Ericksen, Farr, Hirschi, Lundell, Macfarlane, McMurrin, Mr. President.

S. B. No. 96 was transmitted to the House.

SPECIAL ORDER

S. B. No. 132 on Second Reading.

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

Page 4, line 12, after the word "commission" strike the period and insert the following: "and the county commission acting jointly, and after a full hearing shall have been had thereon after notice of such hearing shall have been given once each week for 4 successive weeks in a newspaper having general circulation in, and most likely to give notice to the residents of the locality which would be affected thereby."

Page 4, line 16, after the period, add the following sentence: "The master plan shall be a public record but its purpose and effect shall be solely to aid the planning commission in the performance of its duties."

Page 4, line 17, after the period, strike the entire line, also lines 18 to 26, inclusive and substitute in lieu thereof the following: "The board of county commissioners of any county is hereby empowered, after receiving the advice of the county planning commission, to adopt and establish an official map of the county showing the highways, freeways, parks, parkways and sites for public buildings or works, including subsurface facilities, in the acquisition, financing, or construction of which the county has participated or may be called upon to participate. After the adoption and establishment of such map, as often as such board may deem it for the public interest, such board may change or add to such map or any part thereof. Such map is established to conserve and promote the public health, safety, convenience, or welfare. Before acting thereon in the first instance, and before adopting any amendments thereto, such board, after notice of time and place has been given by one publication for each of three successive weeks in a newspaper of general circulation in the county, and after written notice to the official bodies and departments enumerated hereinunder, shall hold a public hearing thereon at which representatives of the county planning commission, the county departments, the municipalities in the county, property owners, and others interested therein shall be heard. Before holding any such public hearing, the board of county commissioners shall submit such proposed change or addition to the county planning commission for its consideration and advice, and shall fix a reasonable time, not however, less than twenty days, when such county planning commission may report thereon. Upon receipt of such advisory report from the county planning commission, or upon the failure of such commission to report within the time limit so fixed, the board of county commissioners may thereupon act upon the proposed change or addition, but any action adverse to the report of the county planning commission shall require the affirmative recorded vote of the majority of all the members of such board. When approved in whole or in part by the board of county commissioners of any county such county official map or part thereof, including any such change or addition, shall be deemed to be binding upon the legislative body of the county and the several county departments thereof, and no expenditure of public funds by such county for construction work, or the acquisition of land for any purpose enumerated in section 4, shall be made except in accordance with such official map."

Page 4, line 27, strike the words "county planning commission" and insert in lieu thereof the words "board of county commissioners".

Page 4, line 28, strike the words "a master plan" and insert in lieu thereof the words "an official map".

Page 4, line 33, strike the words "or regional".

Page 5, line 1, after the word "the" insert the words "said planning".

Page 5, line 11, after the words "submission to the" insert the words "county planning".

Page 5, line 12, after the word "be" insert the word "made"; at the end of the line, add the words "said planning".

Page 13, line 24, strike the last 6 words and the first word on line 25.

Page 15, lines 27 to 33 inclusive and page 16, lines 1 to 6 inclusive, strike the Senate amendment.

Page 16, section 23, strike the Senate amendment on lines 17, 18, 19 and 20, down to and including the word "act" on line 20; then insert on line 18 after the second word "any" the words "land in violation of any regulation in or any provision of, any".

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

Page 15, line 31, insert at the end of the line "without first informing said purchaser or prospective purchaser that said lot is located in an unrecorded subdivision".

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

Page 17, line 24, after the word "Utah" insert the following: "or its successor commission, if any".

Page 2, line 2, after the word "incurred" and also line 14, after the word "prescribed" insert the words "upon presentation of proper receipts and vouchers".

Line 21, after the word "Utah" and after the word "purpose" on line 25, insert "without additional cost to the county or municipality".

Page 5, line 24, strike the word "by" and insert the word "of".

Page 6, line 9, strike the words "one publication" and insert the words "four publications".

Page 18, line 4, strike the word "or" and insert the word "of".

On motion of Senator Child 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, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Ellett (explained vote), Farr, Hirschi, Hopkin, Huggins (explained vote), Johnston (explained vote), Macfarlane, McMurrin (explained vote), Miller, Morrill, Rich, Spence (explained vote), Watson, Williams.

Those voting in the negative were: Senators Ashton, Christensen (explained vote), Howard, Lundell.

Absent and not voting: Senators Ericksen, Mr. President.

S. B. No. 132 was transmitted to the House.

S. B. No. 131 on Final Passage.

S. B. No. 131 then passed on the following roll call:

Yeas, 15; Nays, 2; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, McMurrin, Miller, Morrill, Rich, Williams.

Those voting in the negative were: Senators Ashton, Howard.

Absent and not voting: Senators Christensen, Lundell, Macfarlane, Spence, Watson, Mr. President.

S. B. No. 131 was transmitted to the House.

S. B. No. 108 was read the third time and placed on its final passage.

S. B. No. 108 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams.

Absent and not voting: Senators Lundell, Spence, Watson, Mr. President.

S. B. No. 108 was transmitted to the House.

H. B. No. 41 was read the third time and placed on its final passage.

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

Page 3, line 8, strike the words "fruits or vegetables" and insert "agricultural commodities".

Line 22, strike the word "conforming" and insert the word "conformance".

Line 12, strike the first appearing word "the" and insert "a".

On motion of Senator Miller consideration of *H. B. No. 41* was deferred until three o'clock this afternoon.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present, except President Grover, excused.

COMMUNICATIONS FROM THE HOUSE

February 28, 1941.

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. 115*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 93-1-10, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, LAWS OF

UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO CIGARETTE AND OLEOMARGARINE STAMP TAX; DISTRIBUTION; REDEMPTION; REFUNDING; DISCOUNT ALLOWED; AND FORBIDDING TRAFFICING IN STAMPS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 115 was read the first time and referred to the Committee on Judiciary.

February 28, 1941.

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. 133*, by Mr. Redd, entitled, "AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO AWARD EDUCATIONAL GRANTS FOR THE PURPOSE OF DEFRAYING A PORTION OF THE NECESSARY EXPENSES OF PERSONS ATTENDING THE JUNIOR COLLEGES OF THE STATE OF UTAH WHO RESIDE BEYOND A PRACTICAL COMMUTING DISTANCE FROM THE MOST ACCESSIBLE JUNIOR COLLEGE; DEFINING THE POWERS OF THE BOARD IN SUPERVISING THE EXPENDITURES OF SUCH EDUCATIONAL GRANTS AND MAKING AN APPROPRIATION FOR CARRYING THIS ACT INTO EFFECT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 133 was read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

February 28, 1941.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *H. B. No. 67*, by Messrs. Stringham, Thorne and Albrecht, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

BYRON A. HOWARD,
Chairman.

Report filed.

H. B. No. 67 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 251*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 251 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 263*, by Messrs. Huggins, Macfarlane and Dawson, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman

Report filed.

S. B. No. 263 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 196*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 196 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 237*, by Mr. Macfarlane, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 237 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 283*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 283 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 282*, by Mr. McMurrin, has carefully considered said bill, and reports the same out wihtout recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 282 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 249*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 249 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 270*, by Mrs. Ericksen (by request), has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 270 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 276*, by Messrs. Williams, Watson and Grover, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 276 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 262*, by Messrs. Huggins and Farr, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 262 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 110*, by Mr. Hinckley, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 110 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 261*, by Mr. Grover (by request), has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 261 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 56*, by Traffic Safety Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

H. B. No. 56 was referred to the Sifting Committee.

February 27, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 218*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation and with the following amendment:

Strike the amount 800,000 and leave a blank in lieu thereof, in lines 4, 9, 18 and any other place it appears in the bill.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 218 was referred to the Committee on State and Municipal Affairs.

February 28, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 265*, by Mr. Hirschi, has carefully considered said bill, and reports the same out favorably with the following amendment:

Line 3 of the title, strike the amount 27,000 and leave a blank in lieu thereof.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 265 was referred to the Committee on Public Institutions.

February 28, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 246*, by Mr. Johnston, has carefully considered said bill, and reports the same out favorably with the following amendment:

In line 1 of the title, strike the amount "100,000" and leave a blank in lieu thereof, with the recommendation that the amount be made not to exceed 25,000.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 246 was referred to the Committee on Public Institutions.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 202*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 202 was ordered printed and referred to the Committee on Health and Labor.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 203*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 203 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 205*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 205 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 286*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 286 was ordered printed and referred to the Committee on Health and Labor.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 287*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 287 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 288*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 288 was ordered printed and referred to the Committee on Health and Labor.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 289*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 289 was ordered printed and referred to the Committee on Public Institutions.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 290*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 290 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 28, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 291*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 291 was ordered printed and referred to the Committee on Health and Labor.

On motion of Senator Christensen the Secretary was instructed to request the Governor to return to the Senate *S. B. No. 21*.

REPORT OF SPECIAL COMMITTEE

February 28, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places at the head of the Second Reading Calendar:

S. B. Nos. 194, 197, 279, 280 and 281.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

Senator Howard moved that when we do adjourn it be until March 3, 1941, at 10:00 a.m.

Senator Ellett, four Senators concurring therein, requested a roll call on the motion.

The motion failed to carry on the following roll call:

Yeas, 7; Nays, 13; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Howard, Johnston, Lundell, Macfarlane, Morrill, Williams (explained vote).

Those voting in the negative were: Senators Ashton, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, McMurrin, Miller, Rich, Spence, Watson.

Absent and not voting: Senators Child, Hopkin, Mr. President.

SPECIAL ORDER

S. B. No. 278 and *S. B. No. 83* on Second Reading.

On motion of Senator Ellett *S. B. No. 278* was amended as follows:

Page 1, line 5, after the word "senate" strike the balance of the section and insert the following in lieu thereof: "whose terms of office shall be six years except as further provided in this section. The members first appointed, the term of one shall expire March 1, 1943, the term of one shall expire March 1, 1945, and the term of one shall expire March 1, 1947, and their successors shall be appointed and qualified. Not more than two members of the commission shall belong to the same political party. One member of the commission shall be designated by the governor as chairman and any two commissioners may constitute a quorum. Any member of the commission may be removed for cause by the governor."

Page 2, line 17, strike the words "quarterly at the end of each quarter year" and insert the word "monthly".

Page 3, line 10, beginning with the word "The" strike up to and including the word "clause." on line 12.

Line 12, strike the word "shall" and insert the word "may".

Line 23, strike the word "sam" and insert the word "same".

Line 29, strike the words "taxpayers and".

Page 6, add a new section as follows: "Section 16. This act shall take effect upon approval."

S. B. No. 278 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 Ashton, Bailey, Child, Christensen. Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams.

Absent and not voting: Senators Lundell, Spence, Mr. President.

On motion of Senator Ellett the Enacting Clause was stricken on *S. B. No. 83*.

S. B. No. 198 was read the Third time and placed on its final passage.

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

Page 2, line 2, at the end of the line, insert the word "or".

Page 8, bewteen lines 1 and 2, insert the following:

"Section 14. There is created a division of the department of publicity and industrial development to be known as the water resources development division, of which one of the commissioners of the department shall be the director, and the purposes of this division shall be to investigate all projects for the development of the water resources of the state, to devise plans for all projects involving the development of the water resources of this state and to recommend such projects as are deemed advantageous to the development of such water resources to the department, which shall have authority to proceed with such projects, either independently or in cooperation with any other state or with any federal agency; provided, however, that any engineering required in connection with such projects shall be under the supervision and direction of the engineering department of the state.

"Section 15. In order to ascertain what projects are most desirable for the development of the water resources of the state and to aid this department and this division in the performance of any of their duties, there is created a water resources development advisory council consisting of seven individuals, tax payers and electors of the state, no more than four of whom shall be members of the same political party. The members of the advisory council shall be appointed by the governor by and with the consent of the senate. They shall serve without pay or compensation but shall be paid their actual and necessary expenses incurred in attending meetings of the council. Each member of the advisory council shall be chosen with due regard to his intelligence and ability and his knowledge and interest in the functions and duties of the department or in any of the institutions under its supervision or control. The terms of office of each member of the council shall be seven years and until his successor shall have been appointed and qualified; provided, however, that during the year 1941 the governor shall appoint one member for the term expiring March 1, 1942, one for a term expiring March 1, 1943, one for a term expiring March 1, 1944, one for a term expiring March 1, 1945, one for a term expiring March 1, 1946, one for a term expiring March 1, 1947, and one for a term expiring March 1, 1948. In February, 1942 and in February of each year thereafter the governor shall appoint a member for the full term of seven years commencing on the second day of March next, to succeed the member whose term has then expired. Each appointment shall be submitted for confirmation or rejection by the senate during the session being held at the time of the appointment, or. if none is then being held, at the next session of the senate. Unless rejected at the session to which the appointment is first submitted, the appointment shall be deemed confirmed. Vacancies occurring in the membership of the advisory council shall be filled by the governor for the remainder of the term of the vacant membership, subject to the subsequent confirmation or rejection by the senate. Nothing herein shall be construed to disqualify a member for re-appointment.

"Section 16. The members of the said water resources advisory council shall meet at the earliest convenient date in the month of March of each year at the office of the commission at the state capitol at the

call of the chairman of the commission. At its first meeting the advisory council shall elect a chairman from its membership who shall serve until the next annual meeting of the council and the council may at any time elect such other officers from its membership as it shall deem necessary. The commission shall assign one of its employees to act as secretary of the council without additional compensation therefor, and shall supply the council with such stationery supplies and facilities as may be reasonably necessary. Meetings of the advisory council may be held at any time or place and upon call of the commission or of the chairman of the council upon notice of the time, place and purpose of the meeting given by mail, telegraph or telephone, to each of the members of the council not less than two days prior to the date fixed for such meeting. A majority of the members present at any meeting shall constitute a quorum for the transaction of business.

"Section 17. It shall be the duty and function of the water resources advisory council to make suggestions to and to advise the commission with respect to the policies, rules or regulations of the water resources development division, the conduct of its business and of its employees, and the needs and wishes of the public with respect to any of the functions of the water resources development division. It shall be the duty of the commission to receive and consider the suggestions and advice of the advisory council but nothing herein contained shall be construed to require the commission to adopt the same or to conform its practices thereto."

Renumber the following sections accordingly.

Between lines 26 and 27 insert the following:

"Section 21. Chapter 6, title 100, revised statutes of Utah, 1933, as amended by chapter 132, laws of Utah, 1937, is repealed."

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

Page 8, reinstate lines 15 to 18, inclusive.

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

After the word "FUNCTIONS" on line 8 of the title insert the following: "VESTING IN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION, ABOLISHING THE WATER STORAGE COMMISSION AND REPEALING CHAPTER 6, TITLE 100, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937".

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

Page 8. line 16, in the blank space insert the following: "25,000 or so much thereof as may be necessary".

Line 27, strike the word "approved" and insert "proclamation by the governor".

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

In the title. line 2. after the word "DEVELOPMENT" insert ", MAKING AN APPROPRIATION THEREFOR".

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

Page 8, line 17, after the third appearing word "the" insert "organization and the".

S. B. No. 198 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Absent and not voting: Senators Howard, Johnston, Lundell, Williams, Mr. President.

S. B. No. 198 was transmitted to the House.

COMMUNICATION FROM THE GOVERNOR

STATE OF UTAH
OFFICE OF THE GOVERNOR
Salt Lake City

February 28, 1941.

TO THE SENATE:

In compliance with your request, I am returning herewith *S. B. No. 21*, by Mr. Christensen, for further consideration.

Very truly yours,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Christensen *S. B. No. 21* was filed.

SPECIAL ORDER

H. B. No. 41 on Final Passage.

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

Page 3, line 1, strike the word "seeds".

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

Page 5, lines 26 and 27, strike the words "or handlers".

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

Page 3, line 4, at the end of line insert "provided producers shall not include producers who sell direct to the consumer agricultural products which they themselves have produced".

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

Page 5, line 21, after the word "order" insert "provided that said board of control shall not exceed five members".

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

Page 4, line 17, strike the word "or" and insert the word "and".

H. B. No. 41 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Those voting in the negative were: Senators Ashton, Williams.

Absent and not voting: Senators Howard, Macfarlane, Mr. President.

H. B. No. 41 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 194 was read the second time.

Committee report read and adopted.

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

Page 1, line 11, strike the word "borad" and insert the word "board".

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

Line 1 of the title, after the word "ACT" insert the material found on lines 6 and 7 of the title.

Line 4 of the title, preceding the word "REPEALING" insert the word "AND".

Line 5 of the title, strike the last word.

Page 1, strike lines 1 and 2 and insert said material following line 19 on page 4. The section to read Section "5".

On motion of Senator Child the rules were suspended and *S. B. No. 194* was read the third time and placed on its final passage.

S. B. No. 194 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams.

Absent and not voting: Senators Dawson, Howard, Spence, Mr. President.

S. B. No. 194 was transmitted to the House.

S. B. No. 197 was read the second time.

Committee report read and adopted.

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

In the title, on line 11, strike the word "AND" and the material found thereafter be inserted on line 1, after the word "ACT".

The material found on lines 1 to 3 inclusive to be inserted following line 24 on page 4. The Section to read "Section 6".

On motion of Senator Hopkin the rules were suspended and *S. B. No. 197* was read the third time and placed on its final passage.

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

Page 4, line 8, strike the words "shall be" and insert the word "are".

S. B. No. 197 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Dawson, Huggins, Mr. President.

Senator Child gave notice that he, on the next legislative day, would move to reconsider the vote whereby *S. B. No. 197* was passed.

S. B. No. 279 was read the second time.

Committee report read and adopted.

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

In the title, the material found on line 6, after the word "AND" to be inserted after the word "ACT" on line 1.

Strike the word "AND" on line 6.

S. B. No. 279 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Mr. President.

On motion of Senator Hopkin the Senate adjourned until tomorrow at 10:00 a.m.

FORTY-EIGHTH DAY

March 1, 1941.

The Senate was called to order at 10:00 a.m. Senator Macfarlane in the chair.

Roll Call—All Senators present except President Grover, excused, and Senators Bailey and Howard, excused.

Prayer by the Chaplain.

March 1, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 47th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ALONZO F. HOPKIN,

LYNNE ASHTON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 28, 1941.

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. 124*, by Mr. Brewster, entitled, "AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH OFFICIAL PLANS AND TO APPOINT PLANNING COMMISSIONS; PRESCRIBING THE POWERS AND DUTIES OF SAID PLANNING COMMISSIONS; PROVIDING FOR THE APPROVAL OF PLATS, FOR PENALTIES FOR NON-CONFORMANCE THERETO, AND THAT BUILDINGS SHALL CONFORM TO OFFICIAL PLANS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 124 was read the first time and referred to the Committee on State and Municipal Affairs.

February 28, 1941.

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. 82*, by Mr. Hopkin, entitled, "AN ACT PROVIDING THAT TRESSPASS UP-

ON PROPERLY POSTED LANDS FOR THE PURPOSE OF HUNTING, CAMPING OR TRAPPING SHALL BE A MISDEMEANOR," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate concurred in the House amendments.

S. B. No. 82 then failed to pass on the following roll call:

Yeas, 9; Nays, 10; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Hirschi, Macfarlane, McMurrin, Morrill, Rich, Williams.

Those voting in the negative were: Senators Dawson, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Miller, Spence, Watson.

Absent and not voting: Senators Bailey, Howard, Lundell, Mr. President.

Senator Hopkin gave notice that he would, on the next legislative day, move to reconsider the vote whereby *S. B. No. 82* failed of passage.

February 28, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 132*, by Mr. Selvin, entitled, "AN ACT AMENDING SECTION 25-6-24, REVISED STATUTES OF UTAH, 1933, RELATING TO DISABLED AND ILLITERATE VOTERS; AND PROVIDING THAT QUALIFIED VOTERS MAY ASSIST BLIND PERSONS IN VOTING," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 132 was read the first time and referred to the Committee on Judiciary.

February 28, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 118*, by Revenue and Taxation Committee, entitled, "AN ACT AMENDING SECTIONS 80-13-8, 80-13-9, 80-13-30,

80-13-41, 80-13-44, REVISED STATUTES OF UTAH, 1933, RELATING TO THE METHOD OF COMPUTING THE TAX FOR THE PRIVILEGE OF DOING BUSINESS AS A CORPORATION WITHIN THE STATE OF UTAH AND THE ALLOWANCES AND DEDUCTIONS THEREUNDER AND ENACTING A NEW SECTION TO BE KNOWN AS 80-13-44A RELATING TO THE TIME PROVISIONS OF THIS ACT ARE EFFECTIVE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 118 was read the first time and referred to the Committee on Revenue and Taxation.

February 28, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 42*, by Mrs. Jensen, Mrs. Jack and Mrs. Jacob, entitled, "AN ACT AMENDING SECTION 40-1-7, REVISED STATUTES OF UTAH, 1933, RELATING TO PREREQUISITES FOR MARRIAGE LICENSES AND CONTENTS OF APPLICATION FOR LICENSE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 42 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

February 28, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 74*, by Mr. McShane, Mrs. Jensen and Mrs. Jack, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 74 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 273*, by Mr. Spence, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 273 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 111*, by Mrs. Jack, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 111 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 86*, by Mr. Scherer, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 86 was referred to the Sifting Committee.

February 28, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 284*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 284 was referred to the Sifting Committee.

March 1, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 201,* by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 201 was ordered printed and referred to the Committee on Agriculture and Irrigation.

Upon unanimous consent of the Senate the following bill was introduced:

S. B. No. 292 By Mr. Christensen

AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS: REPAIRS OR BUILDING OF STRUCTURES, WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION, was read the first time.

On motion of Senator Child the rules were suspended and *S. B. No. 292* was read the second and third times and placed on its final passage.

S. B. No. 292 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Bailey, Child, Howard, Mr. President.

S. B. No. 292 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 278 was read the third time and placed on its final passage.

S. B. No. 278 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Absent and not voting: Senators Bailey, Child, Christensen, Hopkin, Howard, Williams, Mr. President.

S. B. No. 278 was transmitted to the House.

S. B. No. 279 was read the third time and placed on its final passage.

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

Page 3, add the following new section: "Section 2. This act shall take effect upon proclamation of the governor."

On motion of Senator Ellett *S. B. No. 279* was made a Special Order of Business for this morning at 11:30.

REPORT OF SPECIAL COMMITTEE

March 1, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their place at the head of the Second Reading Calendar:

S. B. Nos. 196 and 284.

The following bills to take their place at the foot of the Second Reading Calendar:

S. B. Nos. 272, 263, 64 and 188.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 196 was read the second time.

Committee report read and adopted.

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

In the title, the material found on line 10, after the word "AND", and the material on line 11 to be inserted on line 1, after the word "ACT".

Strike the word "AND" on line 10.

Line 9, before the word "REPEALING" insert the word "AND".

Page 1, strike line 1 and change the numbers of the following sections accordingly.

Page 4, insert a new section as follows: "Section 5. Section 14-7-1, revised statutes of Utah, 1933, is repealed."

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

Page 2, lines 13 and 24, strike the words "at its discretion" and insert the words "for cause".

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

Page 4, add the following new section: "Section 6. This act shall take effect upon proclamation of the governor."

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

Line 1 of the title, after the figures "1933" insert "RELATING TO JUVENILE COURTS AND DELINQUENCY".

Page 3, line 2, at the end of the line insert "according to standards established".

Line 16, strike the word "and" and insert "according to standards established".

Lines 27 and 32, preceding the word "correctional" strike the word "the".

On motion of Senator Huggins the rules were suspended and *S. B. No. 196* was read the third time and placed on its final passage.

S. B. No. 196 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Huggins, Johnston, Lundell, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Bailey, Hopkin, Howard, Macfarlane, McMurrin, Mr. President.

S. B. No. 196 was transmitted to the House.

Senator Child moved to reconsider the vote whereby *S. B. No. 197* was passed.

On motion of Senator Ellett the motion to reconsider was made a Special Order of Business for March 3, 1941, at 10:30 a.m.

SPECIAL ORDER

S. B. No. 279 on Final Passage.

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

Page 1, strike lines 7 and 8.

Page 2, line 11, after the word "a" insert the word "needy", also strike the word "sixteen" and insert the word "eighteen".

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

Page 2, line 13, strike the words "a parent" and insert "one or both parents".

Line 15, strike the word "or" and insert a comma, and after the word "aunt" insert ", or other person".

On motion of Senator Lundell the Senate adjourned until March 3, 1941, at 10:00 a.m.

FIFTIETH DAY

MORNING SESSION

March 3, 1941.

The Senate was called to order at 10:00 a.m. Senator Macfarlane in the chair.

Roll Call—All Senators Present except President Grover, excused, and Senator Howard.

Prayer by the Chaplain.

March 3, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 48th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ALONZO F. HOPKIN,

LYNNE ASHTON.

Report adopted and filed.

The President appointed Senators Johnston and Watson to revise the Journal for the week ending March 8, 1941.

Senator Hopkin moved to reconsider the vote whereby *S. B. No. 82* failed of passage.

Senator Huggins, four Senators concurring therein, requested a roll call on the motion.

The motion to reconsider was carried on the following roll call:

Yeas, 14, Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hirschi, Hopkin, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Watson, Williams.

Those voting in the negative were: Senators Dawson, Ellett, Farr, Huggins, Miller, Spence.

Absent and not voting: Senators Ericksen, Howard, Mr. President.

S. B. No. 82 then passed on the following roll call:

Yeas, 14; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hirschi, Hopkin, Johnston, Lundell, Macfarlane, McMurrin, Morrill, Rich, Watson, Williams.

Those voting in the negative were: Senators Dawson, Ellett, Farr, Huggins, Miller, Spence.

Absent and not voting: Senators Ericksen, Howard, Mr. President.

S. B. No. 82 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

COMMUNICATIONS FROM THE HOUSE

March 1, 1941.

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. 154*, by Mr. Abbott, Mr. Schenk and Mr. Thorne, entitled, "AN ACT RELATING TO THE DAIRY INDUSTRY, DECLARING THE PUBLIC POLICY OF THIS STATE TO PROMOTE THE EXPANSION OF THE DAIRY INDUSTRY BY PROMOTING THE INCREASED USE OF DAIRY PRODUCTS; PROVIDING FOR RESEARCH AND PUBLICITY ADVERTISING AND SALES PROMOTION CAMPAIGNS TO INCREASE THE CONSUMPTION OF UTAH DAIRY PRODUCTS; LEVYING AN ASSESSMENT ON DAIRY PRODUCTS AND PROVIDING FOR ITS COLLECTION; CREATING A DAIRY PRODUCTS ADVERTISING COUNCIL, CONSTITUTED WITH STATE AUTHORITY AND VESTING IN IT THE ADMINISTRATION OF THIS ACT; PROVIDING FOR THE POWERS, DUTIES, AND AUTHORITY OF SAID COUNCIL; PENALTIES FOR THE VIOLATION OF THIS ACT; AND DEFINING TERMS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 154 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 1, 1941.

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. 116*, by Mr. J. E. Rees, entitled, "AN ACT AMENDING SECTION 7, CHAPTER 116, LAWS OF UTAH, 1937, RELATING TO THE GOVERNING BODY OF SOIL CONSERVATION DISTRICTS; THEIR POWERS AND DUTIES; THEIR ORGANIZATION; COMPENSATION; RECORDS; AND REPORTS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 116 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 1, 1941.

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 Mrs. Jacob, Mrs. Jack, Mrs. Jensen and Mr. Thomas, entitled, "AN ACT PROVIDING FOR THE EDUCATION OF PHYSICALLY HANDICAPPED CHILDREN BETWEEN THE AGES OF SIX AND SIXTEEN YEARS; PROCEDURE; REIMBURSEMENTS TO SCHOOL DISTRICTS BY THE STATE BOARD OF EDUCATION; SUPERVISION BY THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 68 was read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

March 1, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 218*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommenation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 218 was referred to the Sifting Committee.

March 1, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 202,* by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 202 was referred to the Sifting Committee.

March 1, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 286,* by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 286 was referred to the Sifting Committee.

March 1, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 291,* by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 291 was referred to the Sifting Committee.

March 3, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 246* by Mr. Johnston, has carefully considered said bill, and reports the same out favorably, with the additional recommendation that the sum of $25,000 be appropriated now at this session.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 246 was referred to the Sifting Committee.

March 3, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 265*, by Mr. Hirschi, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 265 was referred to the Sifting Committee.

March 1, 1941.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 289*, by the Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 289 was referred to the Sifting Committee.

March 3, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 287*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably, with the following amendments:

Line 7 of the title, after the word "EXPENSES" strike the period and insert "; REPEALING SECTION 59, CHAPTER 7, LAWS OF UTAH, 1939."

Line 2 of the bill, strike "s" from the second word "sections" and delete "59 and".

Line 3, after figure "61" insert "chapter 7".

Page 1, strike lines 17 and 18, and page 2, strike lines from 1 to 7.

Page 3, following line 3, insert "Section 2. Section 59, chapter 7, laws of Utah, 1939, is repealed."

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 287 was referred to the Sifting Committee.

March 2, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 203*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably, with the following amendments:

Page 4, section 10, line 19, change "five" to "four".

"Section 18. This act shall take effect upon the proclamation of the governor."

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 203 was referred to the Sifting Committee.

March 3, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 205*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably with the following amendments:

"Section 7. This act shall take effect upon the proclamation of the governor."

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 205 was referred to the Sifting Committee.

March 1, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 195*, by State and Municipal Affairs Committee, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 195 was ordered printed and referred to the Committee on Social Relations and Relief.

Upon unanimous consent of the Senate the following bill was introduced:

S. B. No. 293 By Mr. Lundell

AN ACT GIVING TO THE COMMISSIONER OF AGRICULTURE POWER TO LICENSE DISTRIBUTORS OF MARKET MILK AND TO REQUIRE BONDS BY MILK DISTRIBUTORS, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

On motion of Senator Child the Senate moved to reconsider its action on *S. B. No. 197.*

S. B. No. 197 on final passage.

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

The title was amended to read as follows:

"AN ACT AMENDING SECTIONS 85-7-4, 85-7-5, 85-7-6, 85-7-7, 85-7-12, 85-7-13, 85-7-16, 85-7-28, 85-7-32 AND 85-7-42, REVISED STATUTES OF UTAH, 1933; 85-7-43, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933; 85-7-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AND AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; SECTION 85-7-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935; SECTIONS 85-7-14, 85-7-27, 85-7-30 AND 85-7-38, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; AND SECTION 2 OF CHAPTER 95, LAWS OF UTAH, 1935; TRANSFERRING THE GOVERNMENT AND CONTROL OF THE UTAH STATE HOSPITAL FROM THE BOARD OF TRUSTEES TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT TO THE UTAH STATE HOSPITAL; AND REPEALING SECTION 85-7-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935 AND SECTION 85-7-3, REVISED STATUTES OF UTAH, 1933."

The bill was amended to read as follows:

"Section 1. Sections 85-7-4, 85-7-5, 85-7-6, 85-7-7, 85-7-12, 85-7-13, 85-7-16, 85-7-28, 85-7-32, and 85-7-42, revised statutes of Utah, 1933; 85-7-43, revised statutes of Utah, 1933, as amended by chapter 66, laws of Utah, 1933; 85-7-45 revised statutes of Utah, 1933, as amended by chapter 66, laws of Utah, 1933, and amended by chapter 95, laws of Utah, 1935; section 85-7-11, revised statutes of Utah, 1933, as amended by chapter 66, laws of Utah, 1933, as amended by chapter 94, laws of Utah, 1935; sections 85-7-14, 85-7-27, 85-7-30 and 85-7-38, revised statutes of Utah, 1933, as amended by chapter 95, laws of Utah, 1935; and section 2 of chapter 95, laws of Utah, 1935, are amended to read:

"85-7-4. ( ) With the approval of the governor and the department of finance, the public welfare commission may contract and be contracted with, and may sue and be sued, in all matters pertaining to the hospital. It may take and hold by ( ) gift, devise or bequest real and personal property required for ( ) the use of the hospital, and with the approval of the governor it may convert property so received, and not suitable for its use, into money or property which is suitable for ( ) such use.

"85-7-5. The ( ) public welfare commission may make ( ) rules and regulations for ( ) the hospital.

"85-7-6. The public welfare commission shall cause to be kept ( ) a full and correct record of its proceedings pertaining to the affairs of the hospital, which shall be open at all reasonable times to the inspection of any citizen. It shall hold ( ) meetings ( ) at least once a month at the hospital ( ). The ( ) commission of the director of the division of the department of public welfare having charge of welfare institutions shall make a thorough inquiry into all the departments of labor and expense, and a careful examination of the buildings, property and general condition, of the hospital, at least once in every three months. The commission shall operate, maintain and repair the buildings, grounds and other physical properties of the hospital, provided however that the roads and driveways on the grounds of the hospital shall be under the care and supervision of the department of engineering, and building repairs involving expenditure of over $3,000 shall be made by the department of engineering. The commission shall estimate and determine after the conference with parents or guardians as nearly as may be the actual expense per annum of keeping and taking care of a patient in the hospital and such amount shall be assessed to and paid by the parents or guardians of patients who are of sufficient financial ability to do so.

"85-7-7. The ( ) public welfare commission shall have the supervision and control of all insane persons in the state whether residing in the hospital or elsewhere.

"85-7-11. With the approval of the governor the ( ) public welfare commission shall appoint a medical superintendent, who shall reside at or near the hospital and who shall hold his office at the pleasure of the board. He shall receive an annual salary, payable monthly, to be fixed by the ( ) commission according to standards established by the department of finance. He shall be a well educated, experienced physician, a graduate in medicine, and shall have practiced his profession at least five years since the date of his diploma. He shall be the chief executive officer of the hospital, and shall have general superintendence of the buildings, grounds and property thereof, subject to the ( ) regulations of the ( ) commission. He shall have control of the patients, prescribe and direct their

treatment, adopt sanitary measures for their welfare, and discharge such of them as, in his judgment have recovered their reason. He shall immediately certify to the judge of the district from which the patient was committed, the fact of his recovery and discharge, whereupon the judge shall immediately enter an order restoring the patient to competency, provided, however, that this amendment shall not effect the regular procedure wherein a guardian has been appointed. He shall appoint, with the approval of the ( ) commission, as many attendants or employees as he may deem necessary for the efficient and economical care and management of the hospital, ( ) may fix their compensation according to standards of the department of finance, and discharge any of them. He shall prescribe the duties of the subordinate officers and employees, maintain discipline among them, and enforce obedience to all regulations of the institution.

"85-7-12. The superintendent shall cause to be kept full and correct accounts and records of his official transactions from day to day in books provided for that purpose, in the manner prescribed by the ( ) public welfare commission. He shall report monthly to the ( ) commission, producing vouchers for all expenditures made by him during the previous month. He shall cause all his accounts to be made up to and including the last day of June of each year and shall submit an annual report to the ( ) commission.

"85-7-13. Whenever the ( ) public welfare commission shall deem it necessary, it may, upon the nomination of the superintendent ( ) and with the approval of the governor, appoint one or more assistant physicians, who are duly licensed to practice medicine. Their salaries shall be fixed by the ( ) commission according to the standards of the department of finance, to be paid in the same manner as the salaries of other employees, and they shall hold office during the pleasure of the ( ) commission. They shall perform such duties as may be directed by the superintendent and prescribed by the ( ) rules of commission.

"85-7-14. The ( ) public welfare commission, upon the nomination of the superintendent and with the approval of the governor, shall appoint a steward, who shall give a bond ( ) in such amount and in such form as may be fixed by the department of finance to be approved by the commission. The steward, under the direction of the superintendent, shall have general oversight of the farm, stock, garden, grounds, fences, buildings, furniture, fixtures and apparatus of the hospital, and shall receive all articles, goods and merchandise belonging thereto, and shall be responsible for the safe keeping and economical distribution of the same. The steward shall have charge of the books and accounts of the ( ) hospital ( ).

"85-7-16. The ( ) public welfare commission shall furnish the clerks of the several district courts with such blanks, warrants, certificates, etc.,

as will enable the district judges with regularity and facility to comply with the provisions of this chapter.

"85-7-27. Non-residents of this state conveyed or coming here while insane may, upon the written recommendation of the board of county commissioners of the county in which such insane person is found, be returned by the ( ) public welfare commission to the home or friends of such insane person, if known, and must not be permitted to be supported in the hospital. This prohibition shall not prevent the commitment to, and temporary care in, the hospital of persons stricken with insanity while travelling through or temporarily sojourning in this state. The ( ) commission upon the recommendation of the superintendent of the hospital may admit patients from other states upon the request of the patient's physician; provided, that a sum not less than is now charged for voluntary patients shall be paid in advance monthly for their care.

"85-7-28. By order of the judge of the district court issuing the commitment the relatives or friends of a patient in the hospital may receive such patient therefrom; provided, no patient who is under a criminal charge or conviction shall be discharged from the hospital without the order of the court having jurisdiction of such criminal case. Applications must be made to the judge and satisfactory evidence produced that such patient will be properly taken charge of and given proper care. Such applicants shall give bond to the district court of the county in substantially the following form:

"State of Utah, County of.....

"Know all men by these presents: That we,.....and ....., as sureties, are held and firmly bound unto the state of Utah in the penal sum of $..... lawful money of the United States, to be paid to the ( ) public welfare commission, for which payment well and truly to be made we firmly bind ourselves, our executors and administrators, jointly and severally, by these presents. The condition of this obligation is such that whereas an order has been made by the judge of the .....judicial district court in and for .....county, directing the superintendent of the Utah State Hospital to deliver the person of....., an insane person, to....., the..... of said person, the said order being that the said.....will take charge of and properly care for the said.....; now therefore, if the said.....shall obey all orders of the said judge relating to the proper care and custody of said patient and shall return said patient to the hospital when so ordered by the judge of said court, and shall obey the laws of the state relating to insane persons, and faithfully perform the duties and comply with the requirements therein set forth, then this obligation shall be void and of no effect; otherwise to remain in full force and virtue.

"Witness our hands this.....day of ....., 19.....

"State of Utah, county of.....and....., being duly sworn, each deposes and says that he is a resident of the state of Utah and a freeholder therein, and that he is worth the sum of $..... over and above all his debts and liabilities, exclusive of property exempt from execution.

(Signatures)

"Subscribed and sworn to before me this.....day of ....., 19.....

"Thereupon the district judge shall issue his order to the superintendent of the hospital directing him to deliver such patient to the person designated, which order shall be in the following form:

"State of Utah, County of.....

"To the superintendent of the Utah State Hospital:

"Whereas,..... has made application that.....be awarded the custody of....., an insane person who was committed to the Utah State Hospital on the.....day of.....and wheras he has complied with the provisions of law in such cases made and provided, you are hereby directed to deliver the said..... to.....

.....
Judge.

"85-7-30. When it shall appear from affidavit filed, or other evidence, that any patient in the hospital is not insane and is unjustly deprived of his liberty, or is not a proper person to receive care and treatment in the hospital, the ( ) public welfare commission shall ask for an immediate inquiry into the merits of the case by the district judge of the district in which such patient is held. If on such examination it shall appear to the judge that such person is not insane, or is not a proper person to receive care and treatment in the hospital, his immediate discharge shall be ordered in substantially the following form:

"State of Utah, County of.....

"To the Superintendent of the Utah State Hospital:

"Having this day examined....., a person heretofore committed to the Utah State Hospital, and having adjudged the said..... .....as being now sane and restored to reason (or as not being a proper person to receive treatment in the hospital), I therefore direct you to return.....to the county of.....at the expense of said county.

.....
Judge.

"If the person is found to be insane, the judge shall order his continued detention, and may order the parties demanding of the ( ) commission such inquiry to pay the costs of examination.

"85-7-32. The superintendent of the hospital may, when requested by a physician, or by a member of the board of health, a county commissioner, a sheriff or other peace officer, receive and care for as a patient for a period not exceeding ten days any person needing immediate care and treatment because of mental derangement. Such request for admission of a patient shall be in writing and filed at the institution at the time of his reception, together with a statement in a form prescribed or approved by the ( ) public welfare commission giving such information as it deems appropriate. Any such patient deemed by the superintendent not suitable for such care shall upon request of the superintendent be removed forthwith from the institution by the person requesting his reception. If he is not so removed, such person shall be liable to the state for all reasonable expenses incurred under this section on account of the patient, which may be recovered in an action by the attorney-general. The superintendent shall cause every such patient either to be examined by two physicians, qualified as provided in the preceding section, who shall cause application to be made for his admission or commitment to such institution, or to be removed therefrom before the expiration of said period of ten days. Reasonable expenses incurred in the examination of the patient and his transportation to the hospital shall be allowed, certified and paid by the board of county commissioners of the county in which the patient resides, or by the patient, or his relatives, friends or guardian.

"85-7-38. Application for the admission of feeble-minded and non-insane epileptics shall be made to the superintendent of the hospital, who shall examine the patient, and submit the evidence to the ( ) public welfare commission. The ( ) commission shall have authority to admit or reject the patient. In such cases the patient shall make application by his or her guardian, parent or friend, or by any member of the board of county commissioners of any county.

"85-7-42. If at any time it becomes necessary for want of room, or other cause, to remove any patient from the hospital, or to discriminate in the general reception of patients therein, the superintendent shall give notice thereof to the several clerks of the district courts. Only harmless and incurable patients may be removed by the ( ) public welfare commission. Indigent patients so removed must be returned to the county from which they were committed at the expense of such county. When discrimination in reception is necessary, patients shall take precedence in the following order: (1) Cases of less than one year's duration; (2) chronic cases of more than one year's duration presenting the most favorable prospects for recovery; (3) cases for whom application has been longest on file. When cases are equally meritorious indigents are to be preferred.

"85-7-43. The provisions herein made for the support of the insane at public expense shall not release the estate of such persons from liability for their care and treatment, and the ( ) public welfare commission is authorized and empowered to collect from the estate of such persons any sums paid by the state in their behalf.

"85-7-45. On receipt of notice from the ( ) public service commission or the superintendent of the hospital that any person committed to the hospital cannot be received therein for want of room, the board of county commissioners shall require such person to be suitably provided for until such admission can be had. If such person is indigent, the county shall be entitled to receive from the state a sum equal to the amount allowed by the state for the cost of care and treatment of indigent patients in the hospital.

"The ( ) public welfare commission upon the recommendation of the superintendent may place at board in a suitable family in this state any indigent patient in the hospital who has been regularly committed and is quiet and not dangerous. Any such patient so placed at board by the ( ) commission shall be deemed to be an inmate of the hospital. The cost to the hospital for placing such patient at board shall not exceed $4 per week for each patient. The bill for the support of the persons who are placed at board in the families by the ( ) commission shall be paid monthly by the hospital and shall be made out by the steward, examined by the ( ) commission and if approved, submitted to the state auditor as are other obligations of the hospital.

"The placing at board of such patients shall in no way effect the rights of the hospital to supervision and re-admission of the patients. All patients so placed at board shall be at the expense of the hospital and shall be visited by the superintendent or his duly appointed assistant at least every three months. Frequent reports may be required from those into whose care patients are placed by the superintendent.

"Section 2. The government and control of the Utah state hospital shall be vested in the state department of public welfare under the control of the public welfare commission.

"Section 3. The public welfare commission shall succeed to all powers and discharge all duties and perform all the functions which or existing and continuing laws are conferred upon and required to be discharged or performed by the board of trustees of the Utah state hospital or by the board of insane asylum commissioner or by the state board of insanity. Whenever any existing and continuing law refers to or names any of said boards, or any officer or employee thereof, it shall be construed to refer to and mean the public welfare commission or the corresponding officer or employee of said commission.

"Section 4. The terms of office of the members of the present board of trustees of the Utah state hospital shall terminate on the date this act becomes effective.

"Section 5. The person holding the position of superintendent of the Utah state hospital at the time this act becomes effective and all employees of the hospital at such time shall continue in employment under the same terms as to salary and duties without specific action upon the part of the public welfare commission, subject to removal or discharge at any time thereafter by the commission at its discretion.

"Section 6. Section 85-7-2, revised statutes of Utah, 1933, as amended by chapter 66, laws of Utah, 1933, as amended by chapter 94, laws of Utah, 1935, and section 85-7-3, revised statutes of Utah, 1933, are repealed."

S. B. No. 197 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Ashton, Ericksen, Howard, Lundell, Mr. President.

S. B. No. 197 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 279 on Final Passage.

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

Line 1 of the title, after the figures "1937" insert "RELATING TO PUBLIC WELFARE,".

Line 1 of the title, after the figure "7" strike the word "AND", and after the figure "9" add the figures "11, 12 AND 19,".

Line 1 of the bill, after the figure "7" strike the word "and" and after the figure "9" insert the figures "11, 12 and 19,".

Page 1, strike line 6.

Page 3, following line 14, add:

"Sec. 11. Whenever it shall appear to be necessary or advisable to do so the state, county or district ( ) departments may direct that the payment of assistance to any aged needy, needy blind person, dependent child or other necessitous person shall be made to his legal guardian for the use of such applicant who may be under such mental or physical disability as to be unable to care for himself.

"Sec. 12. The state, county and district ( ) departments shall make available to all needy blind persons who shall be receiving aid, as here-

inbefore set forth, any opportunity for educational and vocational advancement which may be offered by any state, public or private institution, and which, in the opinion of the ( ) department making the offer, the blind person is mentally and physically capable of accepting and ought to accept and if any such blind person refuses to accept and avail himself of any such offer or privilege so tendered his monthly allowance may be discontinued in whole or in part if the state, county or district ( ) department making such offer deems it just and proper to do so. In case of a diminution or entire discontinuances of such payments by the county or district ( ) department the blind person affected thereby shall have the right of appeal and a fair hearing, review and determination by the state ( ) public welfare commission as in other cases. Any blind person for whom treatment has been recommended by competent authorities and who refuses to avail himself of such treatment may be denied assistance.

"Sec. 19. No applicant, by reason of the allowance or payment to him or her of assistance or aid under the provisions of this act, shall acquire a vested right to have such payments continued as originally allowed or as subsequently increased or modified or to prevent a discontinuance of the payment of any amount whatsoever whenever the state, county or district ( ) department shall determine that the reasons for making such payments have ceased to exist."

On motion of Senator Child action on *S. B. No. 279* was deferred.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 280 was read the second time.

Committee report read and adopted.

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

Page 1, line 15, strike up to and including the word "of".

Line 16, after the word "commission" strike up to and including the word "cause" on page 2, line 1.

Page 2, line 2, strike the words "chief of the division" and insert "commission".

Line 6, strike the words "chief of the division of old age assistance" and insert "commission".

On motion of Senator Child action on *S. B. No. 280* was deferred until after consideration of *S. B. No. 281*.

S. B. No. 281 was read the second time.

Committee report read and adopted.

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

Line 11 of the title, the word "RELATINGG" to read "RELATING".

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

AFTERNOON SESSION

The Senate was called to order at 2:00 p.m. Senator Christensen presiding.

Roll Call—All Senators present except President Grover, excused.

COMMUNICATIONS FROM THE HOUSE

March 3, 1941.

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. 22,* by Mr. Miller and Mr. Leavitt, entitled, "AN ACT AMENDING SECTIONS 1 AND 2, CHAPTER 51, LAWS OF UTAH, 1937, PROVIDING FOR THE LICENSING OF WINERIES AND DISTILLERIES IN THE STATE OF UTAH AND PROVIDING FOR AN INSPECTION FEE, LICENSE FEE, AND BOND," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 22 was read the first time and referred to the Committee on Revenue and Taxation.

March 3, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 147,* by Mr. Stringham, entitled, "AN ACT AMENDING SECTION 3-5-73, REVISED STATUTES OF UTAH, 1933, RELATING TO THE RIGHT OF POUND-KEEPERS TO IMPOUND ALL ESTRAYS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 147 was read the first time and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

March 3, 1941.

Mr. President:

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

293, by Mr. Lundell, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 293 was ordered printed and referred to the Committee on Agriculture and Irrigation.

March 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 232*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 232 was ordered printed and referred to the Committee on Banking and Commerce.

March 3, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 234*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably, with the following amendments:

Page 4, line 18, after the word "land" insert "and".

Page 7, line 12, after the word "lands" insert "and".

Page 7, line 31, county is mis-spelled.

Page 11, line 26, after "Section 13" insert "The board shall have power on behalf of said district".

Page 11, line 30, after word "within" insert "or without".

Page 12, line 3, after word "perform" insert "any".

Page 13, line 6, after word "telephonic" insert "any".

Page 13, line 8, after word "and" insert "or".

Page 13, line 16, after word "and" insert "or".

Page 17, line 31, after word "defaults" insert "and".

Page 19, line 26, the word "case" should be "cash".

Page 21, line 6, after word "district" insert "and".

Page 21, line 17, the word "assessments" to read "assessment".

Page 22, line 31, the word "asset" should be "assent".

Page 23, line 2, after word "petitioner" insert "and".

Page 23, line 17, after words "contracts and" insert "or".

Page 23, line 22, after word "contracts" insert "and".

Page 23, line 24, after words "taxes and" insert "or".

Page 24, line 3, after word "levies" insert "and".

Page 25, line 28, after words "levy and" insert "or".

Page 26, line 4, after word "and" insert "or".

Page 27, line 4, after words "system and" insert "or to".

Page 27, line 7, after word 'lands" insert "and".

Page 27, line 9, after word "assessments" add "and".

Page 27, line 14, after word "indebtedness" add "and".

Page 27, line 19, after word "contract" add word "and".

Page 31, line 3, strike the word "insuring" and add "issuing".

Page 32, line 29, after word "contract" insert "and".

Page 34, line 27, after word "act" insert period and capitalize "The".

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 234 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 281 on Second Reading.

S. B. No. 281 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 Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Hirschi, Hopkin, Huggins, Lundell, Macfarlane, McMurrin, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Dawson, Farr, Howard, Johnston, Miller, Morrill, Mr. President.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 280 on Second Reading.

S. B. No. 280 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Hirschi, Hopkin, Huggins, Lundell, Macfarlane, McMurrin, Rich, Spence, Williams.

Absent and not voting: Senators Dawson, Farr, Howard, Johnston, Miller, Morrill, Watson, Mr. President.

S. B. No. 284 was read the second time.

Committee report read and adopted.

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

Page 2, line 19, strike the underscoring.

The material found on line 7 of the title after the word "AND" up to and including the figures "1937" to be inserted after the word "ACT" on line 1.

Line 7, strike the word "AND".

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

Page 3, line 4, strike the words "at its discretion" and insert the words "for cause".

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

Page 4, following line 17 insert the following new section: "Section 6. This act shall take effect upon proclamation of the governor."

S. B. No. 284 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 Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Rich, Spence, Watson.

Absent and not voting: Senators Dawson, Farr, McMurrin, Morrill, Williams, Mr. President.

Upon unanimous consent of the Senate the following bill was introduced:

S. B. No. 294 By Mr. Huggins

AN ACT RELATING TO THE ASSESSMENT AND COLLECTION BY THE TAX COMMISSION OF THE UTILITY REGULATION FEE FOR THE YEARS 1941 AND 1942, was read the first time and referred to the Committee on Revision and Enrolling.

REPORT OF SPECIAL COMMITTEE

March 3, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places at the head of the Second Reading Calendar:

S. B. Nos. 203, 202, 205, 218, 286, 287, 289 and 291.

The following bills to be placed at the foot of the Second Reading Calendar:

S. B. Nos. 140, 141, 246, 243 and 47.

H. B. No. 56.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

Senator Ellett moved that the rules be suspended and that we proceed to consider bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 203 was read the second time.

Committee report read and adopted.

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

Page 2, line 2, after the word "senate" strike up to and including the word "party" on line 4, and insert the following: "whose term of office shall be six years except as further provided in this section. The members first appointed, the term of one shall expire March 1, 1943, the term of one shall expire March 1, 1945, and the term of one shall expire March 1, 1947, and their successors shall be appointed for a term of six years. Each commissioner shall hold office until his successor is appointed and qualified. Not more than two members of the commission shall belong to the same political party. One member of the commission shall be designated by the governor as chairman and any two commissioners may constitute a quorum. Any member of the commission may be removed for cause by the governor. Vacancies shall be filled for unexpired terms by the governor."

Line 12, place a period after the word "governor" and strike the balance of the section.

Page 3, line 1, strike the words "quarterly at the end of each year" and insert the word "monthly".

Line 7, after the word "his" insert the word "full".

Line 23, strike the word "deemd" and insert the word "deemed".

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

Page 4, line 19, after the word "state" insert the words "who are legal owners of farm property or livestock and whose principal business is agriculture".

Senator Hopkin moved to amend on page 2, line 33, by adding after the word "and" the words "one of whom", and on page 2, line 7, by striking the word "Each" and inserting the word "One".

Senator Ellett, four Senators concurring therein, requested a roll call on the motion.

The motion to amend was lost on the following roll call:

Yeas, 7, Nays, 15; Absent, 1.

Those voting in the affirmative were: Senators Christensen, Farr, Hirschi, Hopkin, Howard, Huggins, Macfarlane.

Those voting in the negative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Mr. President.

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

Page 3, line 25, strike the last two words.

Strike lines 26 and 27.

S. B. No. 203 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams.

Voting in the negative: Senator Howard.

Absent and not voting: Senators Spence, Mr. President.

On motion of Senator Farr the rules were suspended and the Senate preceeded to consider *S. B. No. 44* on Third Reading.

S. B. No. 44 was read the third time and placed on its final passage.

Senator Lundell moved to amend by inserting on page 3, line 17, after the word "therefor" the words "stores selling farm and dairy products at retail produced wholly within the state of Utah".

Senator Howard, four Senators concurring therein, requested a roll call on the motion.

The motion to amend failed to carry on the following roll call: Yeas, 8; Nays, 14; Absent, 1.

Those voting in the affirmative were: Senators Christensen, Howard, Huggins, Lundell, Macfarlane, Miller, Rich, Williams.

Those voting in the negative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Johnston, McMurrin, Morrill, Spence, Watson.

Absent and not voting: Mr. President.

On motion of Senator Howard the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-FIRST DAY

MORNING SESSION

March 4, 1941.

The Senate was called to order at 10:00 a.m. Senator Christensen in the chair.

Roll Call—All Senators present except President Grover, excused.

Prayer by the Chaplain.

March 4, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 50th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ED JOHNSTON,
ED. H. WATSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 3, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 99*, by Mrs. Jacob, Mr. Bennion, Mr. Selvin, Mr. Twitchell, Mr. Redd and Mr. T. M. Rees, entitled, "AN ACT REPEALING SECTIONS 75-4-6, 75-4-7, 75-4-8, 75-4-9, 75-4-10, 75-4-11, 75-4-12, 75-4-13, 75-4-14, 75-5-8, 75-5-9, 75-5-10, 75-5-11, 75-5-12, 75-5-13, 75-5-14, 75-5-15, 75-5-16, 75-5-17, 75-5-18, 75-5-19, 75-5-20 AND 75-6-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE APPOINTMENT AND POWERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH AND THE BOARD OF TRUSTEES OF THE UTAH

STATE AGRICULTURAL COLLEGE; AND THE CONTROL OF THE STATE BOARD OF EDUCATION OVER JUNIOR COLLEGES; AND PROVIDING FOR THE APPOINTMENT OF AND PRESCRIBING THE POWERS OF A STATE BOARD OF HIGHER EDUCATION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 99 was read the first time and referred to the Committee on Education.

March 1, 1941.

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. 292*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS; REPAIRS OR BUILDING OF STRUCTURES WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 292 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 294*, by Mr. Huggins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman

Report filed.

S. B. No. 294 was ordered printed and referred to the Committee on Revenue and Taxation.

March 3, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 288*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

S. B. No. 288 was referred to the Sifting Committee.

March 3, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 92*, by Mr. White, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

H. B. No. 92 was referred to the Sifting Committee.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 295 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 1, CHAPTER 33, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1937, AND SECTIONS 2 AND 3, CHAPTER 33, LAWS OF UTAH, 1935, RELATING TO THE AUTHORITY OF THE FISH AND GAME COMMISSION TO BORROW FROM SPECIAL FUNDS FOR THE ACQUISITION AND CONSTRUCTION OF PROJECTS FOR THE CULTURE AND DISTRIBUTION OF FISH AND GAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 296 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 1, 2, 3, 5, 6, 8, 9, 11, 13 AND 14, CHAPTER 43, LAWS OF UTAH, 1939, RELATING TO HUNTING AREAS WITHIN WHICH LANDOWNERS MAY COLLECT FEES FOR GAME BIRDS KILLED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 297 By Committee on Agriculture and Irrigation

AN ACT REGULATING THE PRODUCTION AND DISTRIBUTION OF FLUID MILK AND FLUID CREAM AND GIVING TO THE COMMISSIONER OF AGRICULTURE THE POWER TO APPOINT LOCAL CONTROL BOARDS FROM PRODUCERS NOMINATED BY MILK PRODUCERS OF MARKETING AREAS AND PROVIDING FOR THE ESTABLISHMENT OF MARKETING AREAS, AND POWER TO CREATE A STABILIZATION AND MARKETING PLAN AND MAKE IT EFFECTIVE WITHIN MARKETING AREAS; POWER TO CREATE MINIMUM PRICES TO BE PAID BY DISTRIBUTORS TO PRODUCERS IN THE MARKETING AREAS; METHODS BY WHICH ORDERS AND REGULATIONS MAY BE MADE EFFECTIVE AND FOR THE CALCELLATION OF ORDERS AND STABILIZATION AND MARKETING PLANS BY THE STATE BOARD OF AGRICULTURE; PROVIDING FOR LICENSES AND FEES, AND FOR THE ADMINISTRATION OF THIS ACT; TO REQUIRE BONDS BY DISTRIBUTORS TO GUARANTEE PAYMENT TO PRODUCERS, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 44 on final passage.

On motion of Senator Huggins the rules were suspended and the Senate proceeded to consider reorganization bills in preference to all other bills.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 279 on Final Passage.

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

Page 2, line 15, strike the word "or" and after the word "aunt" insert "or such other persons as may be specified by rules and regulations of the social security board".

Line 16, after the word "relatives" insert the words "or such other person".

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

Page 2, line 13, strike the words "a parent" and insert "one or both parents".

S. B. No. 279 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Watson, Williams.

Absent and not voting: Senators Bailey, Farr, Morrill, Spence, Mr. President.

S. B. No. 279 was transmitted to the House.

S. B. No. 281 was read the third time and placed on its final passage.

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

Lines 7, 8 and 9 of the title, strike "CHAPTER 69, LAWS OF UTAH, 1935, AS ENACTED BY".

Page 2, lines 11 and 12, strike the words "a chief or director of old age assistance." and renumber the subsections.

Page 4, strike lines 11 to 18, inclusive, and reletter the following subsections.

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

Page 9, following line 21, insert "Section 18. This act shall take effect upon proclamation of the governor."

S. B. No. 281 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Hopkin, Macfarlane, Mr. President.

S. B. No. 281 was transmitted to the House.

S. B. No. 280 was read the third time and placed on its final passage.

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

Page 2, line 11, place a period after the word "assistance" and strike the balance of the section.

Line 15, place a period after the word "act" and strike line 16.

Page 4, line 5, strike the words "chief of the division of old age assistance." and insert the word "commission".

Page 5, following line 22, insert "Section 2. This act shall take effect upon proclamation of the governor."

Page 1, line 8, strike the word "and" and insert after the word "board" the words "and commission".

S. B. No. 280 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson.

Absent and not voting: Senators Johnston, Spence, Williams, Mr. President.

S. B. No. 280 was transmitted to the House.

S. B. No. 284 was read the third time and placed on its final passage.

On motion of Senator Child *S. B. No. 284* retained its position on the Third Reading Calendar.

S. B. No. 203 was read the third time and placed on its final passage.

S. B. No. 203 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich.

Absent and not voting: Senators Johnston, Spence, Watson, Williams, Mr. President.

S. B. No. 203 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 202 was read the second time.

Committee report read and adopted.

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

Page 2, line 1, strike the word "and" and insert in lieu thereof a comma.

Line 2, after the word "engineer" insert the words "and one shall be schooled in the science of sanitation".

Line 2, strike the word "The" and insert the word "All".

Line 20, after the word "time" insert the words "for cause." and strike the balance of the sentence.

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

Page 3, line 33, strike the first eight words and insert the word "monthly" in lieu thereof.

Page 4, line 4, strike the word "commission" and insert the word "commissioner".

Following line 22, on page 5, insert "Section 14. This act shall take effect upon proclamation of the governor."

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

Page 3, line 32, after the word "salary" insert "to be fixed by the state board of health with the approval of the state department of finance".

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

Page 3, line 19, strike the first eight words and after the word "governor" insert "with the consent of the senate".

S. B. No. 202 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams.

Absent and not voting: Senators Spence, Mr. President.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. Senator Christensen presiding.

Roll Call—All Senators present except President Grover, excused.

COMMUNICATIONS FROM THE HOUSE

March 4, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 129*, by Mr. Bennion, entitled, "AN ACT PROVIDING FOR RECIPROCAL AGREEMENTS BETWEEN THE STATES OF UTAH AND IDAHO IN RELATION TO FISHING ON BEAR LAKE; AND PROVIDING FOR COOPERATIVE AGREEMENTS WITH IDAHO AND WYOMING RELATIVE TO CONSTRUCTION, DEVELOPMENT AND MAINTENANCE OF FISHING RESOURCES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 129 was read the first time and referred to the Committee on Fish and Game.

March 4, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 95*, by Mr. Nichols entitled, "AN ACT TO AMEND SECTION 3, CHAPTER 60, LAWS OF UTAH, 1937, RELATING TO TIME EMPLOYER MUST PAY EMPLOYEES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 95 was read the first time and referred to the Committee on Health and Labor.

March 4, 1941.

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. 141*, by Mr. Lund, entitled, "AN ACT AMENDING SECTION 75-11-20, REVISED STATUTES OF UTAH, 1933, PROVIDING FOR A REFERENDUM TO THE PEOPLE OF A RURAL REPRESENTATIVE SCHOOL PRECINCT WHEN THE SCHOOL BOARD PROPOSES TO CONSOLIDATE GRADES BELOW AND INCLUDING THE SIXTH GRADE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 141 was read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

March 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 295*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 295 was ordered printed and referred to the Committee on Fish and Game.

March 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 296,* by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 296 was ordered printed and referred to the Committee on Fish and Game.

March 4, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 258,* by Mr. Lundell, by request, has carefully considered said bill, and reports the same out favorably with the recommendation that the committee try to get a better price on the land if possible.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 258 was referred to the Committee on Public Institutions.

March 4, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 232,* by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 232 was referred to the Sifting Committee.

March 4, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 133,* by Mr. Redd, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 133 was referred to the Sifting Committee.

March 4, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 271*, by Messrs. Christensen and Dawson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 271 was referred to the Sifting Committee.

March 4, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 68*, by Mrs. Jack, Mrs. Jacob, Mrs. Jensen and Mr. Thomas, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 68 was referred to the Sifting Committee.

March 4, 1941.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 256*, by Education Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 256 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 205 was read the second time.

Committee report read and adopted.

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

Page 1, line 17, strike the words "with the approval of the governor".

On motion of Senator Dawson 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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Hopkin, Johnston, Morrill, Mr. President.

S. B. No. 205 was transmitted to the House.

S. B. No. 286 was read the second time.

Committee report read and adopted.

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

Page 4, line 4, strike the word "comporation" and insert the word "corporation".

Line 24, strike the word "minging" and insert the word "mining".

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

Page 2, line 27, and page 3, line 9, and page 4, line 1, place a period after the word "misdemeanor" and strike the balance of the sentence.

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

Following line 9, on page 5, insert the following: "Section 3. This act shall take effect upon proclamation of the governor."

On motion of Senator Huggins the rules were suspended and *S. B. No. 286* was read the third time and placed on its final passage.

S. B. No. 286 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Spence, Watson.

Absent and not voting: Senators Morrill, Williams, Mr. President.

S. B. No. 286 was transmitted to the House.

S. B. No. 287 was read the second time.

Committee report read and adopted.

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

Page 1, line 7, after the word "finance" insert the word "and".

Following "Section 2" on page 3, insert "Section 3. This act shall take effect upon proclamation of the governor."

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

Page 1, line 16, strike the second appearing word "of" and insert "or".

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

Line 2 of the title, the word "SECTIONS" to read "SECTION". Strike "59 AND" and after the figures "61" insert "CHAPTER 7".

On motion of Senator Huggins the rules were suspended and *S. B. No. 287* was read the third time and placed on its final passage.

S. B. No. 287 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Lundell, Morrill, Mr. President.

S. B. No. 287 was transmitted to the House.

S. B. No. 289 was read the second time.

Committee report read and adopted.

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

Following line 21, on page 2, insert "Section 2. This act shall take effect upon proclamation of the governor."

On motion of Senator Miller the rules were suspended and *S. B. No. 289* was read the third time and placed on its final passage.

S. B. No. 289 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Williams.

Absent and not voting: Senators Lundell, Morrill, Watson, Mr. President.

S. B. No. 289 was transmitted to the House.

S. B. No. 291 was read the second time.

Committee report read and adopted.

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

Page 2, line 27, strike the word "quarterly" and insert the word "monthly".

Following line 27, insert "Section 2. This act shall take effect upon proclamation of the governor."

On motion of Senator Miller the rules were suspended and *S. B. No. 291* was read the third time and placed on its final passage.

S. B. No. 291 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, McMurrin, Miller, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Howard, Lundell, Macfarlane, Morrill, Mr. President.

S. B. No. 291 was transmitted to the House.

On motion of Senator Miller the rules were suspended and the Senate preceeded to consider *S. B. Nos. 140* and *141* on second reading.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 140 was read the second time.

Committee report read and adopted.

On motion of Senator Child the rules were suspended and *S. B. No. 140* was read the third time and placed on its final passage.

S. B. No. 140 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, Miller, Rich, Spence, Watson.

Absent and not voting: Senators Lundell, McMurrin, Morrill, Williams, Mr. President.

S. B. No. 140 was transmitted to the House.

S. B. No. 141 was read the second time.

Committee report read and adopted.

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

Lines 1 and 3 of the title, strike the words "OF THE".

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

Page 2, line 19, strike the period and insert a semi-colon and the following: "provided, that those employers who insure in the State Insurance Fund and whose business or establishment exposes their employees to harmful quantities of silicon dioxide (SiO2) dust shall be classified as one group for the period of two years immediately following the effective date of this amended act, and the rates shall be fixed on such group classification only, and not on any individual employer rate."

S. B. No. 141 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 Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Williams.

Voting in the negative: Senator Hirschi.

Absent and not voting: Senators Christensen, Lundell, Morrill, Mr. President.

S. B. No. 109 on second reading.

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

Page 1, line 16, after the word "shown" insert "by the party claiming to have made the contribution".

Line 11, strike the word "considration" and insert the word "consideration".

On motion of Senator Dawson 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, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Johnston, Macfarlane, McMurrin, Miller, Watson, Williams.

Absent and not voting: Senators Farr, Hopkin, Howard, Huggins, Lundell, Morrill, Rich, Spence, Mr. President.

S. B. No. 109 was transmitted to the House.

S. B. No. 110 was read the second time.

Committee report read and adopted.

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

Page 1, line 9, strike the word "five" and insert the word "two".

On motion of Senator Huggins the rules were suspended and *S. B. No. 110* was read the third time and placed on its final passage.

S. B. No. 110 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Williams.

Absent and not voting: Senators Howard, Morrill, Rich, Spence, Watson, Mr. President.

S. B. No. 110 was transmitted to the House.

S. B. No. 166 was read the second time.

Committee report read and adopted.

On motion of Senator Miller the rules were suspended and *S. B. No. 166* was read the third time and placed on its final passage.

S. B. No. 166 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Williams.

Absent and not voting: Senators Dawson, Hopkin, Huggins, Morrill, Rich, Spence, Watson, Mr. President.

S. B. No. 166 was transmitted to the House.

On motion of Senator Williams the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-SECOND DAY

MORNING SESSION

March 5, 1941.

The Senate was called to order at 10:00 a.m. Senator Miller in the chair.

Roll Call—All Senators present except President Grover, excused.

Prayer by the Chaplain.

March 5, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 51st day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ED JOHNSTON,
ED. H. WATSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 4, 1941.

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. 47*, by Mr. Leary and Mr. T. M. Rees, entitled, "AN ACT AMENDING SECTIONS 75-2-1 AND 75-6-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 76, LAWS OF UTAH, 1937, RELATING TO STUDENT

FEES OF UNIVERSITY OF UTAH AND UTAH STATE AGRICULTURAL COLLEGE AND JUNIOR COLLEGE STUDENTS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 47 was read the first time and referred to the Committee on Education.

March 4, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 18*, by Resolution and Memorial Committee, entitled, "RESOLUTION OF CONDOLENCE UPON THE DEATH OF FORMER REPRESENTATIVE DOCTOR WESTON VERNON," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 18 was read the first time.

On motion of Senator Macfarlane the rules were suspended and *H. J. R. No. 18* was read the second and third times and placed on its final passage.

H. J. R. No. 18 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Farr, Lundell, Morrill, Mr. President.

H. J. R. No. 18 was returned to the House.

REPORTS OF STANDING COMMITTEES

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 212*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 212 was ordered printed and referred to the Committee on Agriculture and Irrigation.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 213*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 213 was ordered printed and referred to the Committee on Highways.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 214*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 214 was ordered printed and referred to the Committee on Highways.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 215*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 215 was ordered printed and referred to the Committee on State and Municipal Affairs.

March 5, 1941.

Mr President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 83*, by Mrs. Jensen, Mr. T. M. Rees, Mr. Leavitt, Mrs. Jack, Mr. Bryan, Mr. Foote, Mr. Thorne, Mr. J. E. Rees, Mr. Scherer, Mr. Liddell, Mr. Nichols, Mr. Dix, Mr. Macfarlane, Mr. Hainsworth, Mr. Reid and Mr. Ingleby, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 83 was referred to the Sifting Committee.

March 5, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 129*, by Mr. Bennion, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

H. B. No. 129 was referred to the Sifting Committee.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 298 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 1, CHAPTER 106, LAWS OF UTAH, 1935, RELATING TO SURVEY OF THE GROUND-WATER SUPPLY AND DIRECTING THE STATE ENGINEER TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY OR ANY OTHER FEDERAL OR STATE AGENCY RELATING THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 299 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 36-1-4, 36-1-15, 36-1-23, 36-1-27, 36-1-34, 36-1-35, 36-3-2, 36-3-3, 36-3-4, 36-5-1, 36-5-2, 36-5-3, 36-7-1 AND 36-7-2, REVISED STATUTES OF UTAH, 1933, 36-1-33, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, 36-6-1, ENACTED BY CHAPTER 37, LAWS OF UTAH, 1935, SECTION 4, CHAPTER 40, LAWS OF UTAH, 1937, SECTIONS 2 AND 3, CHAPTER 48, LAWS OF UTAH, 1939, SECTION 1, CHAPTER 49, LAWS OF UTAH, 1939, RELATING TO HIGHWAYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 300 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTION 85-9-59, REVISED STATUTES OF UTAH, 1933, RELATING TO USE OF PRISON LABOR ON HIGHWAYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 301 By Committee on State and Municipal Affairs

AN ACT CREATING THE DEPARTMENT OF ENGINEERING, PROVIDING FOR THE ADMINISTRATION THEREOF, THE AP-

POINTMENT OF AN ENGINEERING COMMISSION, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, FIXING THEIR COMPENSATION; AND PROVIDING FOR THE APPOINTMENT OF AN ADVISORY COUNCIL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 302 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 1, 2, 3 AND 4, CHAPTER 68, LAWS OF UTAH, 1939, RELATING TO MOTOR FUELS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 284 on Third Reading.

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

Page 1, line 13, after the word "approval" insert "of the state board of health and the governor", also strike the word "to" and insert the word "shall", also strike the words "of the governor".

Senator Huggins moved that *S. B. No. 284* retain its position on the calendar to be considered with *H. B. No. 28*.

Motion carried.

S. B. No. 202 was read the third time and placed on its final passage.

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

Page 3, line 32, after the word "annum" insert "from all funds including state and federal".

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

Page 3, line 31, strike the words "from the state".

Line 32, strike the word "treasury".

S. B. No. 202 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams.

Absent and not voting: Senators Hopkin, Lundell, Watson, Mr. President.

S. B. No. 202 was transmitted to the House.

REPORTS OF STANDING COMMITTEES

March 4, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 297*, by Committee on Agriculture and Irrigation, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 297 was ordered printed and referred to the Committee on Agriculture and Irrigation.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 298*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 298 was ordered printed and referred to the Committee on Agriculture and Irrigation.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 299*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 299 was ordered printed and referred to the Committee on State and Municipal Affairs.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 300*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 300 was ordered printed and referred to the Committee on Judiciary.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 301*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 301 was ordered printed and referred to the Committee on Highways.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 302*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 302 was ordered printed and referred to the Committee on Highways.

REPORT OF SPECIAL COMMITTEE

March 5, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places on the Second Reading Calendar:

H. B. Nos. 68, 86, 110, 111, 133, 129 and 83.

S. B. Nos. 232, 288, 252, 253, 254, 255 and 276.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

On motion of Senator Huggins the rules were suspended and the Senate preceeded to consider *S. B. No. 263* on second reading.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 263 was read the second time.

Committee reports read and adopted.

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

Page 3, line 21, strike the words "probate judge".

Page 3, line 11, after the word "shall" insert "furnish a set thereof to each member of the 24th legislature of the state of Utah without cost to him, and shall".

Page 2, line 32, strike the words "on or before" and insert "at the earliest possible date, but not later than".

On motion of Senator Huggins the rules were suspended and *S. B. No. 263* was read the third time and placed on its final passage.

S. B. No. 263 then passed on the following roll call:

Yeas, 16, Nays, 0; Absent, 7.

Those voting in the affirmative were Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hirschi, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams.

Absent and not voting: Senators Ellett, Ericksen, Hopkin, Lundell, Spence, Watson, Mr. President.

S. B. No. 263 was transmitted to the House.

On motion of Senator Christensen the rules were suspended and the Senate proceeded to consider *S. B. No. 272.*

S. B. No. 272 was read the second time.

Committee report read and adopted.

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

Page 3, line 3, strike the words "and upon conviction there-".

Strike lines 4 and 5.

On motion of Senator Huggins the rules were suspended and *S. B. No. 272* was read the third time and placed on its final passage.

S. B. No. 272 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, Miller, Morrill, Rich, Spence, Williams (explained vote).

Absent and not voting: Senators Ericksen, Farr, Howard, Lundell, McMurrin, Watson, Mr. President.

S. B. No. 272 was transmitted to the House.

S. B. No. 232 was read the second time.

Committee report read and adopted.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. Senator Miller presiding.

Roll Call—All Senators present except President Grover, excused, and Senator Dawson.

COMMUNICATIONS FROM THE HOUSE

March 5, 1941.

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. 25*, by Committee on Highways, entitled, "AN ACT EMPOWERING THE BOARD OF EDUCATION IN EVERY SCHOOL DISTRICT TO ORGANIZE SCHOOL SAFETY PATROLS AND APPOINT PUPILS AS MEMBERS THEREOF; AND PROVIDING THAT LIABILITY SHALL NOT ATTACH TO SCHOOL DISTRICTS, OR THE OFFICIALS OR AUTHORITIES THEREOF BY VIRTUE OF THE ORGANIZATION, MAINTENANCE AND OPERATION OF SUCH SCHOOL SAFETY PATROLS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Christensen the Senate refused to concur in the House amendment, and the House was asked to recede from its position.

March 5, 1941.

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. 79*, by Committee on Agriculture and Irrigation, entitled, "AN ACT AMENDING SECTIONS 3-11-1, 3-11-2, 3-11-3, 3-11-4, 3-11-5, 3-11-6, 3-11-8 AND 3-11-10, REVISED STATUTES OF UTAH, 1933, RELATING TO REGULATION OF REFRIGERATION PLANTS, LICENSES AND REGULATIONS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate concurred in the House amendment.

S. B. No. 79 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Dawson, Lundell, Mr. President.

S. B. No. 79 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

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. C. M. No. 1*, by Mr. Williams, entitled, "MEMORIALIZING CONGRESS TO INITIATE A MOVEMENT TO GIVE SILVER A STANDING IN THE MONETARY SYSTEM OF THE UNITED STATES OF AMERICA AS A BASIC MONEY, AT A GIVEN RATIO OF SILVER TO GOLD," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Williams the Senate concurred in the House amendment.

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Dawson, Mr. President.

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

March 5, 1941.

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. 5*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 85-7-18, REVISED STAT-

UTES OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 85-7-18A, AND 85-7-18B RELATING TO APPLICATIONS FOR DEFINITE ADMISSION TO THE UTAH STATE HOSPITAL REQUIRING THE SAME TO SET FORTH THE RESIDENCE, AND FINANCIAL CONDITION OF SUCH APPLICANT, PROVIDING THE NOTICE TO BE GIVEN BEFORE HEARING THEREON," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 5 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, Substitute for *H. B. No. 135*, by Mr. Hainsworth, entitled, "AN ACT RELATING TO THE LICENSING, REGULATION AND CONTROL OF MACHINES AND GAMES OF AMUSEMENT AND SKILL SUCH AS PHONOGRAPHS, MARBLE AND PIN BALL MACHINES, AND SIMILAR DEVICES; AND PROVIDING PENALTIES FOR VIOLATION THEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 135 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORT OF STANDING COMMITTEE

March 5, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 215*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 215 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 232 on second reading.

Senator Macfarlane moved to amend the bill as follows:

Page 5, line 30, after the word "registration" insert the word "and". also strike the words "and the".

Line 31, strike the first three words.

Lines 32 and 33, strike "a liquor control administrator".

Senator Spence with the aid of four Senators requested a roll call on the motion to amend.

The motion to amend carried on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Macfarlane, McMurrin, Morrill, Rich, Williams (explained vote).

Those voting in the negative were: Senators Ashton, Ellett (explained vote), Johnston, Lundell, Miller, Spence, Watson.

Absent and not voting: Senators Dawson, Mr. President.

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

Page 1, line 8, after the word "senate" insert the following: "whose terms of office shall be six years except as further provided in this section. The members first appointed, the term of one shall expire March 1, 1943, the term of one shall expire March 1, 1945, and the term of one shall expire March 1, 1947, and their successors shall be appointed for a term of six years. Each commissioner shall hold office until his successor is appointed and qualified. Not more than two members of the commission shall belong to the same political party. One member of the commission shall be designated by the governor as chairman and any two commissioners may constitute a quorum. Any member of the commission may be removed for cause by the governor. Vacancies shall be filled for unexpired terms by the governor. Each member of the commission of business regulation commission shall qualify by taking the constitutional oath of office and shall receive an annual salary of $4,000 payable monthly and in addition thereto, he may be allowed actual traveling and other expenses necessarily incurred in attending to official business." and strike the balance of the line.

Strike line 9.

Line 10, strike the word "party".

Strike the whole of Section 3, and renumber the following sections.

Page 2, strike lines 20 to 24, inclusive.

Line 25, strike the first eight words.

Page 3, line 6, place a period after the word "duties" and strike the words "but in" and insert in lieu thereof the word "In".

Line 14, beginning with the word "The" strike up to and including the word "cause" on line 16.

At the end of the bill insert a new section as follows: "Section 13. This act shall take effect upon proclamation of the governor."

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

Page 2, line 29, after the word "his" insert "full", also strike the words "the duties of his office" and insert "his official duties".

Line 31, after the word "state" insert "except exofficio such offices and titles as may be conferred upon him by law. No member shall hold office under the laws".

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

Page 1, at the end of line 16, insert "One member of the commission shall be an elector of the state of Utah, and an experienced business man."

On motion of Senator Hirschi *S. B. No. 232* was made a Special Order of Business for tomorrow at 3:30 p.m.

S. B. No. 288 was read the second time.

Committee report read and adopted.

On motion of Senator Ellett the rules were suspended and *S. B. No. 288* was read the third time and placed on its final passage.

S. B. No. 288 then passed on the following roll call:

Yeas, 14; Nays, 3; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ellett, Farr, Hirschi, Howard, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Those voting in the negative were: Senators Ashton, Lundell, Macfarlane.

Absent and not voting: Senators Dawson, Ericksen, Hopkin, Huggins, Williams, Mr. President.

S. B. No. 288 was transmitted to the House.

On motion of Senator Howard the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-THIRD DAY

MORNING SESSION

March 6, 1941.

The Senate was called to order at 10:00 a.m. Senator Miller in the chair.

Roll Call—All Senators present except President Grover, excused.

Prayer by the Chaplain.

March 6, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 52nd day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ED JOHNSTON,

ED. H. WATSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 1, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 108*, by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 80-12-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE GROSS ESTATE FOR INHERITANCE TAX PURPOSES AND PROVIDING THAT THE ESTATE MAY BE VALUED FOR SUCH PURPOSES AS OF THE DATE OF A DECEDENT'S DEATH OR NINE MONTHS LATER," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 108 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 106*, by Judiciary Committee, entitled, "AN ACT

AMENDING SECTION 104-44-13, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ALLOWANCE OF COSTS BY COURTS IN SPECIAL PROCEEDINGS OTHER THAN APPEALS, AND PROVIDING FOR DOCKETING JUDGMENTS OF THE SUPREME COURT IN SUCH CASES IN THE DISTRICT COURTS, AND FOR THE LIEN THEREOF," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 106 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 105*, by Judiciary Committee, entitled, "AN ACT AMENDING CHAPTER 13, TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 104-13-17, RELATING TO RULES OF PLEADING IN REGARD TO WRITTEN INSTRUMENTS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 105 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 66*, by Mr. McMurrin, entitled, "AN ACT AMENDING SECTION 75-15-1, REVISED STATUTES OF UTAH, 1933, RELATING TO STATE TEXTBOOK COMMISSION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 66 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 65*, by Mr. McMurrin, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 76, LAWS OF UTAH, 1939, RELATING TO THE PERSONNEL AND TERM OF MEMBERS OF THE STATE COURSE OF STUDY COMMITTEE," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 65 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1941.

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 Mr. Smith, Mr. Bennion and Mr. Adams, and requests the Senate to recede from its amendments.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane the Senate refused to recede from its position and the President appointed a Conference Committee consisting of Senators Hopkin, Lundell and Morrill to act with a like committee from the House.

REPORTS OF STANDING COMMITTEES

March 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 224*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 224 was ordered printed and referred to the Committee on Banking and Commerce.

March 5, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 98*, by Committee on Agriculture and Irrigation, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 98 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 124*, by Mr. Brewster, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 124 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 301*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 301 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 195*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 195 was referred to the Sifting Committee.

On motion of Senator Spence *H. B. No. 83* was made a Special Order of Business for this afternoon at 2:30.

Senator Huggins moved that the rules be suspended and that the Senate consider Senate bills on the Third Reading and Second Reading Calendars.

Motion Carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 141 was read the third time and placed on its final passage.

S. B. No. 141 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Absent and not voting: Senators Ashton, Ericksen, Howard, Lundell, Williams, Mr. President.

S. B. No. 141 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 111 was read the second time.

Committee report read and adopted.

S. B. No. 111 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Williams.

Those voting in the negative were: Senators Child, Huggins.

Absent and not voting: Senators Ellett, Lundell, Morrill, Watson, Mr. President.

S. B. No. 112 was read the second time.

Committee report read and adopted.

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

Page 1, line 16, strike the word "presumptive" and insert the word "prima facie".

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

Page 1, line 6, strike the word "of" and insert the word "or".

On motion of Senator Huggins the rules were suspended and *S. B. No. 112* was read the third time and placed on its final passage.

S. B. No. 112 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Howard, Huggins,, McMurrin, Miller, Morrill,. Rich, Williams.

Absent and not voting: Senators Ellett, Farr, Hirschi, Hopkin, Johnston, Lundell, Macfarlane, Spence, Watson, Mr. President.

S. B. No. 112 was transmitted to the House.

S. B. No. 113 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins 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, 13; Nays, 0, Absent, 10.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Howard, Huggins, McMurrin, Miller, Morrill, Rich, Williams.

Absent and not voting: Senators Ellett, Farr, Hirschi, Hopkin, Johnston, Lundell, Macfarlane, Spence, Watson, Mr. President.

S. B. No. 113 was transmitted to the House.

REPORT OF STANDING COMMITTEE

March 6, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 224*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

On motion of Senator Christensen the rules were suspended and the Senate proceeded to consider *S. B. No. 224* on Second Reading.

S. B. No. 224 was read the second time.

Committee report read and adopted.

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

Page 5, line 6, strike the word "governor" and insert the words "department of finance".

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

Page 1, line 15, strike the last seven words.

Line 16, strike the first four words.

On motion of Senator Christensen 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, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Rich, Spence, Watson.

Absent and not voting: Senators Farr, Hirschi, Hopkin, Lundell, Morrill, Williams, Mr. President.

S. B. No. 224 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 6, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places at the head of the Second Reading Calendar:

S. B. Nos. 195, 215 and 301.

The following bills to take their places at the foot of the Second Reading calendar:

S. B. Nos. 234, 192, 151, 186 and 187.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 195 was read the second time.

Committee report read and adopted.

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

At the end of the bill, insert "Section 7. This act shall take effect upon proclamation of the governor."

Page 3, line 4, strike the words "with the approval of the governor", also strike the word "may" and insert the word "shall".

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. Senator Miller presiding.

Roll Call—All Senators present except President Grover, excused.

COMMUNICATIONS FROM THE HOUSE

March 6, 1941.

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. 34* (as amended), by Mr. Hirschi, entitled, "AN ACT AMENDING SECTIONS 36-6-2, 36-6-3, 36-6-4, 36-6-7, 36-6-8, 36-6-12, 36-6-16, 36-6-17, 36-6-18, 36-6-19 AND 36-6-20, AS ENACTED BY CHAPTER 37, LAWS OF UTAH, 1935, AND 36-6-15 AND 36-6-21, CHAPTER 37, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1939, AND ENACTING NEW SECTION TO BE KNOWN AS 36-6-22, DESIGNATING STATE ROADS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Lundell the Senate refused to concur in the House amendments and asked the House to recede from its position.

March 6, 1941.

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. 169*, by Mr. Miller and Mr. Watson, entitled, "AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES IN MILITARY SERVICE AND TO PROVIDE THAT ALL OFFICERS AND EMPLOYEES OF THE STATE OR ANY MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION OF THE STATE WHO ARE MEMBERS OF THE NATIONAL GUARD, NAVAL MILITIA, MEMBERS OF THE RESERVE CORPS OF THE UNITED STATES ARMY OR FORCES IN THE FEDERAL MILITARY, NAVAL, OR MARINE SERVICE MAY BE ABSENT FROM THEIR PLACES OF EMPLOYMENT," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 169 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Farr, Hopkin, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting Senators: Child, Ericksen, Hirschi, Howard, Huggins, Mr. President.

S. B. No. 169 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 107*, by Judiciary Committee, and the same is returned herewith for your files.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 107 was filed.

March 6, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment to *S. B. No. 25*, by Committee on Highways, and has appointed a conference committee consisting of Representatives Milliman, McShane and White to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

The President appointed a Conference Committee consisting of Senators Johnston, McMurrin and Dawson to act with a like committee from the House.

SPECIAL ORDER

H. B. No. 83 was read the second time.

Committee report read and adopted.

Senator Ellett moved to reinstate "Section 10" on page 2.

Senator Ellett, four Senators concurring therein, requested a roll call on the motion.

The motion to amend carried on the following roll call:

Yeas, 13; Nays, 6; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Farr, Huggins, Johnston, Lundell, McMurrin, Miller, Rich, Spence.

Those voting in the negative were: Senators Dawson, Hirschi, Hopkin, Howard, Macfarlane, Morrill.

Absent and not voting: Senators Ericksen, Watson, Williams, Mr. President.

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

Page 2, line 31, after the word "any" insert "( )" and underscore the last four words, also the first word on line 32.

Line 32, strike "( )".

Page 1, line 1, after the figure "3" insert the figures ", 10".

On motion of Senator Spence 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, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen (explained vote), Dawson, Ellett, Ericksen, Farr, Hirschi (explained vote), Hopkin (explained vote), Howard, Huggins, Johnston, Lundell (explained vote), Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Mr. President.

H. B. No. 83 was returned to the House.

SPECIAL ORDER

S. B. No. 232 on second reading.

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

Page 5, strike lines 26 to 33, inclusive and lines 1 and 2 on page 6 and insert the following in lieu thereof:

"Section 12. The members of the commission of business regulation shall be the public service commission, the state securities commission and the trade commission of Utah and shall have supervision and control over the banking department, the insurance department, the department of registration and shall perform such other functions and duties as may be required by law. With the approval of the governor, the commission

of business regulation shall appoint the bank commissioner, who shall have had four years' experience in banking and shall not be interested directly or indirectly in any institutions under the supervision of the banking department, the director of registration, the commissioner of insurance and such other administrative officers as may be necessary to efficiently and economically perform the functions of the department of business regulation."

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

Following the Senate amendment in line 8, page 1, strike the balance of the section, including the Senate amendment which was inserted in line 16.

Line 12 of the Senate amendment, strike the word "commission".

Line 13 of the Senate amendment on line 8, page 1, after the word "and" insert "in addition thereto shall swear or affirm that he is not pecuniarily interested directly or indirectly in any public utility and".

Add to follow the Senate amendment on line 8, the following: "Each commissioner at the time of his appointment and qualification shall be a resident citizen of the United States and of the State of Utah and shall be not less than 30 years of age. Except as provided by law, no commissioner shall hold any other office, either under the government of the United States or of this state or of any municipal corporation within this state. No commissioner shall engage in any occupation or business inconsistent with his duties or hold any official relation to or be interested in the bonds, stocks, mortgages, securities, contracts or earnings of any public utility."

Page 2, line 30, insert a comma after the word "occupation" and strike the balance of the page, including the Senate amendment on line 31.

Page 3, strike all of lines 1 to 5 inclusive and all of line 6 to and including the word "duties"; insert in lieu thereof the words "except as provided by law." Also, on line 6, strike the word "In" and insert "and in"; also strike the word "any"; line 8, strike the word "such" and insert "any other".

Page 2, line 26, change the word "sum" to "form".

Page 3, line 24, strike "and ap-"; line 25, strike the word "point".

S. B. No. 232 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 Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Mr. President.

COMMUNICATIONS FROM THE HOUSE

March 6, 1941.

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. 285*, by Mr. Hopkin, entitled, "AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate refused to concur in the House amendments and asked the House to recede from its position.

March 6, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 131*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 15-8-89, REVISED STATUTES OF UTAH, 1933, RELATING TO ZONING ORDINANCES BY LEGISLATIVE BODIES OF CITIES, AND PERMITTING LEGISLATIVE BODIES OF TOWNS TO ENACT ZONING ORDINANCES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 131 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1941.

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. 26*, by Committee on Highways, entitled, "AN ACT REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS, AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES, OR REGULATIONS IN REGARD TO MATTERS EMBRACED

WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 36-1-23, 36-1-25 AND 36-1-35, REVISED STATUTES OF UTAH, 1933, AND REPEALING SECTION 36-1-26, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND REPEALING SECTION 36-1-21X AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935; AND REPEALING CHAPTER 7 OF TITLE 57, REVISED STATUTES OF UTAH, 1933, INCLUDING IN SUCH REPEAL SECTION 57-7-55, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND SECTIONS 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, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND ALSO REPEALING SECTIONS 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, AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane the Senate refused to concur in the House amendments and the House was asked to recede from its position.

March 6, 1941.

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. 132*, by Mr. Child, entitled, "AN ACT AUTHORIZING PLANNING AND ZONING OF UNINCORPORATED TERRITORY WITHIN COUNTIES; PROVIDING FOR THE APPOINTMENT OF COUNTY AND DISTRICT PLANNING COMMISSIONS IN CONNECTION THEREWITH, PRESCRIBING THE PROCEDURE THEREFOR; AND PROVIDING PENALTIES FOR VIOLATION THEREOF," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Child the Senate refused to concur in the House amendments and the House was asked to recede from its position.

On motion of Senator Howard the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-FOURTH DAY

MORNING SESSION

March 7, 1941.

The Senate was called to order at 10:00 a.m. Senator Christensen in the chair.

Roll Call—All Senators present except President Grover and Senator Dawson, excuse.

Prayer by the Chaplain.

March 7, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 53rd day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ED JOHNSTON,

ED. H. WATSON.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 7, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 219*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 219 was ordered printed and referred to the Committee on State and Municipal Affairs.

March 7, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 222*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 222 was ordered printed and referred to the Committee on Banking and Commerce.

March 6, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 141*, by Mr. Lund, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 141 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 108*, by Mrs. Jack, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 108 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 95*, by Mr. Nichols, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 95 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. C. R. No. 2*, by Committee on Highways, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. C. R. No. 2 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 290*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 290 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 298*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 298 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 297*, by Committee on Agriculture and Irrigation, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 297 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation. to which was referred *S. B. No. 201*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 201 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 266*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 266 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 185*, by Messrs. Ellett and Hopkin, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 185 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 293*, by Mr. Lundell, has carefuly considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 293 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 212*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

S. B. No. 212 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 147*, by Mr. Stringham, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 147 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 154*, by Messrs. Abbott, Schenk and Thorne, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 154 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 94*, by Mr. Bench, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 94 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 116*, by Mr. J. E. Rees, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 116 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 73*, by Messrs. Jos. E. Rees and White, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 73 was referred to the Sifting Committee.

March 6, 1941.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 91*, by Mr. Adams, has carefully considered said bill, and reports the same out favorably.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

H. B. No. 91 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 195 on second reading.

On motion of Senator Ellett the rules were suspended and *S. B. No. 195* was read the third time and placed on its final passage.

S. B. No. 195 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson (explained vote), Williams.

Absent and not voting: Senators Dawson, Lundell, Mr. President.

S. B. No. 195 was transmitted to the House.

On motion of Senator Lundell the rules were suspended and the Senate proceeded to consider *S. B. Nos. 252, 253, 254, 255* and *276* on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 252 was read the second time.

Committee report read and adopted.

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

Page 4, following line 15, insert "Section 16. This act shall take effect upon approval."

On motion of Senator Lundell the rules were suspended and *S. B. No. 252* was read the third time and placed on its final passage.

S. B. No. 252 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Dawson, Mr. President.

S. B. No. 252 was transmitted to the House.

S. B. No. 253 was read the second time.

Committee report read and adopted.

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

Page 2, line 4, after the word "to" insert the word "the".

Page 4, line 28, place an "s" on the word "act".

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

Page 4, line 1, strike the period and insert ", $10."

Line 2, strike the period and insert ", $2.50."

Line 3, strike the period and insert ", 50 cents."

On motion of Senator Huggins the rules were suspended and *S. B. No. 253* was read the third time and placed on its final passage.

S. B. No. 253 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams.

Absent and not voting: Senators Dawson, Spence, Mr. President.

S. B. No. 253 was transmitted to the House.

S. B. No. 254 was read the second time.

Committee report read and adopted.

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

Page 1, line 9, in the blank space insert the word "seven".

Page 3, line 6, strike the word "and" and after the word "relief" insert ", and the induction and operation of a home guard".

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

Page 4, following line 13, insert "Section 10. This act shall take effect upon approval."

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

Page 4, line 8, in the blank space insert "10,000".

On motion of Senator Huggins the rules were suspended and *S. B. No. 254* was read the third time and placed on its final passage.

S. B. No. 254 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson, Williams.

Absent and not voting: Senators Dawson, Rich, Mr. President.

S. B. No. 254 was transmitted to the House.

On motion of Senator Huggins the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m. Senator McMurrin presiding.

Roll Call—All Senators present except President Grover, excused.

COMMUNICATIONS FROM THE HOUSE

March 7, 1941.

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. 32*, by Mr. Nichols, entitled, "AN ACT AUTHORIZING THE APPOINTMENT BY THE GOVERNOR OF A STATE BARBER BOARD TO APPROVE MINIMUM PRICE AGREEMENTS FOR BARBER SERVICES; DESIGNAT-

ING THE VARIOUS JUDICIAL DISTRICTS IN UTAH AS TERRITORIAL UNITS FOR PURPOSES OF VOTING ON PRICE SCHEDULE AGREEMENTS FOR BARBER SERVICES; AUTHORIZING THE STATE BARBER BOARD TO ESTABLISH OPENING AND CLOSING DAYS AND HOURS FOR BARBER SERVICES PURSUANT TO AGREEMENTS IN SUCH JUDICIAL DISTRICTS AND PROVIDING TIME AND EXPIRATION OF ORDERS AND RENEWALS THEREOF; AUTHORIZING THE STATE BARBER BOARD TO ESTABLISH A PRICE DIFFERENTIAL IN FAVOR OF BARBER COLLEGES; DEFINING TERMS USED HEREIN; PROVIDING FOR THE NOTICE AND POSTING OF ORDERS; SECURING EVIDENCE; MANNER OF ISSUING SUBPOENAS AND ENFORCING ATTENDANCE OF WITNESSES; TAKING TESTIMONY BY STATE BARBER BOARD; PRESCRIBING IMMUNITY; MANNER OF SERVICE OF PROCESS; PROVIDING STATE BARBER BOARD MAY OBTAIN DATA FROM OTHER STATE BOARDS; THE INSPECTION OF BOOKS AND RECORDS; AUTHORIZING THE STATE BARBER BOARD TO ENFORCE COMPLIANCE WITH ITS ORDERS AND PRESCRIBING ITS GENERAL POWERS; ANNUAL PHYSICAL EXAMINATION OF LICENSED BARBERS; PENALTY FOR VIOLATION OF THIS ACT; APPEAL BY AGGRIEVED PERSONS TO THE DISTRICT COURT; MANNER OF PERFECTING APPEAL; MANNER OF SERVING PROCESS OF STATE BARBER BOARD; PRESCRIBING RECORDS TO BE KEPT; EXPENSES OF ADMINISTRATION OF ACT; EXPENSES, PERMITS AND FEES; ANNUAL PERMITS, FEES AND TIME OF PAYMENT THEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 32 was read the first time and referred to the Committee on Judiciary.

March 7, 1941.

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. 91*, by Mr. Watson, entitled, "AN ACT MAKING IT UNLAWFUL TO REMOVE MINERALS OR TO CUT OR REMOVE TIMBER FROM STATE LANDS, OR TO EXTRACT SALTS OR MINERALS FROM THE WATERS OF NAVIGABLE LAKES; TO GRAZE LIVESTOCK; TO CONSTRUCT ANY RESERVOIR, DITCH, HIGHWAY, ELECTRIC LIGHT, TELEPHONE OR TELEGRAPH LINE UPON STATE LANDS, WITHOUT AUTHORITY FROM THE STATE LAND BOARD, AND

PROVIDING A PENALTY AND LIABILITY THEREFOR," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments.

S. B. No. 91 failed to pass on the following roll call:

Yeas, 8; Nays, 6; Absent, 9.

Those voting in the affirmative were: Senators Bailey, Farr, Huggins, Johnston, McMurrin, Miller, Spence, Watson.

Those voting in the negative were: Senators Ashton, Christensen, Hirschi, Hopkin, Lundell, Macfarlane.

Absent and not voting: Senators Child, Dawson, Ellett, Ericksen, Howard, Morrill, Rich, Williams, Mr. President.

Senator Christensen served notice that he would move to reconsider the vote whereby *S. B. No. 91* failed of passage.

REPORTS OF STANDING COMMITTEES

March 7, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 222,* by Committee on State and Municipal Affairs, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 222 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 211,* by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

March 7, 1941.

Mr. President:

The minority report of your Committee on Fish and Game, to which was referred *S. B. No. 211,* by Committee on State and Municipal Affairs,

has carefully considered said bill, and reports the same out favorably, with the following amendments:

Line 1 of the title, delete the figures "30-0-1" and "30-0-3".

Line 2 of the title, delete figures "30-0-7, 30-0-8, 30-0-9, 30-0-10, 30-0-23, 30-0-24, 30-0-26 AND 30-0-27".

Delete all of lines 3 and 4 of the title.

Line 5 of the title, add the word "AND" and delete the figures "30-0-66, 30-0-69, 30-0-73 AND 30-0-76".

Line 6 of the title, delete the words "AND SECTION 30-0-6, REVISED STATUTES OF".

Delete balance of the title on page 1.

Delete line 1, page 2, of the title.

Delete the word "MISSINER;" add "RELATING TO FISH AND GAME," before the word "DEFINING" on line 2, page 2 of the title.

After the word "POWERS" line 2, page 2 of the title, delete the "," and insert the word "AND".

Delete the words "AND FUNC" and insert the words "OF THE FISH AND GAME COMMISSIONER," in line 2, page 2 of the title.

Line 3, page 2 of the title, delete the words "TIONS OF THE DEPARTMENT OF FISH AND GAME;" and add the word "HIS".

Line 4, page 2, the title insert a "," after the word "MENT" and delete the words "OF COMMISSIONERS, HIS" insert a "," after the word "OFFICE" and delete "AND".

Line 5, page 2 of the title, delete the "," after the word "SALARY" delete the word "ADMINISTRATION" and the "," and add the word "AND".

Line 6, page 2 of title, delete the last four words.

Line 7, page 2 all of the title, delete.

Line 8, page 2 of title, delete the words "FORMED BY THE STATE GAME REFUGE COMMITTEE;" insert a ",".

Line 9, page 2 of title delete the second word "THE" and insert the word "ITS" insert a "," after the word "DUTIES" and delete the balance of the line.

Line 10, page 2 of the title, delete the first three words and insert the words "THE APPOINTMENT AND".

Line 12, page 2 of the title, after the letter and figure "2G" insert the word "AND" and the figures "30-0-2H" and delete the balance of the title.

Line 1, page 2 of the bill, delete the figures "30-0-1, 30-0-3 and 30-0-7". Line 2, page 2, delete the figures "30-0-8, 30-0-9, 30-0-10, 30-0-23, 30-0-24, 30-0-26, 30-0-27, 30-0-28," add the word "and".

Line 3, page 2, delete entire line.

Line 4, page 2, delete the figures "30-0-55, 30-0-57, 30-0-58, 30-0-59, 30-0-60, 30-0-66 and 30-0-69".

Delete the balance of section 1, page 2, and add the words "revised statutes of Utah, 1933, are amended to read:".

Delete all of section 30-0-1 on page 1 and 2.

Delete all material after the figures "30-0-2" and insert "The term of office of the fish and game commissioner shall be for four years beginning on the first day of April 1935 and until his successor is appointed and he is qualified. He shall receive a salary of ( ) $4,000 per year, payable ( ) monthly."

Delete section 30-0-3, page 4.

Line 14, page 4, delete the "( )" and the last "s" on the word "commissioners".

Line 21, page 4, delete the "( )" and add the letters "er" after "commission".

Line 23, page 4, delete the "( )" and add the letters "er" after "commission".

Delete all of "section 30-0-6" page 4.

Delete all of "Sections 30-0-7, 30-0-8, 30-0-9, and 30-0-10,".

Line 33, page 6, delete the "( )".

Line 1, page 7, add the letters "er" after the first word "mission".

Line 6, page 7, delete the word "its" and insert "his".

Delete all of "sections 30-0-13, 30-0-15, 30-0-20, 30-0-23, 30-0-24, 30-0-25, 30-0-26, 30-0-27, 30-0-28, 30-0-30, 30-0-40, 30-0-41, 30-0-43, 30-0-44, 30-0-45, 30-0-46, 30-0-48, 30-0-50, 30-0-51, 30-0-52, 30-0-54, 30-0-55, 30-0-57, 30-0-58, 30-0-59, 30-0-60 and 30-0-62".

Line 18, page 20, delete both "( )" and add the letters "er" after the word "commission".

Line 20, page 20, delete the first "( )" and the word "it" and insert "he".

Line 22, page 20, delete the "( )" and insert the letters "er" after the word "commission".

Line 24, page 20, delete the "( )" and insert the letters "er" after the word "commission".

Delete all of "sections 30-0-66, 30-0-69, 30-0-73, 30-0-76, 30-0-76A".

Line 9, page 22, add the word "and" before the figures "30-0-21" and delete the words "and 30-0-2J".

Line 10, page 22, delete the word "each" and insert the word "the" delete the words "member of the" and add the letters "er" after the word "commission".

Line 14, page 22, delete the words "any member" and insert the word "him".

Line 18, page 22, delete the balance of the line after the fourth word "the" and insert the word "department".

Line 19, page 22, delete the words "any member" and insert the word "him".

Line 21, page 22, delete the word "commission" and insert the word "department".

Line 23, page 22, delete the words "member of" and "holding such office" and insert the letters "er" after the word "commission".

Delete all of "section 30-0-2B".

Line 33, page 22, delete the letter "c" of the section number and add the letter "B" add the letters "er" after the word "commission" delete the word "its" and insert the word "his".

Line 3, page 23, delete the word "its" and insert the word "his".

Line 4, page 23, delete the letter "D" of section and insert the letter "C" add the letters "er" after the word "commission".

Line 6, page 23, delete the word "its" and insert the word 'the".

Line 7, page 23, delete the words "within its" and insert the word "his", delete the last word "of".

Line 8, page 23, delete the words "the commission" and the words "any member" and insert the word "him".

Line 11, page 23, delete the letter "E" of section and insert "D", add the letters "er" after the word "commission".

Line 12, page 23, delete the word "its" and insert the word "his".

Line 13, page 23, delete the letter "F" of section and insert "E".

Line 15, page 23, after the word "commission" insert the letters "er".

Line 26, page 23, after the word "commission" insert the letters "er" add a "." and delete the balance of the line.

Line 27, page 23, delete the letter "G" of section and insert "F".

Line 13, page 24, delete the letter "H" and insert "G".

Line 15, page 24, after the fifth word "the" insert the words "fish and game" and add the letters "er" on to the word "commission" delete the last word on line 24.

Line 16, page 24, delete the first five words and add the letters "er" on the word "commission".

Line 20, page 24, add the letters "er" on the first word. Delete the word "its" and insert the word "his".

Line 24, page 24, add the letters "er" on the second word.

Line 29, page 24, delete the letter "I" of the section and insert the letter "H".

Line 30, page 24, add the letters "er" to the last word.

Line 31, page 24, delete the word "commission" and insert the word "department".

Line 33, page 24, add the letters "er" after the word "commission" and delete the last three words.

Line 1, page 25, delete the first four words and add the letters "er" to the word "commission".

Line 3, page 25, delete the words "the commission" and insert the word "him".

Line 4, page 25, delete the word "its" and insert the word "his".

Delete "section 30-0-2J".

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 211 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 244*, by Mr. Lundell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 244 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 295*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 295 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 296*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 296 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 190*, by Mr. Howard, has carefully considered said bill, and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 190 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 294*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

Senator Huggins moved that the rules be suspended and that the Senate do now consider *S. B. No. 294*.

Motion carried.

S. B. No. 294 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *S. B. No. 294* was read the third time and placed on its final passage.

S. B. No. 294 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Watson, Williams.

Absent and not voting: Senators Child, Dawson, Ellett, Ericksen, Rich, Spence, Mr. President.

S. B. No. 294 was transmitted to the House.

Senator Hirschi moved to reconsider the action of the Senate in refusing to concur in the House amendments to *S. B. No. 34*.

Motion carried.

Reconsideration of *S. B. No. 34*.

On motion of Senator Hirschi the Senate concurred in the House amendments.

S. B. No. 34 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Watson, Williams.

Absent and not voting: Senators Child, Dawson, Ellett, Ericksen, Rich, Spence, Mr. President.

S. B. No. 34 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

S. B. No. 255 was read the second time.

Committee report read and adopted.

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

Page 4, following line 8, insert "Section 13. This act shall take effect upon approval."

Line 5, strike the "provsions" and insert the word "provisions".

Line 7, strike the word "arts" and insert the word "parts".

On motion of Senator Macfarlane the rules were suspended and *S. B. No. 255* was read the third time and placed on its final passage.

S. B. No. 255 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Ellett, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson, Williams.

Absent and not voting: Senators Child, Dawson, Ericksen, Hopkin, Rich, Mr. President.

S. B. No. 255 was transmitted to the House.

S. B. No. 276 was read the second time.

Committee report read and adopted.

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

Page 1, line 14, after the word "states," and page 2, line 8, after the word "used," insert "shall be guilty of a felony and upon conviction".

Page 3, line 28, and page 5, line 6, after the word "be" insert "guilty of a misdemeanor and upon conviction shall be".

Page 5, line 25, after the word "approval" insert a period and strike the balance of the section.

Senator Huggins moved to amend the bill as follows:

Page 5, line 1, after the word "prescribe" insert "except that a written permit allowing access to and use of the highways of the state at any time for union activity or peaceful picketing shall be granted immediately to any nationally recognized bona fide labor union".

Senator Christensen moved to amend the amendment by striking the word "shall" and inserting the word "may".

Senator Spence, four Senators concurring therein, requested a roll call on the amendment to the amendment:

The motion to amend the amendment failed to carry on the following roll call:

Yeas, 8; Nays, 13; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Hopkin (explained vote), Howard, Johnston, Rich.

Those voting in the negative were: Senators Child, Ellett, Ericksen, Hirschi, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson, Williams (explained vote).

Absent and not voting: Senators Farr, Mr. President.

Senator Spence, four Senators concurring therein, requested a roll call on the motion to amend.

Senator Huggins' original motion to amend the bill was carried on the following roll call:

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

Those voting in the affirmative were: Senators Child, Christensen, Ellett, Ericksen, Hirschi (explained vote), Hopkin, Huggins, Lundell, Macfarlane, McMurrin (explained vote), Miller, Morrill, Rich (explained vote), Spence, Watson, Williams (explained vote).

Those voting in the negative were: Senators Ashton, Bailey, Dawson, Howard, Johnston.

Absent and not voting: Senators Farr, Mr. President.

Senator Huggins moved to amend as follows:

Page 5, line 13, after the word "protection" insert: "so as to interfere with or impede or diminish the right to strike, the right to picket, or the right to carry on union activities under the laws of the United States and of this state, and no exercise of such rights shall be the basis for any prosecution, fine or imprisonment under this act."

Senator Huggins, four Senators concurring therein, requested a roll call on the motion to amend.

The motion to amend failed to carry on the following roll call:

Yeas, 8; Nays, 12; Absent, 3.

Those voting in the affirmative were: Senators Child, Ericksen, Hopkin, Huggins, Lundell, Miller, Spence, Watson.

Those voting in the negative were: Senators Ashton, Dawson, Ellett (explained vote), Farr, Hirschi, Howard, Johnston, Macfarlane, McMurrin, Morrill, Rich, Williams.

Absent and not voting: Senators Bailey, Christensen, Mr. President.

Senator Spence, four Senators concuring therein, requested a Call of the Senate.

Senators Bailey and Christensen were absent without leave.

On motion of Senator Miller the call was lifted.

Senator Ellett moved to strike the amendment inserted on line 1 of page 5.

Senator Ellett, four Senators concurring therein, requested a roll call on the motion to amend.

The motion to amend failed to carry on the following roll call:

Yeas, 9; Nays, 13; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey (explained vote), Dawson, Ellett, Farr (explained vote), Howard, Johnston, Rich, Williams.

Those voting in the negative were: Senators Child, Christensen (explained vote), Ericksen, Hirschi (explained vote), Hopkin, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson.

Absent and not voting: Mr. President.

On motion of Senator Spence the rules were suspended and *S. B. No. 276* was read the third time and placed on its final passage.

S. B. No. 276 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Voting in the negative: Senator Howard.

Absent and not voting: Mr. President.

S. B. No. 276 was transmitted to the House.

Senator Christensen moved to reconsider the vote whereby *S. B. No. 91* failed of passage.

Motion carried.

S. B. No. 91 then passed on the following roll call:

Yeas, 14; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Huggins, Johnston, McMurrin, Miller, Rich, Spence, Watson.

Those voting in the negative were: Senators Dawson, Hirschi, Hopkin, Howard, Lundell, Macfarlane, Morrill, Williams.

Absent and not voting: Mr. President.

S. B. No. 91 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Christensen the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-FIFTH DAY

MORNING SESSION

March 8, 1941.

The Senate was called to order at 10:00 a.m. Senator Rich in the chair.

Roll Call—All Senators present except President Grover, excused.

Prayer by the Chaplain.

March 8, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 54th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ED JOHNSTON,
ED. H. WATSON.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 7, 1941.

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 Messrs. Twitchell and Elswood, entitled, "AN ACT AMENDING SECTION 3, CHAPTER 162, LAWS OF UTAH, 1937, APPROPRIATING THE SURPLUS MONEY OF THE MOTOR VEHICLE REGISTRATION FUND TO THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND PROVIDING FOR EFFECTIVE DATE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 166 was read the first time and referred to the Committee on Highways.

March 7, 1941.

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. 157*, by Mr. Twitchell,

entitled, "AN ACT AMENDING CHAPTER 6, TITLE 18, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS 18-6-16, RELATING TO TAXATION OF COOPERATIVE NON-PROFIT ELECTRIC CORPORATIONS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 157 was read the first time and referred to the Committee on State and Municipal Affairs.

March 7, 1941.

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. 105,* by Mr. J. E. Rees, Mrs. Jack, Mrs. Jacob, Mr. Twitchell, Mr. Garff, Mr. Brewster, Mr. Redd, Mr. England, Mr. McGean, Mr. T. M. Rees, Mr. Macfarlane, Mr. Jenkins and Mr. Dix, entitled, "AN ACT AMENDING SECTIONS 9, 27 AND 29, CHAPTER 85, LAWS OF UTAH 1937, AND SECTION 20, CHAPTER 85, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 80, LAWS OF UTAH, 1939, RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM; PROVIDING FOR ACTUARIAL VALUATIONS; APPROPRIATING FUNDS FOR THE RETIREMENT SYSTEM; AND PROVIDING FOR MINIMUM AND MAXIMUM RETIREMENT ALLOWANCES IN THE SYSTEM," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 105 was read the first time and referred to the Committee on Education.

March 7, 1941.

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. 83,* by Mrs. Jensen, Mr. T. M. Rees, Mr. Leavitt, Mrs. Jack, Mr. Bryan, Mr. Foote, Mr. Thorne, Mr. J. E. Rees, Mr. Scherer, Mr. Liddell, Mr. Nichols, Mr. Dix, Mr. Macfarlane, Mr. Hainsworth, Mr. Reid and Mr. Ingleby, and requests the Senate to recede from its amendments.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

H. B. No. 83 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams.

Absent and not voting: Senators Child, Hirschi, Watson, Mr. President.

H. B. No. 83 was returned to the House.

March 7, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 285,* by Mr. Hopkin, and has appointed a conference committee consisting of Representatives Selvin, Cannon and Leary to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the President appointed a Conference Committee consisting of Senators Hopkin, Dawson and Christensen to act with a like committee from the House.

March 7, 1941.

Mr. President:

I am directed to inform your Honorable Body the the House refused to recede from its amendments to *S. B. No. 132,* by Mr. Child, and has appointed a conference committee consisting of Representatives Midgley, Jack and Albrecht to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the President appointed a Conference Committee consisting of Senators Child, Spence and Huggins to act with a like committee from the House.

REPORTS OF STANDING COMMITTEE

March 6, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred Substitute for *H. B. No. 135*, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 135 was referred to the Sifting Committee.

March 7, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 219*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably with the following amendments:

Page 4, line 11, strike the word "renewal" and insert the word "renewals" in lieu thereof.

Page 4, line 11, strike the word "revocation" and insert the word "revocations" in lieu thereof.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 219 was referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

March 8, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places on the Second Reading Calendar:

S. B. Nos. 222, 211, 295, 296, 290, 298, 201 and 212.

The following bills to be placed at the foot of the Second Reading Calendar:

S. B. Nos. 297 and 270.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 303 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 76-1-5, 76-1-7, 76-1-8 AND 76-1-9, REVISED STATUTES OF UTAH, 1933, SECTION 76-1-1, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY CHAPTER 63, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 86, LAWS OF UTAH, 1937, RELATING TO THE APPOINTMENT OF MEMBERS OF THE PUBLIC SERVICE COMMISSION OF UTAH, THEIR POWERS AND DUTIES, AND TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE PUBLIC SERVICE COMMISSION OF UTAH, REPEALING SECTION 76-1-2, REVISED STATUTES OF UTAH, 1933, AND SECTION 76-1-3, REVISED STATUTES OF UTAH, 1933, AS ENACTED BY CHAPTER 63, LAWS OF UTAH, 1935, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 304 By Committee on State and Municipal Affairs

AN ACT AMENDING SECTIONS 1, 2 AND 4, CHAPTER 132, LAWS OF UTAH, 1939, RELATING TO UTAH CENTENNIAL OBSERVANCE; AND THE UTAH CENTENNIAL COMMISSION AND PRESCRIBING ITS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Miller the rules were suspended and the Senate proceeded to consider *S. B. No. 234.*

S. B. No. 234 was read the second time.

Committee report read and rejected.

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

Page 13, line 6, after the word "telephonic" insert "or telegraphic".

Page 7, line 31, correct the spelling of the word "county".

Page 11, line 26, after the "Section 13" insert "The board shall have power on behalf of said district".

Page 19, line 26, strike the word "case" and insert the word "cash".

Page 21, line 17, strike the "s" on the word "assessments".

Page 22, line 31, strike the word "asset" and insert "assent".

Page 31, line 3, strike the word "insuring" and insert the word "issuing".

Page 34, strike ", the" and insert ". The".

S. B. No. 234 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Johnston, Lundell, Macfarlane, Miller, Rich, Williams.

Absent and not voting: Senators Ellett, Howard, Huggins, McMurrin, Morrill, Spence, Watson, Mr. President.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 232 was read the third time and placed on its final passage.

Senator Miller, four Senators concurring therein, requested a call of the Senate.

Senators Ellett, Howard, Huggins, McMurrin, Morrill, Spence and Watson were absent without leave.

On motion of Senator Miller the call was lifted.

On motion of Senator Hirschi action on *S. B. No. 232* was deferred temporarily.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 301 was read the second time.

Committee report read and adopted.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. Senator Rich presiding.

Roll Call—All Senators present except President Grover, excused.

COMMUNICATION FROM THE HOUSE

March 8, 1941.

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, 1941, and passed *S. B. No. 25*, by Committee on Highways, entitled, "AN ACT EMPOWERING THE BOARD OF EDUCATION IN EVERY SCHOOL DISTRICT TO ORGANIZE SCHOOL SAFETY PATROLS AND APPOINT PUPILS AS MEMBERS THEREOF; AND PROVIDING THAT LIABILITY SHALL NOT ATTACH TO SCHOOL DISTRICTS, OR THE OFFICIALS OR AUTHORITIES THEREOF BY

VIRTUE OF THE ORGANIZATION, MAINTENANCE AND OPERATION OF SUCH SCHOOL SAFETY PATROLS," and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 8, 1941.

Mr. President:

Mr. Speaker:

Your Conference Committee, appointed to study and make recommendations on *S. B. No. 25*, begs leave to report as follows:

That on page 1, line 13, after the word "traffic" insert ", but shall perform his duties from the curb and sidewalk areas."

Respectfully,

ED JOHNSTON,
Chairman, Senate Committee,

FRED J. MILLIMAN,
Chairman, House Committee.

Report adopted and filed.

S. B. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Johnston, Mr. President.

S. B. No. 25 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 8, 1941.

Mr. President:

Your Committee on Judicary, to which was referred *S. B. No. 277*, by Messrs. Spence and Lundell, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 277 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 268*, by Mr. Lundell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 268 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 115*, by Mr. Elswood, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 115 was referred to the Sifting Committee.

March 8, 1941.

Mr. Preident:

Your Committee on Judiciary, to which was referred *H. B. No. 132*, by Mr. Selvin, has carefully considered said bill, and reports the same out without recommenation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 132 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred Substitute for *H. B. No. 4*, by Messrs. Twitchell, Miller and T. M. Rees, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 4 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 42*, by Mesdames Jensen, Jack and Jacob, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 42 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 32*, by Mr. Nichols, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 32 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 217*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. B. No. 217 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 213*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

S. B. No. 213 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 166,* by Messrs. Twitchell and Elswood, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ED JOHNSTON,
Chairman.

Report filed.

H. B. No. 166 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 225,* by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 225 was ordered printed and referred to the Committee on Banking and Commerce.

March 8, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 231,* by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 231 was ordered printed and referred to the Committee on Banking and Commerce.

March 8, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 303,* by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 303 was ordered printed and referred to the Committee on State and Municipal Affairs.

March 8, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 304*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 304 was ordered printed and referred to the Committee on State and Municipal Affairs.

UNFINISHED BUSINESS

S. B. No. 301 on second reading.

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

Page 2 and 3, strike the whole of Section 5 and insert in lieu thereof the following:

"Each member of the engineering commission shall devote his full time and attention to his official duties to the exclusion of all other business or occupation and shall not hold any other office under the laws of this state, except ex-officio such offices or titles as may be conferred upon him by law. No member shall hold office under the laws of any other state or under the government of the United States, but this provision shall not be construed to prevent any member from holding such nominal position or title as may be required by law as a consideration to participation by the state in any appropriation or allotment of any money, property or service which may be made or allotted for any of the functions of the department."

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

Page 4, line 19, strike the word "vacancis" and insert the word "vacancies".

Page 3, line 31, strike the word "five"and insert the word "four".

Page 2, line 20, strike the last six words and insert the word "monthly".

Line 21, strike the first two words.

Page 6, following line 29, insert "Section 20. This act shall take effect upon proclamation of the governor."

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

Page 1, line 7, after the word "senate" strike the balance of the section and insert in lieu thereof the following: "whose terms of office shall

be six years except as further provided in this section. The members first appointed, the term of one shall expire March 1, 1943, the term of one shall expire March 1, 1945, and the term of one shall expire March 1, 1947, and their successors shall be appointed for a term of six years. Each commissioner shall hold office until his successor is appointed and qualified. Not more than two members of the commission shall belong to the same political party. One member of the commission shall be designated by the governor as chairman and any two commissioners may constitute a quorum. Any member of the commission may be removed for cause by the governor. Vacancies shall be filled for unexpired terms by the governor. Each member of the engineering commission shall qualify by taking the constitutional oath of office, and shall receive an annual salary of $4,000 payable monthly and in addition thereto, he may be allowed actual traveling and other expenses necessarily incurred in attending to official business."

On motion of Senator Watson the Senate adjourned until March 10, 1941, at 10.00 a.m.

FIFTY-SEVENTH DAY

MORNING SESSION

March 10, 1941.

The Senate was called to order at 10:00 a.m. Senator McMurrin in the chair.

Roll Call—All Senators present except President Grover, excused.

Prayer by the Chaplain.

March 10, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 55th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

ED JOHNSTON,
ED. H. WATSON.

Report adopted and filed.

The President appointed Senators Miller and Christensen to revise the Journal for the remainder of the session.

On motion of Senator Miller the Senate resolved itself into Executive Session.

On motion of Senator Christensen the Executive Session was dissolved.

COMMUNICATIONS FROM THE HOUSE

March 8, 1941.

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. 145,* by Messrs. Liddell, Stringham, T. M. Rees, Schenk, Miller, Albrecht and Staples, entitled, "AN ACT AMENDING SECTION 100-3-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937, RELATING TO THE EXTENSION OF TIME FOR CONSTRUCTING WORKS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 145 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 8, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 140,* by Mr. Selvin, entitled, "AN ACT AMENDING SECTION 7, CHAPTER 90, LAWS OF UTAH, 1937, RELATING TO APPLICATIONS FOR ASSISTANCE; AND PROVIDING THAT ONLY THE FINANCIAL STATUS OF THE BLIND PERSON AND HIS SPOUSE SHALL BE CONSIDERED IN DETERMINING THE QUALIFICATIONS OF SUCH BLIND PERSONS FOR AID," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 140 was read the first time and referred to the Committee on Social Relations and Relief.

March 8, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 142,* by Mr. Selvin, entitled, "AN ACT AMENDING SECTIONS 1 AND 6, CHAPTER 90, LAWS OF UTAH, 1937, RELATING TO DEFINITION OF TERMS AND AMOUNT OF ASSISTANCE DETERMINED BY COUNTY DEPARTMENT; AND PROVIDING FOR A BLIND ALLOTMENT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 142 was read the first time and referred to the Committee on Social Relations and Relief.

March 8, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 167*, by Mr. Selvin, entitled, "AN ACT PROVIDING FOR UNEMPLOYMENT COMPENSATION; THE MAINTENANCE OF A STATE SYSTEM OF PUBLIC EMPLOYMENT OFFICES; THE ESTABLISHMENT OF AN UNEMPLOYMENT COMPENSATION FUND AND THE DISTRIBUTION AND INVESTMENT THEREOF; THE ASSESSMENT AND COLLECTION OF CONTRIBUTIONS UPON WAGES FOR EMPLOYMENT BY EMPLOYERS; THE ADMINISTRATION OF THE ACT BY THE INDUSTRIAL COMMISSION OF UTAH AND THE CREATION OF A DEPARTMENT THEREFOR; RECIPROCAL ARRANGEMENTS WITH OTHER FEDERAL AND STATE AGENCIES; ESTABLISHMENT AND CONTROL OF AN EMPLOYMENT SECURITY ADMINISTRATION FUND; PENALTIES; AN APPROPRIATION; DEFINING TERMS; REPEALING CHAPTER 1, LAWS OF UTAH, SPECIAL SESSION, 1936, AS AMENDED BY CHAPTER 43, LAWS OF UTAH, 1937, AND CHAPTER 52, LAWS OF UTAH, 1939, RELATING TO UNEMPLOYMENT COMPENSATION; AND PROVIDING FOR OTHER RELATED PURPOSES," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 167 was read the first time and referred to the Committee on Health and Labor.

March 7, 1941.

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. 13*, by Mr. Brewster, entitled, "A JOINT RESOLUTION PROVIDING FOR AN INVESTIGATING COMMITTEE OF FIFTEEN MEMBERS AND FOR THEIR APPOINTMENT; DEFINING THEIR POWERS AND DUTIES; AND PROVIDING FOR PAYMENT OF THE EXPENSES AND DISTRIBUTION OF THE REPORT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 13 was read the first time and referred to the Committee on Judiciary.

March 10, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 303*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 303 was referred to the Sifting Committee.

March 10, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 304*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 304 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 157*, by Mr. Twitchell, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 157 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 231*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 231 was referred to the Sifting Committee.

March 8, 1941.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 225*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GEO. A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 225 was referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

March 8, 1941.

Mr. President:

Your Conference Committee appointed to consider amendments to *H. B. No. 41*, by Mr. Smith, Mr. Bennion and Mr. Adams, recommends: That the House concur in all Senate amendments with the exception of the Senate amendment on page 5, lines 26 and 27, which we recommend be stricken and after the Senate amendment on line 28, page 5, that the period be stricken and a comma inserted and the following words added: "provided that not more than two of whom shall be handlers."

And we further recommend that the Senate amendment on page 11, lines 29 and 30 be stricken.

Respectfully submitted,

ALONZO F. HOPKIN,
Chairman of Senate Committee,

HEBER BENNION JR.,
Chairman of House Committee.

Report adopted and filed.

H. B. No. 41 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams.

Absent and not voting: Senators Child, Spence, Watson, Mr. President.

H. B. No. 41 was returned to the House.

On motion of Senator Hirschi the rules were suspended and the Senate preceeded to consider *S. B. No. 232.*

S. B. No. 232 on Final Passage.

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

Strike the whole of "Section 12" and insert in lieu thereof the following:

"Section 12. The members of the commission of business regulation shall be the public service commission, the state securities commission and the trade commission of Utah, The banking department, the insurance department and the department of registration shall be within the department of business regulation subject to such supervision and control by the commission of business regulation as may be prescribed by law. The commission of business regulation shall appoint the director of registration, the commissioner of insurance and such other administrative officers as may be necessary to efficiently and economically perform the functions of the department of business regulation."

S. B. No. 232 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams.

Absent and not voting: Senators Ellett, Hopkin, Spence, Watson, Mr. President.

S. B. No. 232 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 301 on second reading.

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

Page 3, strike lines 9 to 13, inclusive.

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

Page 2, strike lines 16 to 24, inclusive.

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

Page 5, line 17, strike the words "the state engineer".

Page 6, strike section 20 and in lieu thereof insert: "Section 19. Within the department of engineering there shall be a division to be known as the division of water and irrigation, which division shall be under the direction and control of the state engineer, who shall have all of the powers and shall exercise and perform all of the duties and functions now conferred upon him by law."

S. B. No. 301 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 Ashton, Child. Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams.

Absent and not voting: Senators Bailey, Farr, Spence, Watson, Mr. President.

On motion of Senator Ellett the rules were suspended and the Senate proceeded to consider *S. B. No. 212* on second reading.

S. B. No. 212 was read the second time.

Committee report read and adopted.

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

In line 1 of the title, strike "100-2-1" and insert "100-2-3 AND".

Line 6, after "1939" insert "AND".

In line 10 of the title, strike the words "AND REPEALING SECTIONS 100-2-2 AND 100-2-3".

Line 11 of the title, strike all of the line.

Line 1, page 1, strike "100-2-1" and insert "100-2-3".

Line 5, after the number "1939" insert "and".

Page 1, strike all of lines 8, 9, 10, 11, 12, and 13.

Page 2, strike all of lines 1, 2, 3, 4, 5 and 6.

Page 1, commencing with line 8, insert the following: "100-2-3. ( ) The salary of the state engineer shall be fixed by the department of finance according to salary standards adopted by it, but not to exceed the sum of $4,000 per annum. When the state engineer is away from his office on official business he shall be entitled to his actual traveling expenses. ( )"

Line 5 of the title, insert after "1933" the word "AS", also lines 6 and 8, after "1935" insert the word "as".

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

Page 4, following line 24 insert: "Section 4. This act shall take effect upon proclamation of the governor."

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

Page 4, strike lines 23 and 24 and renumber the following sections.

On motion of Senator Huggins the rules were suspended and *S. B. No. 212* was read the third time and placed on its final passage.

S. B. No. 212 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Bailey, Farr, Mr. President.

S. B. No. 212 was transmitted to the House.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Grover in the chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

March 3, 1941.

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. 8*, by Mr. Hinckley, Mr. Twitchell, Mr. Bennion, Mr. Chamberlain and Mr. Clyde, entitled, "AN ACT AMENDING CHAPTER 1, TITLE 93, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 17, SECOND SPECIAL SESSION LAWS OF UTAH, 1933, BY ENACTING AND ADDING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 93-1-18 AND 93-1-19, MAKING IT A MISDEMEANOR TO MAINTAIN TOBACCO VENDING MACHINES ACCESSIBLE TO MINORS OR ANY METHOD OF SELF-HELP FOR THE DISPOSITION OF CIGARETTES, CIGARETTE PAPERS OR WRAPPERS OR TOBACCO IN ANY FORM WHATSOEVER; DECLARING PROPERTY USED IN CONNECTION WITH VIOLATIONS A NUISANCE AND PROVIDING FOR ABATEMENT THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 8 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 1, 1941.

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. 13*, by Mr. Pace, Mr. Miller, by request, entitled, "AN

ACT PROVIDING FOR PAYMENT OF TAXES BEFORE SALE, TRANSFER OR HYPOTHECATION OF RECEIVERSHIP ASSETS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 13 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 3, 1941.

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. Elswood, entitled, "AN ACT AMENDING SECTION 80-5-20, REVISED STATUTES OF UTAH, 1933, RELATING TO ASSESSING ANIMALS BEING FED OR REMOVED FOR SLAUGHTER," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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.

February 28, 1941.

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. 44*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 103-26-3, REVISED STATUTES OF UTAH, 1933, RELATING TO BRIBES OR OFFERS OF BRIBES TO ANY EXECUTIVE OFFICER, PEACE OFFICER, OR ANY PERSON AUTHORIZED TO ENFORCE THE LAW," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 44 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1941.

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. 50,* by Messrs. Schenk, Kerr and Frandsen, entitled, "AN ACT PROVIDING FOR THE ORGANIZATION OF LIFE INSURANCE COOPERATIVES, ESTABLISHING STATE POLICY RELATING THERETO, DEFINING THE PURPOSES OF SUCH COOPERATIVES, DETERMINING WHO MAY ORGANIZE AND HOW SUCH ORGANIZATIONS MAY BE EFFECTED, ESTABLISHING THE AUTHORITY, POWERS AND DUTIES OF SUCH COOPERATIVES, PLACING SUCH COOPERATIVES UNDER THE SUPERVISION OF THE STATE INSURANCE DEPARTMENT," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 50 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1941.

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. 51,* by Mr. Miller, entitled, "AN ACT AMENDING SECTION 15b, CHAPTER 59, LAWS OF UTAH, 1939, RELATING TO EXAMINATION FEES OF BENEFIT ASSOCIATIONS AND PROVIDING FOR FIXED EXAMINATION FEES BASED UPON MEMBERSHIP OF ASSOCIATIONS AND EXAMINATION FUND," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 51 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 28, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 53,* by Mr. Leavitt, Mr. Bryan and Mr. Thomas, entitled,

"AN ACT RELATING TO OCCUPATIONAL DISEASE DISABILITY COMPENSATION AND PROVIDING FOR THE ADMINISTRATION THEREOF BY THE INDUSTRIAL COMMISSION OF UTAH," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 53 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 28, 1941.

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. 61*, by Mr. Kerr, Mr. J. E. Rees, and Mr. Albrecht, entitled, "AN ACT PROVIDING FOR A NOXIOUS WEED ERADICATION PROGRAM UNDER THE SUPERVISION OF THE STATE BOARD OF AGRICULTURE, TOGETHER WITH THE COUNTY COMMISSIONERS OF THE RESPECTIVE COUNTIES, WITH THE COOPERATION OF COUNTIES AND LANDOWNERS, AND AUTHORIZING THE LEVY OF TAXES FOR SUCH PURPOSES, AND AUTHORITY TO STATE BOARD OF AGRICULTURE TO PASS RULES AND REGULATIONS TO CARRY OUT PROVISIONS OF THIS ACT," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 61 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1941.

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. Albrecht, entitled, "AN ACT AMENDING SECTIONS 80-5-19, 80-5-21, 80-5-22, 80-5-23, 80-5-24, 80-5-25, 80-5-26, 80-5-27, 80-5-28 AND 80-5-29, REVISED STATUTES OF UTAH, 1933, RELATING TO TRANSIENT LIVESTOCK AND HONEYBEES, PROVIDING FOR THE ASSESSMENT OF LIVESTOCK AND HONEYBEES BROUGHT INTO THE STATE FOR GRAZING PURPOSES; TIME OF ASSESSMENT; CONTENTS OF STATEMENT BY THE OWNER TO BE FILED WITH THE COUNTY ASSESSOR; CERTIFI-

CATE BY THE ASSESSOR; FILING OF CERTIFICATE IN OTHER COUNTIES; PRORATING TAXES AMONG COUNTIES; ADDITIONAL ASSESSMENT; COLLECTION OF UNPAID TAXES BY ACTION; ATTACHMENTS; COMPUTATION OF THE TAX; COLLECTION OF TAX, AND APPLICATION OF TAX RATES," and the same is transmitted herewith for the signature of the President.

Respectfully

J. WALDO PARRY,
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.

February 28, 1941.

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. 69*, by Mr. Bennion, entitled, "AN ACT PERMITTING THE ESTABLISHMENT OF COURSES OF INSTRUCTION IN POLICE SCIENCE AT THE UNIVERSITY OF UTAH; AND PROVIDING FOR THE MANAGEMENT AND CONTROL OF COURSES OF INSTRUCTION BY THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH; AND REGISTERING FOR COURSES BY FULL TIME PEACE OFFICERS AND CREATING AN ADVISORY COMMITTEE," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 69 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 1, 1941.

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. Wood, entitled, "AN ACT AMENDING SECTION 80-8-4, REVISED STATUTES OF UTAH, 1933, RELATING TO MAKING CHANGES IN ASSESSMENT BOOK BY COUNTY AUDITOR ORDERED BY STATE TAX COMMISSION AND TRANSMITTING

CHANGES MADE BY STATE TAX COMMISSION TO COUNTY AUDITOR," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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.

February 27, 1941.

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. 76*, by Mr. Selvin, entitled, "AN ACT AMENDING SECTION 20-4-1, REVISED STATUTES OF UTAH, 1933, RELATING TO CREATION OF OFFICE OF CITY JUDGE IN CITIES," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 76 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 1, 1941

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. Adams, Mr. Foote, Mr. Thomas, Mr. Warner and Mr. Leavitt, entitled, "AN ACT AMENDING SECTION 75-9-11, REVISED STATUTES OF UTAH, 1933, RELATING TO PUBLIC SCHOOLS AND THE DIVISION OF PROPERTY, FUNDS AND INDEBTEDNESS BETWEEN CITY SCHOOL DISTRICT AND AN ADJACENT SCHOOL DISTRICT WHEN PART OF THE SCHOOL DISTRICT IS ANNEXED TO A CITY," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 4, 1941.

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 Mrs. Jacob, entitled, "AN ACT AMENDING SECTION 19-11-17, REVISED STATUTES OF UTAH, 1933, RELATING TO COUNTY CHARGES," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 7, 1941.

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. 18,* by Resolutions and Memorials Committee, entitled, "RESOLUTION OF CONDOLENCE UPON THE DEATH OF FORMER REPRESENTATIVE DOCTOR WESTON VERNON," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 18 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 10, 1941.

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. 151,* by Messrs. Bench and Lund, entitled, "AN ACT APPROPRIATING $25,000 TO THE SNOW JUNIOR COLLEGE FOR MATERIAL, SUPPLIES, AND LABOR TO CONSTRUCT A NEW HEATING PLANT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 151 was read the first time and referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 5*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 85-7-18, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 85-7-18A, AND 85-7-18B RELATING TO APPLICATIONS FOR DEFINITE ADMISSION TO THE UTAH STATE HOSPITAL REQUIRING THE SAME TO SET FORTH THE RESIDENCE, AND FINANCIAL CONDITION OF SUCH APPLICANT; PROVIDING THE NOTICE TO BE GIVEN BEFORE HEARING THEREON," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. 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.

February 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 22*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 109, CHAPTER 46, LAWS OF UTAH, 1935, AND REPEALING SECTION 110, 111 AND 112 OF CHAPTER 46, LAWS OF UTAH, 1935, PERTAINING TO UNLAWFUL TAKING OF MOTOR VEHICLES, OBTAINING POSSESSION THEREOF BY FRAUD, DEPRIVING OWNERS OF POSSESSION THEREOF AND REMOVING PARTS THEREOF OR CONTENTS THEREFROM," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 22 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 34*, by Mr. Hirschi, entitled, "AN ACT AMENDING SECTIONS 36-6-2, 36-6-3, 36-6-4, 36-6-7, 36-6-9, 36-6-12, 36-6-16, 36-6-17, 36-6-18, 36-6-19 AND 36-6-20, AS ENACTED BY CHAPTER 37, LAWS OF UTAH, 1935, 36-6-15 AND 36-6-21, CHAPTER 37, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1939, AND ENACTING NEW SECTIONS TO BE KNOWN AS 36-6-22 AND 36-6-23 DESIGNATING STATE ROADS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

February 27, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 43*, by Mr. Farr, entitled, "AN ACT AMENDING SECTION 79-5-2, REVISED STATUTES OF UTAH, 1933, RELATING TO CHIROPODY," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 65*, by Mr. McMurrin, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 76, LAWS OF UTAH, 1939, RELATING TO THE PERSONNEL AND TERM OF MEMBERS OF THE STATE

COURSE OF STUDY COMMITTEE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 66*, by Mr. McMurrin, entitled, "AN ACT AMENDING SECTION 75-15-1, REVISED STATUTES OF UTAH, 1933, RELATING TO STATE TEXTBOOK COMMISSION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 66 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 79*, by Committee on Agriculture and Irrigation, entitled, "AN ACT AMENDING SECTIONS 3-11-1, 3-11-2, 3-11-3, 3-11-4, 3-11-5, 3-11-6, 3-11-8 AND 3-11-10, REVISED STATUTES OF UTAH, 1933, RELATING TO REGULATION OF REFRIGERATION PLANTS, LICENSES AND REGULATIONS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 79 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 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 82*, by Mr. Hopkin, entitled, "AN ACT PROVIDING THAT TRESPASS UPON PROPERLY POSTED LANDS FOR THE PURPOSE OF HUNTING, CAMPING, OR TRAPPING SHALL BE A MISDEMEANOR," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 82 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 91*, by Mr. Watson, entitled, "AN ACT MAKING IT UNLAWFUL TO REMOVE MINERALS, OR TO CUT OR REMOVE TIMBER FROM STATE LANDS, OR TO EXTRACT SALTS OR MINERALS FROM THE WATERS OF NAVIGABLE LAKES; TO GRAZE LIVESTOCK; TO CONSTRUCT ANY RESERVOIR, DITCH, HIGHWAY, ELECTRIC LIGHT, TELEPHONE OR TELEGRAPH LINE UPON STATE LANDS WITHOUT AUTHORITY FROM THE STATE LAND BOARD, AND PROVIDING A PENALTY AND LIABILITY THEREFOR," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 6, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 105*, by Judiciary Committee, entitled, "AN ACT AMEND-

ING CHAPTER 13, TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 104-13-17 RELATING TO RULES OF PLEADING IN REGARD TO WRITTEN INSTRUMENTS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 105 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, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 106,* by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 104-44-13, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ALLOWANCE OF COSTS BY COURTS IN SPECIAL PROCEEDINGS OTHER THAN APPEALS, AND PROVIDING FOR DOCKETING JUDGMENTS OF THE SUPREME COURT IN SUCH CASES IN THE DISTRICT COURTS, AND FOR THE LIEN THEREOF," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 106 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, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 108,* by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 80-12-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE GROSS ESTATE FOR INHERITANCE TAX PURPOSES AND PROVIDING THAT THE ESTATE MAY BE VALUED FOR SUCH PURPOSES AS OF THE DATE OF DECEDENT'S DEATH OR NINE MONTHS LATER," ex-

amined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 108 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 131*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 15-8-89, REVISED STATUTES OF UTAH, 1933, RELATING TO ZONING ORDINANCES BY LEGISLATIVE BODIES OF CITIES, AND PERMITTING LEGISLATIVE BODIES OF TOWNS TO ENACT ZONING ORDINANCES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 131 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, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 169*, by Messrs. Miller and Watson, entitled, "AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES IN MILITARY SERVICE AND TO PROVIDE THAT ALL OFFICERS AND EMPLOYEES OF THE STATE OR ANY MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION OF THE STATE WHO ARE MEMBERS OF THE NATIONAL GUARD, NAVAL MILITIA, MEMBERS OF THE RESERVE CORPS OF THE UNITED STATES ARMY OR FORCES IN THE FEDERAL MILITARY, NAVAL, OR MARINE SERVICE MAY BE ABSENT FROM THEIR PLACES OF EMPLOYMENT,"examined by this committee and a like committee from the House,

has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 169 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, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 292,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS; REPAIRS OR BUILDING OF STRUCTURES WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 292 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 5, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. M. No. 1,* by Mr. Williams, entitled, "MEMORIALIZING CONGRESS TO INITIATE A MOVEMENT TO GIVE SILVER A STANDING IN THE MONETARY SYSTEM OF THE UNITED STATES OF AMERICA AS A BASIC MONEY, AT A GIVEN RATIO OF SILVER TO GOLD," examined by this committee and a like com-

mittee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

March 10, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 167*, by Mr. Selvin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 167 was referred to the Sifting Committee.

On motion of Senator Hopkin the rules were suspended and the Senate proceeded to consider *S. B. No. 301* on third reading.

S. B. No. 301 was read the third time and placed on its final passage.

S. B. No. 301 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Child, Huggins.

S. B. No. 301 was transmitted to the House.

On motion of Senator Miller the rules were suspended and the Senate proceeded to consider *S. B. No. 234*.

S. B. No. 234 was read the third time and placed on its final passage.

S. B. No. 234 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Child, Huggins.

S. B. No. 234 was transmitted to the House.

Senator Spence, four Senators concurring therein, requested a call of the Senate.

Senator Watson was absent without leave.

On motion of Senator Miller the call was lifted.

On motion of Senator Grover the rules were suspended and the Senate proceeded to consider *S. B. No. 74* on third reading.

S. B. No. 74 was read the third time and placed on its final passage.

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

Page 9, line 27, after the period insert "No family of three or less persons, whose annual income exceeds $720 shall be eligible as tenants. No family of five persons or less, but more than three persons, whose annual income exceeds $816, shall be admitted as tenants. No family of six or more persons, whose annual income is in excess of $900, shall be admitted as tenants. It shall admit as tenants only families who have been required to move from a building in which they have been living because of its unsafe or unsanitary condition, and who, upon investigation, are entitled to the benefits of this act, provided their income is not in excess of the amount which in this act would qualify them as tenants."

Title, line 3, after "TIES" insert "HAVING A POPULATION IN EXCESS OF 50,000."

Page 3, line 3, after the period add "County means any county having a population in excess of 50,000."

Page 5, line 2, change period to comma and insert "provided, that the construction cost shall not exceed $600 per room, including land, demolition and non-dwelling facilities; for the above property. Kitchen and bathroom shall be considered as one room each."

Page 15, line 10, after the period insert "But this exemption from taxation shall cease immediately upon any project which ceases to be the property of the public housing authority."

S. B. No. 74 then passed on the following roll call:

Yeas, 12; Nays, 10; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Hopkin, Johnston, McMurrin, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Farr, Hirschi, Huggins, Lundell, Macfarlane, Miller, Morrill, Rich, Williams.

Absent and not voting: Senator Howard.

S. B. No. 74 was transmitted to the House.

Senator Child moved that the rules be suspended and that the Senate do now consider *S. B. No. 44.*

Senator Huggins, four Senators concurring therein, 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 Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Johnston, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Christensen, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill (explained vote), Rich, Williams.

S. B. No. 44 on Final Passage.

Senator Johnston, four Senators concurring therein, requested a call of the Senate.

Senators Morrill and Watson were absent without leave.

On motion of Senator Hopkin the call was lifted.

On motion of Senator Child the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-EIGHTH DAY

MORNING SESSION

March 11, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 11, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 57th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,

GEO. A. CHRISTENSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 11, 1941.

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. 5*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 85-7-18, REVISED STATUTES OF UTAH, 1933, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 85-7-18A, AND 85-7-18B RELATING TO APPLICATIONS FOR DEFINITE ADMISSION TO THE UTAH STATE HOSPITAL REQUIRING THE SAME TO SET FORTH THE RESIDENCE, AND FINANCIAL CONDITION OF SUCH APPLICANT; PROVIDING THE NOTICE TO BE GIVEN BEFORE HEARING THEREON," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 5 was transmitted to the Governor.

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 22*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 109, CHAPTER 46, LAWS OF UTAH, 1935, AND REPEALING SECTIONS 110, 111 AND 112, OF CHAPTER 46, LAWS OF UTAH, 1935, PERTAINING TO UNLAWFUL TAKING OF MOTOR VEHICLES, OBTAINING POSSESSION THEREOF BY FRAUD, DEPRIVING OWNERS OF POSSESSION THEREOF AND REMOVING PARTS THEREOF OR CONTENTS THEREFROM," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 22 was transmitted to the Governor.

March 11, 1941.

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 Mr. McMurrin, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 76, LAWS OF UTAH, 1939, RELATING TO THE PERSON-

NEL AND TERM OF MEMBERS OF THE STATE COURSE OF STUDY COMMITTEE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 65 was transmitted to the Governor.

March 11, 1941.

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. Watson, entitled, "AN ACT MAKING IT UNLAWFUL TO REMOVE MINERALS, OR TO CUT OR REMOVE TIMBER FROM STATE LANDS, OR TO EXTRACT SALTS OR MINERALS FROM THE WATERS OF NAVIGABLE LAKES; TO GRAZE LIVESTOCK; TO CONSTRUCT ANY RESERVOIR, DITCH, HIGHWAY, ELECTRIC LIGHT, TELEPHONE OR TELEGRAPH LINE UPON STATE LANDS WITHOUT AUTHORITY FROM THE STATE LAND BOARD, AND PROVIDING A PENALTY AND LIABILITY THEREFOR," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 91 was transmitted to the Governor.

March 11, 1941.

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. 131*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 15-8-89, REVISED STATUTES OF UTAH, 1933, RELATING TO ZONING ORDINANCES BY LEGISLATIVE BODIES OF CITIES, AND PERMITTING LEGISLATIVE BODIES OF TOWNS TO ENACT ZONING ORDINANCES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 131 was transmitted to the Governor.

March 11, 1941.

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. 169,* by Messrs. Miller and Watson, entitled, "AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES IN MILITARY SERVICE AND TO PROVIDE THAT ALL OFFICERS AND EMPLOYEES OF THE STATE OR ANY MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION OF THE STATE WHO ARE MEMBERS OF THE NATIONAL GUARD, NAVAL MILITIA, MEMBERS OF THE RESERVE CORPS OF THE UNITED STATES ARMY OR FORCES IN THE FEDERAL MILITARY, NAVAL, OR MARINE SERVICE MAY BE ABSENT FROM THEIR PLACES OF EMPLOYMENT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Comunication filed.

S. B. No. 169 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

March 10, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 25,* by Committee on Highways, entitled, "AN ACT EMPOWERING THE BOARD OF EDUCATION IN EVERY SCHOOL DISTRICT TO ORGANIZE SCHOOL SAFETY PATROLS AND APPOINT PUPILS AS MEMBERS THEREOF; AND PROVIDING THAT LIABILITY SHALL NOT ATTACH TO SCHOOL DISTRICTS, OR THE OFFICIALS OR AUTHORITIES THEREOF BY VIRTUE OF THE ORGANIZATION, MAINTENANCE AND OPERATION OF SUCH SCHOOL SAFETY PATROLS," examined by this committee and a like committee form the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 25 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *H. B. No. 151*, by Messrs. Bench and Lund, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

H. B. No. 151 was referred to the Sifting Committee.

Upon unanimous consent of the Senate the following bills were introduced:

S. B. No. 305 By Committee on State and Municipal Affairs

AN ACT RELATING TO THE POLICING OF THE STATE; CREATING A STATE HIGHWAY PATROL, THE OFFICE OF SUPERINTENDENT THEREOF AND PROVIDING FOR THE POWERS, DUTIES AND FUNCTIONS OF THE STATE HIGHWAY PATROL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 306 By Committee on State and Municipal Affairs

AN ACT RELATING TO THE FINANCIAL ACTIVITIES OF THE STATE AND ADMINISTRATION THEREOF, CREATING THE DEPARTMENT OF FINANCE, PROVIDING FOR A COMMISSION OF FINANCE, ITS MEMBERSHIP, QUALIFICATIONS, TERMS OF OFFICE, SALARIES, POWERS, DUTIES AND FUNCTIONS AND PROVIDING FOR AN ADVISORY COUNCIL, AND FOR A PURCHASING STANDARDIZATION COMMITTEE, AND REPEALING SECTIONS 90-0-1, 90-0-4, 90-0-5, 90-0-6 AND 90-0-7, REVISED STATUTES OF UTAH, 1933, AND SECTIONS 90-0-2 AND 90-0-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 78, LAWS OF UTAH, 1933, was read the first time and referred to the Committee on Revision and Enrolling.

Senator McMurrin moved that the Senate meet in Joint Convention with the House this afternoon at five o'clock to hear an address by Helen Keller.

Motion carried.

UNFINISHED BUSINESS

S. B. No. 44 on final passage.

Senator Child moved that the rules be suspended and that it be the policy of the Senate to vote on *S. B. No. 44* at 12 o'clock this noon.

Senator Miller, four Senators concurring therein, requested a roll call on the motion.

The motion carried on the following roll call:

Yeas, 16; Nays, 7; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen (explained vote), Dawson, Ellett, Ericksen, Farr, Johnston, Miller (explained vote), Morrill, Rich, Spence, Watson, Williams (explained vote), Mr. President.

Those voting in the negative were: Senators Hirschi (explained vote), Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin.

Senator Child, four Senators concurring therein, requested a call of the Senate.

Senators Spence and Watson were absent without leave.

On motion of Senator Huggins the call was lifted.

S. B. No. 44 then passed on the following roll call:

Yeas, 13; Nays, 10; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Johnston, Morrill, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Christensen, Hopkin, Howard, Huggins (explained vote), Lundell (explained vote), Macfarlane, McMurrin, Miller, Rich, Williams.

S. B. No. 44 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 111 was read the third time and placed on its final passage.

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

Page 1, line 5, strike the word "sixteen" and insert the word "eighteen".

S. B. No. 111 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Mr. President.

Absent and not voting: Senators McMurrin, Spence, Watson, Williams.

S. B. No. 111 was transmitted to the House.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

Roll Call—All Senators present.

Senator Macfarlane moved that, this being the birthday of His Excellency, Governor Herbert B. Maw, the secretary be instructed to address a communication to His Excellency extending to him the felicitations of the Senate.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 25*, by Committee on Highways, entitled, "AN ACT EMPOWERING THE BOARD OF EDUCATION IN EVERY SCHOOL DISTRICT TO ORGANIZE SCHOOL SAFETY PATROLS AND APPOINT PUPILS AS MEMBERS THEREOF; AND PROVIDING THAT LIABILITY SHALL NOT ATTACH TO SCHOOL DISTRICTS, OR THE OFFICIALS OR AUTHORITIES THEREOF BY VIRTUE OF THE ORGANIZATION, MAINTENANCE AND OPERATION OF SUCH SCHOOL SAFETY PATROLS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 25 was transmitted to the Governor.

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 34*, by Mr. Hirschi, entitled, "AN ACT AMENDING SECTIONS 36-6-2, 36-6-3, 36-6-4, 36-6-7, 36-6-9, 36-6-12, 36-6-16, 36-6-17, 36-6-18, 36-6-19 AND 36-6-20, AS ENACTED BY CHAPTER 37, LAWS OF UTAH, 1935, 36-6-15 AND 36-6-21, CHAPTER 37, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1939, AND ENACTING NEW SECTIONS TO BE KNOWN AS 36-6-22 AND 36-6-23, DESIGNATING STATE ROADS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 34 was transmitted to the Governor.

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 43*, by Mr. Farr, entitled, "AN ACT AMENDING SECTION 79-5-2, REVISED STATUTES OF UTAH, 1933, RELATING TO CHIROPODY," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 43 was transmitted to the Governor.

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 66*, by Mr. McMurrin, entitled, "AN ACT AMENDING SECTION 75-15-1, REVISED STATUTES OF UTAH, 1933, RELATING TO STATE TEXT-BOOK COMMISSION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 66 was transmitted to the Governor.

March 11, 1941.

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. 79*, by Committee on Agriculture and Irrigation, entitled, "AN ACT AMENDING SECTIONS 3-11-1, 3-11-2, 3-11-3, 3-11-4, 3-11-5, 3-11-6, 3-11-8 AND 3-11-10, REVISED STATUTES OF UTAH, 1933, RELATING TO REGULATION OF REFRIGERATION PLANTS, LICENSES AND REGULATIONS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 79 was transmitted to the Governor.

March 11, 1941.

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. 82*, by Mr. Hopkin, entitled, "AN ACT PROVIDING THAT TRESPASS UPON PROPERLY POSTED LANDS FOR THE PURPOSE OF HUNTING, CAMPING, OR TRAPPING SHALL BE A MISDEMEANOR," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 82 was transmitted to the Governor.

March 11, 1941.

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. 105*, by Judiciary Committee, entitled, "AN ACT AMENDING CHAPTER 13, TITLE 104, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 104-13-17 RELATING TO RULES OF PLEADING IN REGARD TO WRITTEN INSTRUMENTS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 105 was transmitted to the Governor.

March 11, 1941.

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. 106*, by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 104-44-13, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ALLOWANCE OF COSTS BY COURTS IN SPECIAL PROCEEDINGS OTHER THAN APPEALS, AND PROVIDING FOR DOCKETING JUDGMENTS OF THE SUPREME COURT IN SUCH CASES IN THE DISTRICT COURTS, AND FOR THE LIEN THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 106 was transmitted to the Governor.

March 11, 1941.

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. 108*, by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 80-12-3, REVISED STATUTES OF UTAH, 1933, RELATING TO THE DETERMINATION OF THE GROSS ESTATE FOR INHERITANCE TAX PURPOSES AND PROVIDING THAT THE ESTATE MAY BE VALUED FOR SUCH PURPOSES AS OF THE DATE OF A DECEDENT'S DEATH OR NINE MONTHS LATER," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 108 was transmitted to the Governor.

March 11, 1941.

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. 292*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 79-3-6, REVISED STATUTES OF UTAH, 1933, BY ADDING TO SAID SECTION PROVISIONS EXEMPTING FROM THE DEFINITION THEREIN SET FORTH THE PLANNING AND SUPERVISING OF ALTERATIONS; REPAIRS OR BUILDING OF STRUCTURES WHERE THE SAME ARE TO BE USED FOR RESIDENTIAL OR FARM PURPOSES, AND THE CONSTRUCTION OF CERTAIN BUILDINGS OR STRUCTURES COVERING LESS THAN 2,000 SQUARE FEET OF GROUND, AND EXEMPTING OFFICERS AND EMPLOYEES OF THE UNITED STATES GOVERNMENT PRACTICING ENGINEERING AND ARCHITECTURE FROM THE PROVISIONS OF SAID SECTION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 292 was transmitted to the Governor.

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. C. M. No. 1*, by Mr. Williams, entitled, "MEMORIALIZING CONGRESS TO INITIATE A MOVEMENT TO GIVE SILVER A STANDING IN THE

MONETARY SYSTEM OF THE UNITED STATES OF AMERICA AS A BASIC MONEY, AT A GIVEN RATIO OF SILVER TO GOLD," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEE

March 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 305*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 305 was ordered printed and referred to the Committee on State and Municipal Affairs.

March 11, 1941.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 306*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the Committee, and recommends the bill be printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 306 was ordered printed and referred to the Committee on State and Municipal Affairs.

On motion of Senator Grover the rules were suspended and the Senate proceeded to consider *S. B. No. 75*.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 75 was read the second time.

Committee report read and adopted.

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

Page 6, line 18, after the word "habitation" insert "for a monetary consideration".

Page 4, line 29, beginning with the word "and" strike up to and including the word "calendar" on line 30.

Line 32, beginning with the word "In" strike up to and including the word "conclusive" on line 33.

Page 5, line 1, after the word "court" strike the balance of the paragraph.

Line 17, strike the comma, insert a period and strike the balance of the section.

Line 15, preceding the figure "4" insert the word "and".

Page 3, line 15, strike the word "prior".

Line 16, strike the last five words.

Line 17, strike the first eight words.

Page 2, line 5 after the word "least" insert "twenty-".

On motion of Senator Grover the rules were suspended and *S. B. No. 75* was read the third time and placed on its final passage.

Senator Grover, four Senators concurring therein, requested a call of the Senate.

Senators Spence, Johnston, Watson and Lundell were absent without leave.

On motion of Senator Grover the call was lifted.

S. B. No. 75 failed to pass on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey Child, Ellett, Ericksen, Hopkin, Johnston, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Christensen, Dawson, Farr, Hirschi, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Williams.

S. B. No. 75 was filed.

On motion of Senator Ericksen the rules were suspended and the Senate proceeded to consider *S. B. No. 270*.

S. B. No. 270 was read the second time.

Committee report read and adopted.

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

Delete all of subsection "(1)" except the subsection designation, and insert the following:

"Associates, in a lewd and lascivious manner, with any person whether married or unmarried, shall be guilty of open and gross lewdness or lascivious behavior, or who shall designedly make any open, public, or indecent exposure of his or her person or the private parts thereof, or the person or private parts of another; or,".

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

Page 1, line 14, after the word "exhibits" insert the words "by machine or otherwise".

On motion of Senator Spence the rules were suspended and *S. B. No. 270* was read the third time and placed on its final passage.

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

Page 1, line 18, and page 2, line 1, after the word "education" insert the words "or any other place".

S. B. No. 270 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Howard.

S. B. No. 270 was transmitted to the House.

On motion of Senator Grover the rules were suspended and the Senate proceeded to consider *S. B. Nos. 76* and *147*.

S. B. No. 76 was read the second time.

Committee report read and adopted.

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

Page 1, line 6, beginning with the word "all" strike up to and including the word "business," on line 7.

Line 8, strike the word "guardians".

In the title, line 12, beginning with the word "ALL" strike up to and including the word "BUSINESS" on line 14.

Line 15, strike the word "GUARDIANS".

Page 2, line 11, strike the word "insurance".

On motion of Senator Grover the rules were suspended and *S. B. No. 76* was read the third time and placed on its final passage.

Senator Child, four Senators concurring therein, requested a call of the Senate.

Senators Macfarlane, Bailey and Morrill were absent without leave.

On motion of Senator Spence the call was lifted.

S. B. No. 76 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Howard.

S. B. No. 76 was transmitted to the House.

S. B. No. 147 was read the second time.

Committee report read and adopted.

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

In the title, lines 1 and 9, strike the words "AND CERTAIN" and after the word "CITIES" insert the words "AND TOWNS".

Line 15, after the word "CITY" insert ", TOWN".

Lines 18 and 20, strike the word "AND" and insert a comma; also after the word "CITIES" insert the words "AND TOWNS".

Page 2, line 14, strike word "and" after the word "counties" and insert a comma, also after the word "cities" insert the words "and towns".

Line 17, the first word "pediatious" to read "peditious".

Lines 20, 22, 24, 28 and 29, after the word "city" insert ", town".

Page 3, lines 7, 13, 14, 19, 21, 28, 31 and 32, after the word "city" insert ", town".

Page 4, line 2, after the word "cities," insert "towns,".

Lines 8, 16, 18, 21, 27 and 33, after the word "city" insert ", town".

Page 5, line 2, after the word "city" insert ", town".

Strike lines 31 and 32 and reletter the following subsection.

Page 6, lines 1, 3 and 9, after the word "city" insert ", town".

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

Page 2, line 29, strike the word "such" and insert the word "any".

Line 30, in the blank space insert "S. B. No. 74 of the 24th session of the Legislature".

Line 29, strike the word "chapter".

Line 30, strike "laws of Utah, 1941".

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

Page 5, strike lines 11 to 15, inclusive, and reletter the following subsections.

Senator Child, four Senators concurring therein, requested a Call of the Senate.

Senators Howard, McMurrin and Johnston were absent without leave.

On motion of Senator Miller the call was lifted.

S. B. No. 147 was placed on the third reading calendar on the following roll call:

Yeas, 13; Nays, 10; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey Child, Dawson, Ellett, Ericksen, Hopkin, Johnston, McMurrin, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Christensen, Farr, Hirschi, Howard, Huggins, Lundell, Macfarlane, Miller, Morrill, Williams.

COMMUNICATIONS FROM THE HOUSE

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 19*, by Mr. Pace, entitled, "A JOINT RESOLUTION CONGRATULATING THE GOVERNOR OF THE STATE OF UTAH, HERBERT B. MAW, UPON HIS BIRTHDAY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 19 was read the first time.

On motion of Senator Huggins the rules were suspended and *H. J. R. No. 19* was read the second and third times and placed on its final passage.

H. J. R. No. 19 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Morrill, Spence.

H. J. R. No. 19 was returned to the House.

March 11, 1941.

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. 210,* by Mr. Elswood, entitled, "AN ACT APPROPRIATING $15,000 FOR THE PAYMENT OF THE ADDITIONAL EXPENSES OF THE TWENTY-FOURTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 210 was read the first time.

On motion of Senator Macfarlane the rules were suspended and *H. B. No. 210* was read the second and third times and placed on its final passage.

H. B. No. 210 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins. Johnston, Lundell, Macfarlane, McMurrin, Miller, Rich, Williams.

Absent and not voting: Senators Bailey, Morrill, Spence, Watson, Mr. President.

H. B. No. 210 was returned to the House.

March 11, 1941.

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. 45,* by Mr. Bennion, Mr. Stringham and Mr. Liddell, entitled, "AN ACT PROVIDING FOR THE ORGANIZATION OF HEALTH COOPERATIVES, ESTABLISHING STATE POLICY RELATING THERETO, DEFINING TERMS; DEFINING THE PURPOSES OF SUCH COOPERATIVES, DETERMINING WHO MAY ORGANIZE AND HOW SUCH ORGANIZATIONS MAY BE EFFECTED, ESTABLISHING THE AUTHORITY, POWERS AND DUTIES OF SUCH COOPERATIVES, PLACING SUCH COOPERATIVES UNDER THE SUPERVISION OF THE STATE INSURANCE COMMISSIONER, REQUIRING SUCH COOPERATIVES TO COMPLY WITH ALL STATE HEALTH AND SANITATION LAWS AND REGULATIONS, AND REPEALING ALL ACTS IN CONFLICT HEREWITH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 45 was read the first time and referred to the Committee on Health and Labor.

March 11, 1941.

Mr. President.

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 96*, by Mr. T. M. Rees and Mrs. Jacob, entitled, "AN ACT AMENDING SECTION 103-57-6, REVISED STATUTES OF UTAH, 1933, RELATING TO OBTAINING PERMISSION FOR REMOVING RELICS OR GEOLOGICAL, MINERALOGICAL AND ARCHAEOLOGICAL SPECIMENS, FROM PUBLIC OR PRIVATE PROPERTY, MAKING EXEMPTIONS, AND PROVIDING PENALTY FOR EFFACING AND DESTROYING HIEROGLYPHICS OR VIOLATING ANY PROVISION OF THIS ACT," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 96 was read the first time and referred to the Committee on Mining and Smelting.

March 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *H. B. No. 137*, by Mr. Bennion, entitled, "AN ACT AMENDING SECTIONS 100-2-1, 100-2-8, REVISED STATUTES OF UTAH, 1933; SECTION 100-5-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935; SECTIONS 100-3-16 AND 100-3-25, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937; SECTION 100-6-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937; SECTION 100-3-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTIONS 100-3-5 AND 100-3-8, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTION 100-5-13, REVISED STATUTES OF UTAH, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTION 100-5-14, REVISED STATUTES OF UTAH, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE THERETO, THE

APPROPRIATION, ADMINISTRATION, AND DISTRIBUTION THEREOF, AND RELATING TO THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION, AND AMENDING CHAPTER 2, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 100-2-16, AUTHORIZING THE STATE ENGINEER TO ASSIST IN THE SETTLEMENT OF DISPUTES OVER WATER AND THE DISTRIBUTION THEREOF," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 137 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 10, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 180,* by Mr. T. M. Rees and Mrs. Jacob, entitled, "AN ACT TO AMEND SECTION 100-4-3, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 112, LAWS OF UTAH, 1939, AND SECTION 100-4-18, REVISED STATUTES OF UTAH, 1933, RELATING TO THE PROCEDURE TO BE FOLLOWED BY THE DISTRICT COURTS IN ACTIONS INVOLVING THE RIGHT TO THE USE OF WATER IN RIVER SYSTEMS, LAKES, UNDERGROUND WATER BASINS AND OTHER SOURCES OF SUPPLY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 180 was read the first time and referred to the Committee on Judiciary.

March 11, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 206,* by Messrs. McGean, Brewster, Hainsworth, Reid and Elswood, entitled, "AN ACT AMENDING SECTION 18, CHAPTER 110, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 133, LAWS OF UTAH, 1937, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 18-A, RELATING TO THE POWERS OF METROPOL-

ITAN WATER DISTRICTS AND THE APPOINTMENT OF ATTORNEYS AND ENGINEERS FOR ANY SUCH DISTRICTS AS SHALL BE INCLUDED WITHIN THE AREA OF ONLY ONE MUNICIPALITY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 206 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

March 11, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 22,* by Mr. Miller and Mr. Leavitt, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 22 was referred to the Sifting Committee.

March 11, 1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 117,* by Revenue and Taxation Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 117 was referred to the Sifting Committee.

March 11 ,1941.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 118,* by Revenue and Taxation Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 118 was referred to the Sifting Committee.

March 11, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 99*, by Messrs. Jacob, Bennion, Selvin, Twitchell, Redd and Rees, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 99 was referred to the Sifting Committee.

March 11, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 47*, by Messrs. Leary and Rees, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 47 was referred to the Sifting Committee.

March 11, 1941.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 105*, by Messrs. Rees, Jack, Jacob, Twitchell, Garff, Brewster, Redd, England, McGean, Rees, Macfarlane, Jenkins and Dix, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 105 was referred to the Sifting Committee.

March 11, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 305*, by Committee on State and Municipal Affairs, has carefully considered said bill and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 305 was referred to the Sifting Committee.

March 11, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 306*, by Committee on State and Municipal Affairs, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

S. B. No. 306 was referred to the Sifting Committee.

On motion of Senator Farr the Senate adjourned until tomorrow at 10:00 a.m.

FIFTY-NINTH DAY

MORNING SESSION

March 12, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 12, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 58th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,
GEO. A. CHRISTENSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 11, 1941.

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. 209*, by Mr. Bennion, entitled, "AN ACT AMENDING SECTION 1, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AS AMENDED BY

CHAPTER 74, LAWS OF UTAH, 1935, AND SECTIONS 3 AND 9, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, RELATING TO INDUSTRIAL RECOVERY PUBLIC PROJECTS OR SERVICE, AND PROVIDING A MEANS FOR THE PURCHASE, CONSTRUCTION, IMPROVEMENT, ENLARGEMENT EXTENSION AND REPAIR BY ANY COUNTY, COUNTY IMPROVEMENT DISTRICT, CITY, OR INCORPORATED TOWN OF A WATER-WORKS SYSTEM, SEWER SYSTEM, SANITARY DISPOSAL EQUIPMENT AND APPLIANCES, ICE PLANT, GAS OR ELECTRIC PLANTS AND DISTRIBUTION SYSTEMS, HOSPITALS, TOLL BRIDGES, SLAUGHTER HOUSES, AND ANY PUBLIC PROJECT OR SERVICE WHICH MAY BE LAWFULLY OWNED AND OPERATED OR MANAGED BY SUCH COUNTIES, CITIES OR INCORPORATED TOWNS; ALSO TO PROVIDE FOR THE ISSUANCE BY REVENUE BONDS TO COVER THE COST THEREOF AND TO PROVIDE A MEANS OF PAYMENT THEREFOR FROM THE REVENUES OF SUCH PROJECTS OR SERVICES; PROVIDING A MEANS OF SEGREGATING THE REVENUE FROM EXISTING PROJECTS OR SERVICES AND ANY ADDITIONS, EXTENSIONS, BETTERMENTS OR REPAIRS THEREOF; PORVIDING A MEANS FOR REQUIRING BOND ELECTIONS TO BE HELD IN CONNECTION THEREWITH; PROVIDING CONDITIONS AND REGULATIONS WITH RESPECT TO THE PURCHASE, CONSTRUCTION AND OPERATION OF SUCH PROJECTS OR SERVICES AND THE MANNER OF ISSUANCE, TERMS AND CONDITIONS OF SUCH BONDS; AND REPEALING SECTION 22, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AND SECTION 23, CHAPTER 22, LAWS OF UTAH, 1933, SECOND SPECIAL SESSION, AS AMENDED BY CHAPTER 74, LAWS OF UTAH, 1935," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 209 was read the first time and referred to the Sifting Committee.

March 11, 1941.

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. 9*, by Mr. T. M. Rees, Mrs. Jacob, Mr. Brewster, Mr. Hinckley, Mr. Kerr, Mr. Lund, Mr. Midgley, Mr. Miller and Mr. Pace, entitled, "AN ACT AMENDING CHAPTER 41, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 46, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTERS 58 AND 59, LAWS OF UTAH, 1939, BY

ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 30, 31, 32, 33, 34, 35 AND 36, PROVIDING FOR INSURANCE RESERVES, FIXING THE BASIS OF SUCH RESERVES; PROVIDING THAT POLICIES WITH PRELIMINARY TERM INSURANCE INCLUDE A CLAUSE OUTLINING THE TERMS OF SUCH INSURANCE; PROVIDING FOR ADDITIONAL PREMIUMS OR ASSESSMENTS AND THE MANNER IN WHICH THEY MAY BE MADE, ASSESSED, CHARGED OR ENFORCED; PROVIDING FOR OPTION OF PAYMENT THEREOF AND HOW SUCH OPTION MAY BE EXERCISED; EXEMPTING CERTAIN CORPORATIONS FROM THE PROVISIONS HEREOF; REQUIRING APPROVAL BY THE INSURANCE COMMISSIONER OF SUCH ADDITIONAL PREMIUMS OR ASSESSMENTS; AND FIXING THE MANNER OF SUCH APPROVAL; REQUIRING DEPOSITS BY BENEFIT ASSOCIATIONS AND FIXING THE AMOUNT AND PURPOSE THEREOF; SPECIFYING REQUIRED CHARACTER OF INVESTMENTS AND LOANS; EXEMPTING CERTAIN ASSOCIATIONS FROM THE PROVISIONS OF SECTIONS 11, 18 AND 27, CHAPTER 46, LAWS OF UTAH, 1937, AND SECTION 12, CHAPTER 58, LAWS OF UTAH, 1939; LIMITING THE AMOUNT OF INSURANCE WHICH MAY BE WRITTEN BY ANY BENEFIT ASSOCIATION UPON ONE RISK AND PERMITTING REINSURANCE BASED UPON A GIVEN FORMULA AND PROVIDING FOR APPROVAL THEREOF BY THE INSURANCE COMMISSIONER; AMENDING SECTION 13, CHAPTER 46, LAWS OF UTAH, 1937, DEFINING THE POWERS AND DUTIES OF THE INSURANCE COMMISSIONER OF THE STATE OF UTAH OVER BENEFIT ASSOCIATIONS AND ADDING SECTIONS 13 A, B, C, D, E, F, G, H, I; PROVIDING FOR THE EXAMINATION AND INVESTIGATION OF BOOKS AND PAPERS OF SUCH ASSOCIATIONS; FIXING PENALTIES FOR FALSE TESTIMONY WITH RELATION THERETO OR FOR THE WILLFUL MAKING OF FALSE CERTIFICATES, ENTRIES OR MEMORANDUMS UPON RECORDS, BOOKS, OR PAPERS OF SUCH COMPANIES OR ASSOCIATIONS WITH INTENT TO DECEIVE THE INSURANCE COMMISSIONER AND FIXING PENALTIES THEREFOR; PROVIDING FOR THE CUSTODY, DEPOSIT AND ACCOUNTING OF SECURITIES DEPOSITED WITH THE STATE INSURANCE COMMISSIONER, PROVIDING PENALTIES FOR HIS WILLFUL FAILURE, REFUSAL OR NEGLECT TO FAITHFULLY KEEP, DEPOSIT, ACCOUNT FOR OR SURRENDER THE SAME IN THE MANNER PROVIDED BY LAW; REQUIRING SUCH COMPANIES TO SUBMIT TO THE COMMISSIONER OF INSURANCE ALL FORMS OF POLICIES AND AGENTS' MANUALS FOR HIS APPROVAL; AND PROVIDING FOR REVIEW THEREOF; PROHIBITING MISREPRESENTATION OF TERMS OF POLICIES AND PROVIDING THE PENALTY THEREFOR; PROHIBITING SPECIAL INDUCEMENTS TO PURCHASE INSURANCE AND PROVIDING PENALTY THEREFOR; PROHIBITING DISCRIMINATION

BETWEEN RISKS OF SAME CLASS AND PROVIDING PENALTY THEREFOR," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 9 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 11, 1941.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 206*, by Messrs. McGean, Brewster, Hainsworth, Reed and Elswood, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ED. H. WATSON,
Chairman.

Report filed.

H. B. No. 206 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 147 was read the third time and placed on its final passage.

Senator Huggins, four Senators concurring therein, requested a Call of the Senate.

Senators Christensen, Howard and Williams were absent without leave.

On motion of Senator Bailey the call was lifted.

S. B. No. 147 failed to pass on the following roll call:

Yeas, 11; Nays, 11; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Johnston, McMurrin, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Christensen, Farr, Hirschi, Hopkin, Howard, Huggins, Lundell, Miller, Morrill, Rich, Williams.

Absent and not voting: Senator Macfarlane.

S. B. No. 147 was filed.

Senator Child moved that a communication be directed to the House requesting them to take action in appointing a Conference Committee to act on *S. B. No. 26*.

Motion carried.

REPORT OF SPECIAL COMMITTEE

March 12, 1941.

Mr. President:

Your Sifting Committee requests that the Second Reading Calendar be cleared and that the following bills take their places on the calendar:

S. B. Nos. 297, 64, 47, 186, 187, 188, 242 and 138.

H. B. Nos. 82, 28, 20, 56, 68, 86, 110, 133, 129, 105, 92, 145, 167, 67, 45, 157, 137 and 206.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 1, lines 10 and 11 of the title, strike the words "BOARD OF CONTROL" and insert the words "DEPARTMENT OF FINANCE".

Line 17 of the title, strike the word "BOARD" and insert the word "DEPARTMENT".

Line 5, strike the first seven words.

Line 21, strike ";" insert a "." and strike the balance of the title.

Page 4, line 29, strike the words "board of control" and insert in lieu thereof the words "department of finance".

Page 2, line 2, strike the words "as follows".

Page 6, lines 14 and 23, strike the words "as follows".

Page 7, line 6, strike the words "of the".

Strike lines 11, 12 and 13, and insert in lieu thereof the following:

"Sections 42-5-3, 42-5-4, and 42-5-5, revised statutes of Utah, 1933, are repealed, as are all laws and parts of laws in conflict herewith."

Page 2, line 1, strike "1,".

Strike lines 3, 4 and 5 and renumber the following sections.

Page 1, line 1, strike "1,".

Lines 17 and 18, strike "3, 4, AND 5, OF CHAPTER 5, TITLE 42," and insert in lieu thereof the following: "42-5-3, 42-5-4, AND 42-5-5,".

H. B. No. 28 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 Ashton, Bailey, Child, Dawson, Ellett (explained vote), Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston (explained vote), Lundell (explained vote), Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Williams (explained vote), Mr. President.

Voting in the negative: Senator Howard (explained vote).

Absent and not voting: Senators Christensen, Watson.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Grover in the chair.

Roll Call—All Senators present.

COMMUNICATION FROM THE HOUSE

March 12, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 131,* by Mr. Selvin, entitled, "AN ACT AMENDING SECTION 30-0-12, REVISED STATUTES OF UTAH, 1933, LICENSE TO HUNT, TRAP OR FISH, PROVIDING THAT BLIND PERSONS MAY FISH WITHOUT LICENSE CHARGE," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 131 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 4, 1941.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 258*, by Mr. Lundell, by request, has carefully considered said bill, and reports the same out favorably with the recommendation that the committee try to get a better price on the land if possible.

Respectfully,

ARTHUR O. ELLETT,
Chairman.

Report filed.

S. B. No. 258 was referred to the Sifting Committee.

March 12, 1941.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *H. B. No. 96*, by T. M. Rees and Maude B. Jacob, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

BYRON A. HOWARD,
Chairman.

Report filed.

H. B. No. 96 was referred to the Sifting Committee.

On motion of Senator Christensen the President appointed a committee consisting of Senators Macfarlane, Morrill and Huggins to wait upon the Speaker of the House, in open session, and ascertain why he does not appoint a conference committee to consider *S. B. No. 26*.

On motion of Senator Lundell all rules were suspended and the Senate proceeded to consider *S. B. No. 297*.

S. B. No. 297 was read the second time.

Committee report read and adopted.

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

Page 6, line 28, place a period after the word "advertising" and strike the balance of the subsection.

Page 11, strike line 25 and insert in lieu thereof the following: "Section 29. Cooperative dairy associations and their members shall not be subject to the provisions of this act, except the provisions of Section 12 hereof."

Senator Huggins, four Senators concurring therein, requested a Call of the Senate.

Senators Spence and McMurrin were absent without leave.

On motion of Senator Macfarlane the call was lifted.

Senator Huggins moved to amend the bill as follows:

Page 1, line 4 of the title, after the word "PRODUCER" insert "AND DISTRIBUTORS".

Senator Huggins, four Senators concurring therein, requested a roll call on the motion.

The motion failed to pass on the following roll call:

Yeas, 10; Nays, 13; Absent, 0.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Huggins, Macfarlane, Morrill, Rich, Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Ellett, Ericksen, Hopkin (explained vote), Howard, Johnston (explained vote), Lundell, McMurrin (explained vote), Miller, Spence, Watson, Williams.

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

Page 10, line 19, after the word "under" insert the word "separate".

Page 7, insert between lines 23 and 24 the following: "and the person so aggrieved shall have the right of appeal as a trial de novo in the district court within the district wherein he resides."

On motion of Senator Hopkin the rules were suspended and *S. B. No. 297* was read the third time and placed on its final passage.

S. B. No. 297 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell (explained vote), Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President (explained vote).

S. B. No. 297 was transmitted to the House.

Senator Morrill moved that the rules be suspended and that *H. B. No's. 157, 67* and *137* be moved to the head of the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 157 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *H. B. No. 157* was read the third time and placed on its final passage.

H. B. No. 157 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson.

Voting in the negative: Senator Huggins.

Absent and not voting: Senators Farr, Johnston, Williams, Mr. President.

H. B. No. 157 was returned to the House.

H. B. No. 67 was read the second time.

Committee report read and adopted.

On motion of Senator Ellett the rules were suspended and *H. B. No. 67* was read the third time and placed on its final passage.

H. B. No. 67 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Hirschi, Hopkin, Howard, Huggins, Lundell, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson, Mr. President.

Voting in the negative: Senator Dawson.

Absent and not voting: Senators Ericksen, Farr, Johnston, Rich, Williams.

H. B. No. 67 was returned to the House.

H. B. No. 137 was read the second time.

Committee report read and adopted.

On motion of Senator Grover 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, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Christensen, Farr, Howard, Huggins, Johnston, Lundell, Williams.

H. B. No. 137 was returned to the House.

COMMUNICATION

THE STATE OF UTAH

Salt Lake City, Utah

March 11, 1941.

To the Senate:

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body, claim of Mr. John C. Crosswhite, of 600 East Garfield Street, Glendale, Calif., covering damages sustained by him in an automobile collision at Farmington, Utah, on Sunday, March 2, 1941, with a National Guard truck, driven by Richard Trump, a National Guardsman.

Upon recommendations of the Utah National Guard, the Board of Examiners unanimously approved this claim in amount of $275.00 for repairs to Mr. Crosswhite's 1938 Dodge Sedan automobile, and $50.00 for personal expenses incident to this accident.

Recommendation is made to your Honorable Body that an appropriation be made for payment of this claim.

Yours very respectfully,

E. E. MONSON,
Secretary, State Board of Examiners.

P.S. Since the Board of Examiners met and approved this claim a supplemental estimate in the amount of $38.11 has been filed, which is attached hereto, and same is transmitted to your Honorable Body without recommendation.

Communication filed.

Claim was referred to the Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE

March 12, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 26*, by Committee on Highways, and has appointed a conference committee consisting of Representatives Milliman, Twitchell and Midgley to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane the President appointed a Conference Committee consisting of Senators Farr, Johnston and Williams to act with a like committee from the House.

March 12, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 140,* by Committee on Health and Labor, entitled, "AN ACT AMENDING SECTIONS 43-3-36, 43-3-37 AND 43-3-38, REVISED STATUTES OF UTAH, 1933; RELATING TO WORKMEN'S COMPENSATION INSURANCE, OCCUPATIONAL DISEASE INSURANCE AND INSURANCE COMPANIES WRITING SUCH INSURANCE," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 140 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1941.

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. 141,* by Committee on Health and Labor, entitled, "AN ACT AMENDING SECTION 42-2-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 51, LAWS OF UTAH, 1939, AND SECTION 42-2-4, REVISED STATUTES OF UTAH, 1933; RELATING TO THE INDUSTRIAL COMMISSION OF UTAH, THE STATE INSURANCE FUND, WORKMEN'S COMPENSATION INSURANCE AND OCCUPATIONAL DISEASE INSURANCE," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 141 was referred to the committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 257,* by Mr. Huggins, entitled, "AN ACT PROVIDING A METHOD OF PROCEDURE OF ESCHEATING TO THE

STATE OF UTAH UNCLAIMED DIVIDENDS AND DEPOSITS OF LIQUIDATED BANKS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 257 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1941.

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 10, and passed *S. B. No. 285,* by Mr. Hopkin, entitled, "AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT," and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 10, 1941.

Mr. President and Mr. Speaker:

Your Conference Committee appointed to study and make recommendations on *S. B. No. 285,* begs leave to report as follows:

The Conference Committee of the Senate and the House agreed unanimously to concur in the House amendments on *S. B. No. 285.*

Respectfully,

ALONZO F. HOPKIN,
Chairman, Senate Committee,

SOL J. SELVIN,
Chairman, House Committee.

Report adopted and filed.

S. B. No. 285 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard,

Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senator Williams.

S. B. No. 285 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Macfarlane the Senate adjourned until tomorrow at 10:00 a.m.

SIXTIETH DAY

MORNING SESSION

March 13, 1941.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 13, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 59th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,
GEO. A. CHRISTENSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 12, 1941.

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 Messrs. Bailey, Johnston, Morrill and Grover, entitled, "AN ACT PROVIDING LICENSES FOR RETAIL CHAIN STORES MAINTAINED OR OPERATED IN THIS STATE; PRESCRIBING THE LICENSE FEES TO BE PAID THEREFOR AND THE DISPOSITION OF MONEYS DERIVED THEREFROM, DEFINING THE POWERS AND DUTIES OF THE STATE TAX COMMISSION IN CONNECTION THEREWITH,

AND PROVIDING PENALTIES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 44 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1941.

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. 263*, by Messrs. Huggins, Macfarlane and Dawson, entitled, "AN ACT PROVIDING FOR THE COMPILATION, PUBLICATION AND ANNOTATION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING APPROPRIATION THEREFOR," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Dawson the Senate concurred in the House amendment.

S. B. No. 263 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Absent and not voting: Senators Lundell, McMurrin, Williams.

S. B. No. 263 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1941.

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. 210*, by Mr. Elswood, entitled, "AN ACT APPROPRIATING $15,000 FOR THE PAYMENT OF THE ADDITIONAL EXPENSES OF THE TWENTY-FOURTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 210 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, 1941.

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. Pace, entitled, "A JOINT RESOLUTION CONGRATULATING THE GOVERNOR OF THE STATE OF UTAH, HERBERT B. MAW, UPON HIS BIRTHDAY," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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.

REPORTS OF STANDING COMMITTEES

March 12, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. J. R. No. 13*, by Mr. Brewster, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. J. R. No. 13 was referred to the Sifting Committee

March 12, 1941.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 180*, by Mr. T. M. Rees and Mrs. Jacob, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

H. B. No. 180 was referred to the Sifting Committee.

March 12, 1941.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 45,* by Messrs. Bennion, Stringham and Liddell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CHARLES W. SPENCE,
Chairman.

Report filed.

H. B. No. 45 was referred to the Sifting Committee.

March 12, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 140,* by Mr. Selvin, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 140 was referred to the Sifting Committee.

March 12, 1941.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 142,* by Mr. Selvin, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 142 was referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

March 13, 1941.

Mr. President:

Your Sifting Committee requests that the Second Reading Calendar be cleared of all House Bills and that the following bills take their places on the calendar:

H. B. No.'s 56, 68, 105, 116, 167, 133, 206, 86, 129, 131, 32, 180, 92, 151, 95, 22, 209, 110 and 96.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report filed.

Senator Lundell moved that the rules be suspended and that the Senate consider House Bills on the Second Reading Calendar when they are reached.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 28 was read the third time and placed on its final passage.

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

Page 5, line 28, after the word "the" insert "tuberculosis division of said".

Line 29, strike the last two words.

Line 30, strike the first seven words and insert the word "and" in lieu thereof.

Line 33, after the word "members" insert the words "who shall be admitted to the disabled miners division of said sanatorium".

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

Page 5, line 33, after the word "admitted" insert the words "without cost".

Senator Miller, four Senators concurring therein, requested a Call of the Senate.

Senators Hopkin, Spence and Morrill were absent without leave.

On motion of Senator Miller the call was lifted.

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

Yeas, 22; Nays, 1; Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen (explained vote), Farr, Hirschi, Hopkin, Huggins (explained vote), Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Howard (explained vote).

H. B. No. 28 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 56 was read the second time.

Committee report read and adopted.

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

Page 5, line 9, after the word "vehicle" strike the words "as a special chauffeur or".

Page 8, line 9, after the period insert the following: "In all cases where the applicant for a renewed license has not been convicted of any moving traffic violation for five years or more from the date of such application, this fact shall be noted upon the renewed license."

Line 19, after the word "certificate" delete the period and add a comma and the following: "which shall be issued without examination except when it appears that the applicant has been convicted of three or more moving traffic violations within 18 months preceding the date of application."

Line 20, after the word "licenses" and before the word "may" insert the following: "issued in accordance with section 8,".

Line 20, strike the word "any" and in lieu thereof insert "such".

Page 10, line 7, strike the word "shall" and insert in lieu thereof "may, after a hearing".

Page 13, line 9, after the word "section" strike the following: "8, paragraph 163." and insert in lieu thereof "8X."

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

Page 7, line 31, after the word "shall" insert the word "not", also strike the words "as follows:" and insert the words "unless the holder thereof has been convicted of three or more moving traffic violations within a period of eighteen months".

Strike lines 32 and 33.

Page 8, strike lines 1 to 13, inclusive.

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

Page 5, line 26, strike "$1.00" and insert the words "twenty-five cents".

Line 27, strike the words "three attempts" and insert the words "one attempt", also strike the word "six" and insert the word "two".

On motion of Senator Christensen the rules were suspended and *H. B. No. 56* was read the third time and placed on its final passage.

H. B. No. 56 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Child, Hirschi.

H. B. No. 56 was returned to the House.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Grover in the chair.

Roll Call—All Senators present.

COMMUNICATION FROM THE GOVERNOR

February 28, 1941.

To the Senate:

In compliance with your request, I am returning herewith *S. B. No. 21*, by Mr. Christensen, for further consideration, together with a letter from Attorney General Grover A. Giles.

Will you kindly return the letter from Mr. Giles to me when it has served its purpose?

Very truly yours,

HERBERT B. MAW,
Governor.

Communication filed.

S. B. No. 21 was filed.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 294*, by Mr. Huggins, entitled, "AN ACT RELATING TO THE ASSESSMENT AND COLLECTION BY THE TAX COMMISSION OF THE UTILITY REGULATION FEE FOR THE YEARS 1941 AND 1942," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 294 was referred to the Committee on Revision and enrolling to be enrolled and engrossed.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 80*, by Committee on Agriculture and Irrigation, entitled, "AN ACT AMENDING SECTION 3-10-64, REVISED STAT-

UTES OF UTAH, 1933, PERTAINING TO MEAT PRODUCTS, INSPECTION, POWER TO SLAUGHTER, AND PROVIDING FOR STATE MEAT INSPECTION SERVICE," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 80 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 182*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 2, CHAPTER 48, LAWS OF UTAH, 1937, RELATING TO TITLE INSURANCE GUARANTEE FUND DEPOSITS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 182 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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 Mr. Child, entitled, "AN ACT PROVIDING FOR THE SAFETY OF LIFE AND PROPERTY AND CREATING A BOARD OF BOILER RULES SUBJECT TO THE SUPERVISION, DIRECTION AND CONTROL OF THE INDUSTRIAL COMMISSION WHICH SHALL FORMULATE RULES AND REGULATIONS FOR THE SAFE CONSTRUCTION, INSTALLATION, REPAIR, USE AND OPERATION OF BOILERS AND UNFIRED PRESSURE VESSELS; PROVIDING FOR THE ENFORCEMENT OF THE RULES AND REGULATIONS AND OF THE BOARD OF BOILER RULES; PROVIDING FOR THE INSPECTION OF BOILERS AND THE FEES TO BE CHARGED FOR SAME; PROVIDING FOR EXAMINATION, REGISTRATION AND LICENSING OF BOILER-MAKERS AND REPAIR MEN; AND PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Child the Senate concurred in the House amendments.

S. B. No. 38 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators McMurrin, Spence.

S. B. No. 38 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 132,* by Mr. Child, entitled, "AN ACT AUTHORIZING PLANNING AND ZONING OF UNINCORPORATED TERRITORY WITHIN COUNTIES; PROVIDING FOR THE APPOINTMENT OF COUNTY AND DISTRICT PLANNING COMMISSIONS IN CONNECTION THEREWITH, PRESCRIBING THE PROCEDURE THEREFOR; AND PROVIDING PENALTIES FOR VIOLATION THEREOF," and is transmitted herewith for further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 12, 1941.

Mr. President:

Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 132,* by Mr. Child, recommends that the Senate concur with the House amendment on page 1, line 7.

That the House recede from its amendment on page 5, line 22.

That the House recede from its amendments on page 7, lines 3 and 4, and then insert on page 7, line 3, after the word "uses" the words "except for agricultural purposes."

That the Senate concur in the House amendment on page 7, line 7, with the following amendment:

After the word "occupied" in the House amendment place a period, and strike the balance of the amendment.

That the Senate concur with the House amendment on page 17, lines 11 to 14, inclusive.

Respectfully,

STANLEY N. CHILD,
Chairman of Senate Committee,

GRANT MIDGLEY,
Chairman of House Committee.

Report adopted and filed.

S. B. No. 132 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Lundell, Macfarlane.

S. B. No. 132 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected the joint conference committee report as of March 12, and reconsidered and passed, as amended by the Senate and House, *S. B. No. 26*, by Committee on Highways, and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins *S. B. No. 26* was returned to the House for said body to recede from its position and either adopt or reject the Conference Committee report.

March 13, 1941.

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. 78*, by Mrs. Jensen, Mrs. Jack, Mr. Reid, Mr. Ingleby, Mr. McGean, Mr. Garff, Mr. Nichols and Mr. Thomas, entitled, "AN ACT ENABLING THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT TO PROMULGATE RULES AND REGULATIONS OF WATERS IN THE JORDAN RIVER; TO PREVENT NUISANCES AND OBSTRUCTIONS OF THE FLOW AND TO OTHERWISE IMPROVE AND REGULATE THE BED AND BANKS OF SAID RIVER," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 78 was read the first time and referred to the Sifting Committee.

March 13, 1941.

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. 234*, by Mr. Miller, entitled, "AN ACT PROVIDING FOR THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 234 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORT OF SPECIAL COMMITTEE

March 13, 1941.

Mr. President:

Your Sifting Committee reports out the following bills to take their places on the Second Reading Calendar:

S. B. No. 269.

H. B. No.'s 145, 78, 91, 94, 47, 140, 45, 108, 111, 147 and 141.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

March 13, 1941.

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. 270*, by Mrs. Ericksen (by request), entitled, "AN ACT AMENDING SECTION 103-37-1, REVISED STATUTES OF UTAH, 1933, CONCERNING INDECENT AND OBSCENE EXPOSURES, EXHIBITS, PICTURES, MAGAZINES, BOOKS, ETC.," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 270 was referred to the Committee on Revision and enrolling to be enrolled and engrossed.

March 13, 1941.

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. 112*, by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 103-24-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT; PUNISHMENT; NOTICE OF; PROTECT EVIDENCE OF; KNOWLEDGE OF INSUFFICIENCY, AND CREDIT DEFINED," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 112 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 101*, by Mr. Lundell and Mr. Farr, entitled, "AN ACT AMENDING SECTIONS 1, 8 AND 9 OF CHAPTER 43, LAWS OF UTAH, 1939, AND REPEALING SECTION 7, CHAPTER 43, LAWS OF UTAH, 1939, AND ENACTING A NEW SECTION TO BE KNOWN AS 7-A, PROVIDING FOR PERMITS AND LICENSE FEES," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 101 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Williams.

Absent and not voting: Senators Bailey, McMurrin, Watson, Mr. President.

S. B. No. 101 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 183*, by Mr. Morrill, entitled, "AN ACT AMENDING SECTION 80-7-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 102, LAWS OF UTAH, 1937, PERTAINING TO THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS AS A BOARD OF EQUALIZATION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate concurred in the House amendment.

S. B. No. 183 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Bailey, Huggins, McMurrin, Mr. President.

S. B. No. 183 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 2*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 75-12-13, REVISED STATUTES OF UTAH, 1933, RELATING TO SCHOOL TAXES AND FUNDS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Child the Senate concurred in the House amendments.

S. B. No. 2 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Child, Ellett, Ericksen, Hirschi, Hopkin, Howard, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Absent and not voting: Senators Bailey, Christensen, Dawson, Farr, Huggins, Macfarlane, Mr. President.

S. B. No. 2 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 166*, by Mr. Miller, and the same is returned herewith for your files.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 166 was filed.

On motion of Senator Ellett the rules were suspended and the Senate proceeded to consider *S. B. No. 47*.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Ellett 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, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams.

Voting in the negative: Senator Howard.

Absent and not voting: Mr. President.

S. B. No. 47 was transmitted to the House.

H. B. No. 68 was read the second time.

Committee report read and adopted.

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

Line 3 of the title, strike the word "SIXTEEN" and insert the word "EIGHTEEN".

Line 6 of the title, after the word "INSTRUCTIONS" strike the period, insert a semi-colon, and the words "PROVIDING FOR THE APPORTIONMENT OF THE COST BETWEEN CO-OPERATING SCHOOL DISTRICTS".

Page 1, line 7 of section 1, strike the word "sixteen" and insert the word "eighteen".

Line 10, preceding the word "the" insert "the county superintendent a registered doctor or".

Page 2, line 12, at the end of the line insert "All teachers employed to teach such children shall be certified by the state board of education."

On motion of Senator Ellett 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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Spence, Watson, Mr. President.

Absent and not voting: Senators Dawson, Howard, Rich, Williams.

H. B. No. 68 was returned to the House.

H. B. No. 105 was read the second time.

Committee report read and adopted.

On motion of Senator Spence the rules were suspended and *H. B. No. 105* was read the third time and placed on its final passage.

H. B. No. 105 then passed on the following roll call:

Yeas, 22; Nays, 1, Absent, 0.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Voting in the negative: Senator Howard.

H. B. No. 105 was returned to the House.

H. B. No. 116 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 116* was read the third time and placed on its final passage.

H. B. No. 116 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Lundell, Macfarlane, McMurrin, Miller, Rich, Williams, Mr. President.

Absent and not voting: Senators Huggins, Johnston, Morrill, Spence, Watson.

H. B. No. 116 was returned to the House.

H. B. No. 167 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen 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, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hirschi.

H. B. No. 167 was returned to the House.

REPORTS OF STANDING COMMITTEE

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 44*, by Messrs. Bailey, Johnston, Morrill and Grover, entitled, "AN ACT PROVIDING LICENSES FOR RETAIL CHAIN STORES MAINTAINED OR OPERATED IN THIS STATE; PRESCRIBING THE LICENSE FEES TO BE PAID THEREFOR AND THE DISPOSITION OF MONEYS DERIVED THEREFROM; DEFINING THE POWERS AND DUTIES OF THE STATE TAX COMMISSION IN CONNECTION THEREWITH, AND PROVIDING PENALTIES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 12, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 285*, by Mr. Hopkin, entitled, "AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE

INDIVIDUAL INCOME TAX ACT," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 285 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 12, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 140,* by Committee on Health and Labor, entitled, "AN ACT AMENDING SECTIONS 43-3-36, 43-3-37 AND 43-3-38, REVISED STATUTES OF UTAH, 1933; RELATING TO WORKMEN'S COMPENSATION INSURANCE, OCCUPATIONAL DISEASE INSURANCE AND INSURANCE COMPANIES WRITING SUCH INSURANCE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 140 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 141,* by Committee on Health and Labor, entitled, "AN ACT AMENDING SECTION 42-2-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 51, LAWS OF UTAH, 1939, AND SECTION 42-2-4, REVISED STATUTES OF UTAH, 1933; RELATNIG TO THE INDUSTRIAL COMMISSION OF UTAH, THE STATE INSURANCE FUND, WORKMEN'S COMPENSATION INSURANCE AND OCCUPATIONAL DISEASE INSURANCE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

March 12, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 257*, by Mr. Huggins, entitled, "AN ACT PROVIDING A METHOD OF PROCEDURE OF ESCHEATING TO THE STATE OF UTAH UNCLAIMED DIVIDENDS AND DEPOSITS OF LIQUIDATED BANKS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 257 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 294*, by Mr. Huggins, entitled, "AN ACT RELATING TO THE ASSESSMENT AND COLLECTION BY THE TAX COMMISSION OF THE UTILITY REGULATION FEE FOR THE YEARS 1941 AND 1942," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 294 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 Farr moved that the rules be suspended and that the Senate request the House to return *H. B. No. 56* and that the Senate reconsider its action in passing said bill.

Motion carried.

On motion of Senator Farr the Senate sauntered.

FURTHER CONSIDERATION OF H. B. No. 56

H. B. No. 56 on final passage.

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

Page 5, strike the amendments on lines 26 and 27.

H. B. No. 56 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator McMurrin.

H. B. No. 56 was returned to the House.

On motion of Senator Huggins the rules were suspended and the Senate proceeded to consider *S. B. No. 284.*

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 284 on Final Passage.

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

Page 3, line 6, strike figures "15, 16," and also strike "and 19".

Page 3, strike lines 12 to 33, inclusive.

Page 4, strike lines 1 to 6, inclusive.

S. B. No. 284 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Howard.

S. B. No. 284 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 133 was read the second time.

Committee report read and adopted.

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

Page 1, line 2, strike the words "the state" and insert "all standard or accredited", also strike the last word "the".

Line 3, strike the first nine words and insert "all standard or accredited colleges and universities in the state of Utah".

On motion of Senator Christensen the rules were suspended and *H. B. No. 133* was read the third time and placed on its final passage.

H. B. No. 133 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller (explained vote), Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Farr.

H. B. No. 133 was returned to the House.

H. B. No. 206 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *H. B. No. 206* was read the third time and placed on its final passage.

H. B. No. 206 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, McMurrin, Miller, Rich, Watson, Mr. President.

Those voting in the negative were: Senators Macfarlane, Morrill, Williams.

Absent and not voting: Senators Huggins, Spence.

H. B. No. 206 was returned to the House.

On motion of Senator Child the rules were suspended and the Senate proceeded to consider *H. B. No. 47*.

H. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Child the rules were suspended and *H. B. No. 47* was read the third time and placed on its final passage.

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

Page 1, line 15, strike the figures "75" and insert the figures "55".

H. B. No. 47 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Hirschi (explained vote), Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin (explained vote), Miller, Morrill, Rich, Spence, Watson, Williams (explained vote), Mr. President.

Voting in the negative: Senator Ashton.

Absent and not voting: Senator Farr.

H. B. No. 47 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

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. 297*, by Committee on Agriculture and Irrigation, entitled, "AN ACT REGULATING THE PRODUCTION AND DISTRIBUTION OF FLUID MILK AND FLUID CREAM AND GIVING TO THE COMMISSIONER OF AGRICULTURE THE POWER TO APPOINT LOCAL CONTROL BOARDS FROM PRODUCERS NOMINATED BY MILK PRODUCERS OF MARKETING AREAS; PROVIDING FOR THE ESTABLISHMENT OF MARKETING AREAS; AND POWER TO CREATE A STABILIZATION AND MARKETING PLAN AND MAKE IT EFFECTIVE WITHIN MARKETING AREAS; POWER TO CREATE MINIMUM PRICES TO BE PAID BY DISTRIBUTORS TO PRODUCERS IN THE MARKETING AREAS; METHODS BY WHICH ORDERS AND REGULATIONS MAY BE MADE EFFECTIVE AND FOR THE CANCELLATION OF ORDERS AND STABILIZATION AND MARKETING PLANS BY THE STATE BOARD OF AGRICULTURE; PROVIDING FOR LICENSES AND FEES, AND FOR THE ADMINISTRATION OF THIS ACT; TO REQUIRE BONDS BY DISTRIBUTORS TO GUARANTEE PAYMENT TO PRODUCERS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 297 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 140*, by Committee on Health and Labor, entitled, "AN ACT AMEND-

ING SECTIONS 43-3-36, 43-3-37 AND 43-3-38, REVISED STATUTES OF UTAH, 1933; RELATING TO WORKMEN'S COMPENSATION INSURANCE, OCCUPATIONAL DISEASE INSURANCE AND INSURANCE COMPANIES WRITING SUCH INSURANCE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 140 was transmitted to the Governor.

March 13, 1941.

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. 285*, by Mr. Hopkin, entitled, "AN ACT AMENDING SECTION 80-14-4, REVISED STATUTES OF UTAH, 1933, RELATING TO METHOD OF COMPUTING GROSS INCOME UNDER THE INDIVIDUAL INCOME TAX ACT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 285 was transmitted to the Governor.

March 13, 1941.

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 Messrs. Bailey, Johnston, Morrill and Grover, entitled, "AN ACT PROVIDING LICENSES FOR RETAIL CHAIN STORES MAINTAINED OR OPERATED IN THIS STATE; PRESCRIBING THE LICENSE FEES TO BE PAID THEREFOR AND THE DISPOSITION OF MONEYS DERIVED THEREFROM; DEFINING THE POWERS AND DUTIES OF THE STATE TAX COMMISSION IN CONNECTION THEREWITH, AND PROVIDING PENALTIES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 44 was transmitted to the Governor.

March 13, 1941.

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. 294*, by Mr. Huggins, entitled, "AN ACT RELATING TO THE ASSESSMENT AND COLLECTION BY THE TAX COMMISSION OF THE UTILITY REGULATION FEE FOR THE YEARS 1941 AND 1942," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 294 was transmitted to the Governor.

March 13, 1941.

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. 257*, by Mr. Huggins, entitled, "AN ACT PROVIDING A METHOD OF PROCEDURE OF ESCHEATING TO THE STATE OF UTAH UNCLAIMED DIVIDENDS AND DEPOSITS OF LIQUIDATED BANKS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 257 was transmitted to the Governor.

March 14, 1941.

Mr. President:

I am directed to inform you that the House has this day rescinded its action on *S. B. No. 26*, by Committee on Highways, and has withdrawn the bill from joint conference committee and requests that your honorable body do likewise and return the bill to the House for further consideration.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the rules were suspended and the Senate jointly with the House reconsidered its action in appointing a Conference Committee to consider *S. B. No. 26*.

On motion of Senator Farr the Senate concurred in the House amendments to *S. B. No. 26*.

S. B. No. 26 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Lundell, McMurrin, Miller, Morrill, Rich, Spence, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Johnston, Macfarlane, Watson.

S. B. No. 26 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Child the rules were suspended and the Senate proceeded to consider *S. B. No.'s 186* and *187*.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 186 was read the second time.

Committee report read and adopted.

On motion of Senator Child 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, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Miller, Morrill, Rich, Williams, Mr. President.

Absent and not voting: Senators Hopkin, Lundell, Macfarlane, McMurrin, Spence, Watson.

S. B. No. 186 was transmitted to the House.

S. B. No. 187 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *S. B. No. 187* was read the third time and placed on its final passage.

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

Page 2, line 22, beginning with the word "On" strike up to and including the word "proceeding," on line 24.

Line 24, strike the word "the" and insert the word "The".

S. B. No. 187 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator Hopkin.

S. B. No. 187 was transmitted to the House.

REPORT OF SPECIAL COMMITTEE

March 13, 1941.

Mr. President:

Your Sifting Committee requests that the board be cleared and that the following bills take their places on the Second Reading Calendar:

H. B. No.'s 86, 145, 151, 154, 129, 180, 32, 147, 91, 94, 209, 92 and 141.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Report adopted and filed.

Senator Lundell moved that the rules be suspended and that the Senate proceed to consider bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 86 was read the second time.

Committee report read and adopted.

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

Page 6, in Section 19, strike the word "provided" and insert the word "required".

On motion of Senator Miller the rules were suspended and *H. B. No. 86* was read the third time and placed on its final passage.

H. B. No. 86 then passed on the following roll call:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Child, Ellett, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Dawson, Hirschi, Howard, McMurrin.

Absent and not voting: Senators Bailey, Christensen, Williams.

H. B. No. 86 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

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. 196*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 14-7-2, 14-7-3, 14-7-7, 14-7-8, 14-7-37 AND 14-7-38, REVISED STATUTES OF UTAH, 1933, RELATING TO JUVENILE COURTS AND DELINQUENCY, TRANSFERRING THE GENERAL CONTROL AND SUPERVISION OF THE JUVENILE COURTS AND JUVENILE COURT PROBATION OFFICERS FROM THE JUVENILE COURT AND PROBATION COMMISSION TO THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT OF JUVENILE COURTS, JUVENILE COURT JUDGES, JUVENILE COURT PROBATION OFFICERS AND OTHER JUVENILE COURT EMPLOYEES; AND REPEALING SECTION 14-7-1, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Lundell the Senate concurred in the House amendments.

S. B. No. 196 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Bailey, Spence.

S. B. No. 196 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 197*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-7-4, 85-7-5, 85-7-6, 85-7-7, 85-7-12, 85-7-13, 85-7-16, 85-7-28, 85-7-32 AND 85-7-42, REVISED STATUTES OF UTAH,

1933; 85-7-43, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933; 85-7-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AND AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; SECTION 85-7-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935; SECTIONS 85-7-14, 85-7-27, 85-7-30 AND 85-7-38, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; AND SECTION 2 OF CHAPTER 95, LAWS OF UTAH, 1935; RELATING TO THE UTAH STATE HOSPITAL, TRANSFERRING THE GOVERNMENT AND CONTROL OF THE UTAH STATE HOSPITAL FROM THE BOARD OF TRUSTEES TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT TO THE UTAH STATE HOSPITAL; AND REPEALING SECTION 85-7-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935, AND SECTION 85-7-3, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 197 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Christensen, Macfarlane, Spence.

S. B. No. 197 was referred to the Committee on Revision and enrolling to be enrolled and engrossed.

March 13, 1941.

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. 279*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 1, 2, 7, 9, 11, 12 AND 19, CHAPTER 90, LAWS OF UTAH, 1937, RELATING TO PUBLIC WELFARE, TRANSFERRING THE ADMINISTRATION OF THE LAWS PROVIDING

PUBLIC ASSISTANCE TO AGED AND BLIND PERSONS IN NEED, DEPENDENT CHILDREN AND OTHER PERSONS IN NECESSITOUS CIRCUMSTANCES TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 279 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Christensen, Macfarlane, McMurrin, Spence.

S. B. No. 279 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 288*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO THE SUPERVISION OF HOTELS AND LODGING HOUSES BY THE STATE BOARD OF HEALTH, AND REPEALING CHAPTER 12, TITLE 3, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 288 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators McMurrin, Spence.

S. B. No. 288 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 194*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11, 85-8-12 AND 85-8-14, REVISED STATUTES OF UTAH, 1933, RELATING TO UTAH TRAINING SCHOOL, TRANSFERRING THE UTAH STATE TRAINING SCHOOL TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE GOVERNMENT AND CONTROL OF THE PUBLIC WELFARE COMMISSION; AND REPEALING SECTIONS 82-8-2, 82-8-3, 82-8-6, 82-8-7 AND 82-8-10, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 194 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senator McMurrin.

S. B. No. 194 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 286*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 42-3-2, 42-3-3, 42-3-4, 42-3-5, 42-3-6, 42-3-7, 42-3-8 AND 42-3-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION AS A BUREAU OF IMMIGRATION, LABOR AND STATISTICS AND TRANSFERRING CERTAIN SUCH POWERS AND DU-

TIES TO THE STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; AND REPEALING SECTION 42-3-1, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 286 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Huggins, McMurrin.

S. B. No. 286 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 145 was read the second time.

On motion of Senator Hirschi the rules were suspended and *H. B. No. 145* was read the third time and placed on its final passage.

H. B. No. 145 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Watson, Williams, Mr. President.

Absent and not voting: Senators Christensen, Morill, Rich, Spence.

H. B. No. 145 was returned to the House.

REPORTS OF STANDING COMMITTEES

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 263*, by Messrs. Huggins, Macfarlane and Dawson, entitled, "AN ACT PROVIDING FOR THE COMPILATION, PUBLICA-

TION AND ANNOTATION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING APPROPRIATION THEREFOR," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 263 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 80,* by Committee on Agriculture and Irrigation, entitled, "AN ACT AMENDING SECTION 3-10-64, REVISED STATUTES OF UTAH, 1933, PERTAINING TO MEAT PRODUCTS, INSPECTION, POWER TO SLAUGHTER, AND PROVIDING FOR STATE MEAT INSPECTION SERVICE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 80 was signed by the President in open session on the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 182,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 2, CHAPTER 48, LAWS OF UTAH, 1937, RELATING TO TITLE INSURANCE GUARANTEE FUND DEPOSITS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 182 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 38*, by Mr. Child, entitled, "AN ACT PROVIDING FOR THE SAFETY OF LIFE AND PROPERTY AND CREATING A BOARD OF BOILER RULES SUBJECT TO THE SUPERVISION, DIRECTION AND CONTROL OF THE INDUSTRIAL COMMISSION WHICH SHALL FORMULATE RULES AND REGULATIONS FOR THE SAFE CONSTRUCTION, INSTALLATION, REPAIR, USE AND OPERATION OF BOILERS AND UNFIRED PRESSURE VESSELS; PROVIDING FOR THE ENFORCEMENT OF THE RULES AND REGULATIONS AND OF THE BOARD OF BOILER RULES; PROVIDING FOR THE INSPECTION OF BOILERS AND THE FEES TO BE CHARGED FOR SAME; PROVIDING FOR EXAMINATION, REGISTRATION AND LICENSING OF BOILERMAKERS AND REPAIR MEN; AND PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 183*, by Mr. Morrill, entitled, "AN ACT AMENDING SECTION 80-7-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 102, LAWS OF UTAH, 1937, PERTAINING TO THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS AS A BOARD OF EQUALIZATION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 183 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 270*, by Mrs. Ericksen, by request, entitled, "AN ACT AMENDING SECTION 103-37-1, REVISED STATUTES OF UTAH, 1933, CONCERNING INDECENT AND OBSCENE EXPOSURES, EXHIBITS, PICTURES, MAGAZINES, BOOKS, ETC.," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 270 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 2*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 75-12-13, REVISED STATUTES OF UTAH, 1933, RELATING TO SCHOOL TAXES AND FUNDS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. 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.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

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. 289*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMEND-

ING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-6, 85-4-8 AND 85-4-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE UTAH STATE FAIR ASSOCIATION, AND TO THE POWERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION; AND PLACING THE UTAH STATE FAIR ASSOCIATION UNDER THE DIRECTION, SUPERVISION AND CONTROL OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 85-4-10, RELATING TO THE TERMINATION OF THE TERM OF OFFICE OF THE PRESENT OFFICERS OF THE UTAH STATE FAIR ASSOCIATION," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 289 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hopkin, Howard, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Christensen, Hirschi, McMurrin, Spence, Williams.

S. B. No. 289 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 151 was read the second time.

Committee report read and adopted.

On motion of Senator Macfarlane 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, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ellett, Ericksen, Farr, Hirschi, Hopkin, Howard, Huggins, Johnston, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Mr. President.

Absent and not voting: Senators Christensen, Lundell, Spence, Williams.

H. B. No. 151 was transmitted to the House.

On motion of Senator Macfarlane the Enacting Clause was stricken on the following House Bills: No.'s 154, 129, 180, 32, 147, 91, 94, 209, 92 and 141.

Said House bills were returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

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. 278*, by Committee on State and Municipal Affairs, entitled, "AN ACT CREATING THE PUBLIC WELFARE COMMISSION; PROVIDING FOR THE APPOINTMENT OF THE PUBLIC WELFARE COMMISSION AND THE PUBLIC WELFARE COMMISSION ADVISORY COUNCIL THEIR TERMS OF OFFICE, SALARIES, AND DUTIES AND POWERS; TRANSFERRING THE ADMINISTRATION OF THE STATE DEPARTMENT OF PUBLIC WELFARE TO THE PUBLIC WELFARE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF PUBLIC WELFARE AND THE DIRECTOR THEREOF; REPEALING SECTIONS 2 AND 3, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments.

S. B. No. 278 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Howard, Spence.

S. B. No. 278 was referred to the Committee on Revision and enrolling to be enrolled and engrossed.

March 13, 1941.

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. 281*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMEND-

ING SECTIONS 1, 4, 5 AND 6, CHAPTER 69, LAWS OF UTAH, 1935; SECTION 7, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937; SECTION 8, CHAPTER 69, LAWS OF UTAH, 1935; AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 86, LAWS OF UTAH, 1939; AND SECTIONS 12, 13 AND 17, CHAPTER 88, LAWS OF UTAH, 1937; AND SECTION 15, CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 87, LAWS OF UTAH, 1939, RELATING TO PUBLIC WELFARE; THE STATE DEPARTMENT OF PUBLIC WELFARE AND THE COUNTY AND DISTRICT DEPARTMENTS AND BOARDS OF PUBLIC WELFARE," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 281 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Hirschi, Howard.

S. B. No. 281 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 280*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO PUBLIC WELFARE; TRANSFERRING THE ADMINISTRATION OF THE LAWS RELATING TO OLD AGE ASSISTANCE TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION, AND AMENDING SECTIONS 2, 5, 6, 7, 8, 10, 16, 19, 26 AND 27, CHAPTER 89, LAWS OF UTAH, 1937," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendment.

S. B. No. 280 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Hirschi, Howard.

S. B. No. 280 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 284*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 12, 17 AND 18, CHAPTER 38, LAWS OF UTAH, 1937, TRANSFERRING THE ADMINISTRATION AND CONTROL OF THE UTAH STATE TUBERCULOSIS SANATORIUM FROM THE STATE BOARD OF HEALTH TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION, DEFINING THE POWERS AND DUTIES OF THE COMMISSION WITH REGARD TO THE SANATORIUM, AND REPEALING SECTIONS 4, 5, 6, 7, 8, 9, 10 AND 13, CHAPTER 38, LAWS OF UTAH, 1937," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 284 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Christensen, Ericksen, Farr, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Bailey, Child, Dawson, Ellett, Hirschi, Howard.

S. B. No. 284 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 205*, by Committee on State and Municipal Affairs, entitled, "AN ACT TRANSFERRING THE SUPERVISION, MANAGEMENT AND CONTROL OF STATE PARKS FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT WITH RESPECT THERETO AND REPEALING TITLE 68, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate concurred in the House amendments.

S. B. No. 205 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Howard.

S. B. No. 205 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 291*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 35-1-15, 35-1-20, 35-2-1 AND 35-6-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH AND PROVIDING FOR STANDARDS OF COMPENSATION OR SALARIES OF EMPLOYEES AND FOR DISPOSITION OF FUNDS COLLECTED," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Miller the Senate concurred in the House amendments.

S. B. No. 291 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Howard, Lundell, McMurrin.

S. B. No. 291 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 198*, by Committee on State and Municipal Affairs, entitled, "AN ACT CREATING THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, MAKING AN APPROPRIATION, PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS, THEIR SALARIES, TERMS OF OFFICE, POWERS AND DUTIES, AND CREATING A PUBLICITY AND INDUSTRIAL DEVELOPMENT ADVISORY COUNCIL, PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE COUNCIL, THEIR TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS, VESTING IN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION, ABOLISHING THE WATER STORAGE COMMISSION AND REPEALING CHAPTER 6, TITLE 100, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Huggins the Senate concurred in the House amendments.

S. B. No. 198 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Howard.

S. B. No. 198 was referred to the Committee on Revision and enrolling to be enrolled and engrossed.

March 13, 1941.

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. 287*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTION 3-3-3, REVISED STATUTES OF UTAH, 1933, SECTION 61, CHAPTER 7, LAWS OF UTAH, 1939, AND SECTIONS 5 AND 18, CHAPTER 10, LAWS OF UTAH, 1939, RELATING TO POWERS OF THE STATE BOARD OF AGRICULTURE AND PROVIDING FOR RESTRICTIONS UPON THE POWER OF THE BOARD WITH RESPECT TO EMPLOYMENT AND EXPENSES; REPEALING SECTION 59, CHAPTER 7, LAWS OF UTAH, 1939," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hopkin the Senate concurred in the House amendments.

S. B. No. 287 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Ellett, Howard.

S. B. No. 287 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 202*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO PUBLIC HEALTH, THE ADMINISTRATION OF HEALTH FUNCTIONS AND HEALTH PROGRAM OF THE STATE; CREATING A DEPARTMENT OF HEALTH; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF HEALTH,

APPOINTMENT, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE PERSONNEL OF THE STATE HEALTH COMMISSIONER, HIS SALARY AND QUALIFICATIONS; TERMINATING THE TERM OF OFFICE OF THE MEMBERS OF THE PRESENT BOARD OF HEALTH AND OF THE PRESENT STATE HEALTH COMMISSIONER; AND REPEALING SECTIONS 35-1-1, 35-1-3, 35-1-4, 35-1-7 AND 35-1-8, REVISED STATUTES OF UTAH, 1933," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Christensen the Senate concurred in the House amendments.

S. B. No. 202 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 4.

Those voting in the affirmative were: Senators Bailey, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, McMurrin, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Howard.

S. B. No. 202 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 203*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO AGRICULTURE; THE ADMINISTRATION OF THE AGRICULTURAL FUNCTIONS AND PROGRAM OF THE STATE; CREATING A DEPARTMENT OF AGRICULTURE; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF AGRICULTURE AND APPOINTMENTS, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE OFFICE OF THE COMMISSIONER OF AGRICULTURE; CREATING A DEPARTMENT OF AGRICULTURE ADVISORY COUNCIL, MEMBERSHIP, TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS; TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF AGRICULTURE AND TERMINATING THE TERM OF OFFICE OF THE PRESENT COMMISSIONER OF AGRICULTURE; AND REPEALING SECTIONS 3-1-1, 3-1-2, 3-1-3,

3-1-9, 3-1-10 AND 3-1-11, REVISED STATUTES OF UTAH, 1933, AND SECTION 3-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1939," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Christensen the Senate concurred in the House amendments.

S. B. No. 203 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Christensen, Ellett, Ericksen, Farr, Hirschi, Hopkin, Huggins, Johnston, Lundell, Macfarlane, Miller, Morrill, Rich, Spence, Watson, Williams, Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Howard, McMurrin.

S. B. No. 203 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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 Committee on Health and Labor, entitled, "AN ACT AMENDING SECTION 42-2-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 51, LAWS OF UTAH, 1939, AND SECTION 42-2-4, REVISED STATUTES OF UTAH, 1933, RELATING TO THE INDUSTRIAL COMMISSION OF UTAH, THE STATE INSURANCE FUND, WORKMEN'S COMPENSATION INSURANCE AND OCCUPATIONAL DISEASE INSURANCE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 141 was transmitted to the Governor.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the House did on this day strike the enacting clause on the following bills:

S. B. Nos. 9, 24, 27, 29, 30, 31, 47, 55, 62, 74, 76, 81, 96, 104, 109, 110, 111, 113, 133, 136, 195, 212, 224, 232, 252, 253, 254, 255, 272, 276 and 301, and the same are returned herewith for your files.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 13, 1941.

Mr. President:

Your Sifting Committee recommends that the Enacting Clause be stricken from the following bills:

H. B. No.'s 1, 2, 4, 12, 20, 22, 42, 45, 58, 59, 73, 74, 78, 80, 82, 85, 93, 95, 96, 99, 108, 110, 111, 115, 117, 118, 124, 131, 132, 135, 140, 142 and 166.

H. J. R. No. 13.

S. B. No.'s 10, 13, 15, 16, 17, 28, 32, 35, 36, 40, 42, 49, 50, 57, 59, 60, 61, 63, 64, 68, 69, 73, 77, 78, 84, 85, 86, 87, 89. 92, 93, 94, 95, 97, 98, 100, 102, 103, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 134, 135, 137, 138, 139, 142, 143, 144, 145, 146, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 184, 185, 188, 189, 190, 191, 192, 193, 199, 200, 201, 204, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 225, 226, 227, 228, 229, 230, 231, 233, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 256, 258, 259, 260, 261, 262, 264, 265, 266, 267, 268, 269, 271, 273, 274, 275, 277, 282, 283, 290, 293, 295, 296, 298, 299, 300, 302, 303, 304, 305, 306.

S. C. R. No.'s 1 and 2.

S. J. R. No.'s 9 and 10.

Respectfully,

FRANCIS S. LUNDELL,
Chairman.

Said House Bills returned to the House.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

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. 2,* by Mr. Child, entitled, "AN ACT AMENDING SECTION 75-12-13,

REVISED STATUTES OF UTAH, 1933, RELATING TO SCHOOL TAXES AND FUNDS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 2 was transmitted to the Governor.

March 13, 1941.

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 Mr. Child, entitled, "AN ACT PROVIDING FOR THE SAFETY OF LIFE AND PROPERTY AND CREATING A BOARD OF BOILER RULES SUBJECT TO THE SUPERVISION, DIRECTION AND CONTROL OF THE INDUSTRIAL COMMISSION WHICH SHALL FORMULATE RULES AND REGULATIONS FOR THE SAFE CONSTRUCTION, INSTALLATION, REPAIR, USE AND OPERATION OF BOILERS AND UNFIRED PRESSURE VESSELS; PROVIDING FOR THE ENFORCEMENT OF THE RULES AND REGULATIONS AND OF THE BOARD OF BOILER RULES; PROVIDING FOR THE INSPECTION OF BOILERS AND THE FEES TO BE CHARGED FOR SAME, PROVIDING FOR EXAMINATION, REGISTRATION AND LICENSING OF BOILER-MAKERS AND REPAIR MEN; AND PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 38 was transmitted to the Governor.

March 13, 1941.

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. 80*, by Committee on Agriculture and Irrigation, entitled, "AN ACT AMENDING SECTION 3-10-64, REVISED STATUTES OF UTAH, 1933, PERTAINING TO MEAT PRODUCTS, INSPECTION, POWER

TO SLAUGHTER, AND PROVIDING FOR STATE MEAT INSPECTION SERVICE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 80 was transmitted to the Governor.

March 13, 1941.

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. 182,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 2, CHAPTER 48, LAWS OF UTAH, 1937, RELATING TO TITLE INSURANCE GUARANTEE FUND DEPOSITS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 182 was transmitted to the Governor.

March 13, 1941.

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. 183,* by Mr. Morrill, entitled, "AN ACT AMENDING SECTION 80-7-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 102, LAWS OF UTAH, 1937, PERTAINING TO THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS AS A BOARD OF EQUALIZATION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 183 was transmitted to the Governor.

March 13, 1941.

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. 263,* by Messrs. Huggins, Macfarlane and Dawson, entitled, "AN ACT PROVIDING FOR THE COMPILATION, PUBLICATION AND AN-

NOTATION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING AN APPROPRIATION THEREFOR," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 263 was transmitted to the Governor.

March 13, 1941.

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. 270*, by Mrs. Ericksen (by request), entitled, "AN ACT AMENDING SECTION 103-37-1, REVISED STATUTES OF UTAH, 1933, CONCERNING INDECENT AND OBSCENE EXPOSURES, EXHIBITS, PICTURES, MAGAZINES, BOOKS, ETC.," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 270 was transmitted to the Governor.

On motion of Senator Watson the rules were suspended and the Senate reconsidered its action in passing *H. B. No. 206*.

FURTHER CONSIDERATION OF H. B. No. 206

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

Page 5, between lines 12 and 13 insert the following:

"1. To acquire water and water rights within or without the state; to develop, store and transport water; to subscribe for, purchase and acquire stock in canal companies, water companies and water user's associations; to provide, sell, lease and deliver water for municipal and domestic purposes, irrigation, power, milling, manufacturing, mining metallurgical and any and all other beneficial uses; to fix the rates therefor, and to acquire, construct, operate and maintain any and all works, facilities, improvements and property necessary or convenient therefor, and in the doing of all said things to obligate itself jointly with other

persons and corporations, public and private, and execute and perform such obligations according to the tenor thereof; provided, however, that in the sale, leasing and delivery of water as hereinbefore provided, preference shall always be given to the water requirements within the district; and the supplying of water to purchasers of users without the district shall, in every case, be subject to the paramount right of the district to discontinue the same, in whole or in part, and to take and hold, or to provide, sell and deliver, such water for said or other beneficial uses within the district, upon one year's written notice to the purchaser or user without the district, such notice to be given by the board of directors of the district whenever it shall be determined and declared by resolution adopted by said board of directors by a two-thirds vote thereof that such water is needed or required by users within the district for beneficial use therein.

"Each city, the area of which shall be a part or all of any district incorporated hereunder, shall have a preferential right to purchase from the district for distribution by such city, or any public utility therein empowered by said city for the purpose, for domestic, municipal and other beneficial uses within such city, a portion of the water served by the district which shall, from time to time, bear the same ratio to all of the water supply of the district as the total accumulation of amounts paid by such city to the district on tax assessments and otherwise, excepting purchase of water, toward the capital cost and operating expense of the district's works, shall bear to the total payments received by the district on account of tax assessments and otherwise, excepting purchase of water toward such capital cost and operating expense.

"m. To invest any surplus money in the district treasury including such money in any sinking fund established for the purpose of providing for the payment of the principal or interest of any bonded contract or other indebtedness or for any other purpose, not required for immediate necessities of the district, in its own bonds, or in treasury notes, or bonds of the United States, or of this state, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same, or by the subsequent purchase of such bonds or treasury notes. Any bonds or treasury notes thus purchased and held may, from time to time, be sold and the proceeds reinvested in bonds or treasury notes, as above provided. Sales of any bonds or treasury notes thus purchased and held shall, from time to time, be made in season so that the proceeds may be applied to the purposes for which the money, with which the bonds or treasury notes were originally purchased, was placed in the treasury of the district. The functions and duties authorized by this paragraph shall be performed by joint action of the controller and treasurer, with the approval of the attorney, under such rules and regulations as shall be prescribed by the board of directors of the district.

"n. To refund bonded indebtedness incurred by the district under and pursuant to the provisions of sections 21 to 23 inclusive of the act, such refunding to be made in the following manner.

"1. The board of directors by a two-thirds vote may refund such bonded indebtedness, or any portion thereof, and issue refunding bonds of the district therefor maturing not later than fifty years from the date of the first issue of the refunding bonds, if said refunding bonds shall have been issued in one block, or from the date of the respective install-

ment of such refunding bonds, if the same shall have been issued in installments, and bearing interest at a rate not exceeding the interest rate on the refunded bonds. The provisions of sections 25, 26, 30, 31 and 33 hereof subject to the limitations and modifications imposed by this paragraph, shall apply to such refunding bonds. The provision in said section 25 for deferring the date of the earliest maturity of the principal of the bonds shall be construed to authorize the board of directors, in its discretion, to determine and fix the date for the earliest maturity of the principal of said refunding bonds, which date shall be not later than fifteen years from the date of the first issue of the refunded bonds or from the date of the respective installment of the refunded bonds, as the case may be.

"2. Said refunding bonds may be sold by the board of directors as it shall determine, in the manner provided in section 27 of this act for the sale of the bonds to be refunded, and the proceeds of the sale of such refunding bonds, excepting premium and accrued interest, shall be placed in the treasury of the district to the credit of the 'refunding fund' and shall be applied only to the purchase, at not more than par and accrued interest, of the bonded indebtedness for which said refunding bond shall have been issued. Premium and accrued interest shall be placed in the fund to be applied to the payment of interest on, and the retirement of, the refunding bonds so sold. In lieu of selling such refunding bonds and purchasing with the proceeds thereof the bonds to be refunded, the board of directors of the district may exchange refunding bonds at not less than par and accrued interest for the bonds so refunded.

"3. Whenever such outstanding bonds shall be refunded, they shall be surrendered to the treasurer of the district, who shall proceed to cancel the same by indorsing on the face thereof the manner in which the refunding shall have been affected (whether by exchange or purchase, and the amount for which so purchased, if any) and by perforating through each bond and each coupon attached thereto, the word 'cancelled' together with the date of cancellation. He shall keep a record of such bonds so refunded, and shall make a report to the board of directors at least once a month.

"4. All monies which shall remain in said 'refunding fund' after all outstanding bonds which were proposed to be refunded therefrom have been taken up and cancelled, shall be paid into the sinking fund of such district and become a part thereof."

H. B. No. 206 then passed on the following roll call:

Yeas, 13; Nays, 3; Absent, 7.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ellett, Ericksen, Farr, Johnston, Lundell, Miller, Rich, Spence, Watson, Mr. President.

Those voting in the negative were: Senators Macfarlane, McMurrin, Williams.

Absent and not voting: Senators Ashton, Dawson, Hirschi, Hopkin, Howard, Huggins, Morrill.

H. B. No. 206 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 13, 1941.

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. 116,* by Mr. J. E. Rees, entitled, "AN ACT AMENDING SECTION 7, CHAPTER 116, LAWS OF UTAH, 1937, RELATING TO THE GOVERNING BODY OF SOIL CONSERVATION DISTRICTS; THEIR POWERS AND DUTIES; THEIR ORGANIZATION; COMPENSATION; RECORDS; AND REPORTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 116 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, 1941.

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. 67,* by Mr. Stringham, Mr. Thorne and Mr. Albrecht, entitled, "AN ACT AMENDING SECTION 86-1-15, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 97, LAWS OF UTAH, 1935, RELATING TO THE RESERVATION OF STATE MINERALS IN STATE LANDS; PROVIDING FOR THE RESERVATION TO THE STATE OF SALTS AND OTHER MINERALS IN THE WATERS OF NAVIGABLE LAKES AND STREAMS; AND FOR THE SALE OF SUCH SALTS AND MINERALS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 67 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEE

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 101*, by Mr. Lundell and Mr. Farr, entitled, "AN ACT AMENDING SECTIONS 1, 8 AND 9 OF CHAPTER 43, LAWS OF UTAH, 1939, AND REPEALING SECTION 7, CHAPTER 43, LAWS OF UTAH, 1939, AND ENACTING A NEW SECTION TO BE KNOWN AS 7-A, PROVIDING FOR PERMITS AND LICENSE FEES," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 101 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 112*, by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 103-24-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT; PUNISHMENT; NOTICE OF; PROTECT EVIDENCE OF; KNOWNEDGE OF INSUFFICIENCY, AND CREDIT DEFINED," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 112 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 132*, by Mr. Child, entitled, "AN ACT AUTHORIZING PLANNING AND ZONING OF UNINCORPORATED TERRITORY

WITHIN COUNTIES; PROVIDING FOR THE APPOINTMENT OF COUNTY AND DISTRICT PLANNING COMMISSIONS IN CONNECTION THEREWITH, PRESCRIBING THE PROCEDURE THEREFOR; AND PROVIDING PENALTIES FOR VIOLATION THEREOF," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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.

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 194*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11, 85-8-12 AND 85-8-14, REVISED STATUTES OF UTAH, 1933, RELATING TO UTAH TRAINING SCHOOL, TRANSFERRING THE UTAH STATE TRAINING SCHOOL TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE GOVERNMENT AND CONTROL OF THE PUBLIC WELFARE COMMISSION; AND REPEALING SECTIONS 82-8-2, 82-8-3, 82-8-6, 82-8-7 AND 82-8-10, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 194 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 196*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 14-7-2, 14-7-3, 14-7-7, 14-7-8, 14-7-37 AND 14-7-38, REVISED STATUTES OF UTAH, 1933, RE-

LATING TO JUVENILE COURTS AND DELINQUENCY, TRANSFERRING THE GENERAL CONTROL AND SUPERVISION OF THE JUVENILE COURTS AND JUVENILE COURT PROBATION OFFICERS FROM THE JUVENILE COURT AND PROBATION COMMISSION TO THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT OF JUVENILE COURTS, JUVENILE COURT JUDGES, JUVENILE COURT PROBATION OFFICERS AND OTHER JUVENILE COURT EMPLOYEES; AND REPEALING SECTION 14-7-1, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 196 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 197,* by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-7-4, 85-7-5, 85-7-6, 85-7-7, 85-7-12, 85-7-13, 85-7-16, 85-7-28, 85-7-32 AND 85-7-42, REVISED STATUTES OF UTAH, 1933, 85-7-43, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933; 85-7-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AND AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; SECTION 85-7-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935; SECTIONS 85-7-14, 85-7-27, 85-7-30 AND 85-7-38, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; AND SECTION 2 OF CHAPTER 95, LAWS OF UTAH, 1935; RELATING TO THE UTAH STATE HOSPITAL, TRANSFERRING THE GOVERNMENT AND CONTROL OF THE UTAH STATE HOSPITAL FROM THE BOARD OF TRUSTEES TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT TO THE UTAH STATE HOSPITAL; AND REPEALING SECTION 85-7-2, RE-

VISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935, AND SECTION 85-7-3, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 197 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 198*, by Committee on State and Municipal Affairs, entitled, "AN ACT CREATING THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, MAKING AN APPROPRIATION, PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS, THEIR SALARIES, TERMS OF OFFICE, POWERS AND DUTIES. AND CREATING A PUBLICITY AND INDUSTRIAL DEVELOPMENT ADVISORY COUNCIL, PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE COUNCIL, THEIR TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS, VESTING IN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION, ABOLISHING THE WATER STORAGE COMMISSION AND REPEALING CHAPTER 6, TITLE 100, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 198 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 202,* by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO PUBLIC HEALTH, THE ADMINISTRATION OF HEALTH FUNCTIONS AND HEALTH PROGRAM OF THE STATE; CREATING A DEPARTMENT OF HEALTH; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF HEALTH, APPOINTMENT, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE PERSONNEL OF THE STATE HEALTH COMMISSIONER, HIS SALARY AND QUALIFICATIONS; TERMINATING THE TERM OF OFFICE OF THE MEMBERS OF THE PRESENT BOARD OF HEALTH AND OF THE PRESENT STATE HEALTH COMMISSIONER; AND REPEALING SECTIONS 35-1-1, 35-1-3, 35-1-4, 35-1-7 AND 35-1-8, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 202 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 203,* by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO AGRICULTURE; THE ADMINISTRATION OF THE AGRICULTURAL FUNCTIONS AND PROGRAM OF THE STATE; CREATING A DEPARTMENT OF AGRICULTURE; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF AGRICULTURE AND APPOINTMENTS, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE OFFICE OF THE COMMISSIONER OF AGRICULTURE; CREATING A DEPARTMENT OF AGRICULTURE ADVISORY COUNCIL, MEMBERSHIP, TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS; TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF AGRICULTURE AND TERMINATING THE TERM OF OFFICE OF THE PRESENT

COMMISSIONER OF AGRICULTURE; AND REPEALING SECTIONS 3-1-1, 3-1-2, 3-1-3, 3-1-9, 3-1-10 AND 3-1-11, REVISED STATUTES OF UTAH, 1933, AND SECTIONS 3-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1939," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 26*, by Committee on Highways, entitled, "AN ACT REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS, AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES, OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 36-1-23, 36-1-25, AND 36-1-35, REVISED STATUTES OF UTAH, 1933, AND REPEALING SECTION 36-1-26, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND REPEALING SECTION 36-1-21X, AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935; AND REPEALING CHAPTER 7 OF TITLE 57, REVISED STATUTES OF UTAH, 1933, INCLUDING IN SUCH REPEAL SECTION 57-7-55, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND SECTIONS 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, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND ALSO

REPEALING SECTIONS 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, AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 26 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 205*, by Committee on State and Municipal Affairs, entitled, "AN ACT TRANSFERRING THE SUPERVISION, MANAGEMENT AND CONTROL OF STATE PARKS FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT WITH RESPECT THERETO AND REPEALING TITLE 68, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 234*, by Mr. Miller, entitled, "AN ACT PROVIDING FOR THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF," examined by this committee and a like committee from the House, has

carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 234 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 278*, by Committee on State and Municipal Affairs, entitled, "AN ACT CREATING THE PUBLIC WELFARE COMMISSION; PROVIDING FOR THE APPOINTMENT OF THE PUBLIC WELFARE COMMISSION AND THE PUBLIC WELFARE COMMISSION ADVISORY COUNCIL THEIR TERMS OF OFFICE, SALARIES, AND DUTIES AND POWERS; TRANSFERRING THE ADMINISTRATION OF THE STATE DEPARTMENT OF PUBLIC WELFARE TO THE PUBLIC WELFARE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF PUBLIC WELFARE AND THE DIRECTOR THEREOF; REPEALING SECTIONS 2 AND 3, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 278 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 279*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 1, 2, 7, 9, 11, 12 AND 19, CHAPTER 90, LAWS OF UTAH, 1937, RELATING TO PUBLIC WELFARE, TRANSFERRING THE ADMINISTRATION OF THE LAWS PROVIDING PUBLIC ASSISTANCE TO AGED AND BLIND PER-

SONS IN NEED, DEPENDENT CHILDREN AND OTHER PERSONS IN NECESSITOUS CIRCUMSTANCES TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 279 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 280*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO PUBLIC WELFARE; TRANSFERRING THE ADMINISTRATION OF THE LAWS RELATING TO OLD AGE ASSISTANCE TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION, AND AMENDING SECTIONS 2, 5, 6, 7, 8, 10, 16, 19, 26 AND 27, CHAPTER 89, LAWS OF UTAH, 1937," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 280 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 281*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 1, 4, 5 AND 6, CHAPTER 69, LAWS OF UTAH, 1935; SECTION 7, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937; SECTION 8, CHAPTER 69, LAWS OF UTAH, 1935; AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY

CHAPTER 86, LAWS OF UTAH, 1939; AND SECTIONS 12, 13 AND 17, CHAPTER 88, LAWS OF UTAH, 1937; AND SECTION 15, CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 87, LAWS OF UTAH, 1939, RELATING TO PUBLIC WELFARE; THE STATE DEPARTMENT OF PUBLIC WELFARE AND THE COUNTY AND DISTRICT DEPARTMENTS AND BOARDS OF PUBLIC WELFARE," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 281 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 284*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 12, 17 AND 18, CHAPTER 38, LAWS OF UTAH, 1937, TRANSFERRING THE ADMINISTRATION AND CONTROL OF THE UTAH STATE TUBERCULOSIS SANATORIUM FROM THE STATE BOARD OF HEALTH TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION, DEFINING THE POWERS AND DUTIES OF THE COMMISSION WITH REGARD TO THE SANATORIUM, AND REPEALING SECTIONS 4, 5, 6, 7, 8, 9, 10 AND 13, CHAPTER 38, LAWS OF UTAH, 1937," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 284 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 286*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 42-3-2, 42-3-3, 42-3-4, 42-3-5, 42-3-6, 42-3-7, 42-3-8 AND 42-3-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION AS A BUREAU OF IMMIGRATION, LABOR AND STATISTICS AND TRANSFERRING CERTAIN SUCH POWERS AND DUTIES TO THE STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; AND REPEALING SECTION 42-3-1, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 286 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 287*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTION 3-3-3, REVISED STATUTES OF UTAH, 1933, SECTION 61, CHAPTER 7, LAWS OF UTAH, 1939, AND SECTIONS 5 AND 18, CHAPTER 10, LAWS OF UTAH, 1939, RELATING TO POWERS OF THE STATE BOARD OF AGRICULTURE AND PROVIDING FOR RESTRICTIONS UPON THE POWER OF THE BOARD WITH RESPECT TO EMPLOYMENT AND EXPENSES; REPEALING SECTION 59, CHAPTER 7, LAWS OF UTAH, 1939," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 287 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 288*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO THE SUPERVISION OF HOTELS AND LODGING HOUSES BY THE STATE BOARD OF HEALTH, AND REPEALING CHAPTER 12, TITLE 3, REVISED STATUTES OF UTAH, 1933," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 288 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 289*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-6, 85-4-8 AND 85-4-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE UTAH STATE FAIR ASSOCIATION, AND TO THE POWERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION; AND PLACING THE UTAH STATE FAIR ASSOCIATION UNDER THE DIRECTION, SUPERVISION AND CONTROL OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 85-4-10, RELATING TO THE TERMINATION OF THE TERM OF OFFICE OF THE PRESENT OFFICERS OF THE UTAH STATE FAIR ASSOCIATION," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 289 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 13, 1941.

Mr. President:

Your Committee on Revision and enrolling, to which has been referred *S. B. No. 291,* by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 35-1-15, 35-1-20, 35-2-1 AND 35-6-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH AND PROVIDING FOR STANDARDS OF COMPENSATION OR SALARIES OF EMPLOLEES AND FOR DISPOSITION OF FUNDS COLLECTED," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 291 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 3, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 297,* by Committee on Agriculture and Irrigation, entitled, "AN ACT REGULATING THE PRODUCTION AND DISTRIBUTION OF FLUID MILK AND FLUID CREAM AND GIVING TO THE COMMISSIONER OF AGRICULTURE THE POWER TO APPOINT LOCAL CONTROL BOARDS FROM PRODUCERS NOMINATED BY MILK PRODUCERS OF MARKETING AREAS; PROVIDING FOR THE ESTABLISHMENT OF MARKETING AREAS; AND POWER TO CREATE A STABILIZATION AND MARKETING PLAN AND MAKE IT EFFECTIVE WITHIN MARKETING AREAS; POWER TO CREATE MINIMUM PRICES TO BE PAID BY DISTRIBUTORS TO PRODUCERS IN THE MARKETING AREAS; METHODS BY WHICH ORDERS AND REGULATIONS MAY BE MADE EFFECTIVE AND FOR THE CANCELLATION OF ORDERS AND STABILIZATION AND MARKETING PLANS BY THE STATE BOARD OF AGRICULTURE; PROVIDING FOR LICENSES AND FEES, AND FOR THE ADMINISTRATION OF THIS ACT; TO REQUIRE BONDS BY DISTRIBUTORS TO GUARANTEE PAYMENT TO PRODUCERS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed

copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 297 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 13, 1941.

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. 112*, by Judiciary Committee, entitled, "AN ACT AMENDING SECTION 103-24-7, REVISED STATUTES OF UTAH, 1933, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT; PUNISHMENT; NOTICE OF; PROTECT EVIDENCE OF; KNOWLEDGE OF INSUFFICIENCY, AND CREDIT DEFINED," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 112 was transmitted to the Governor.

March 13, 1941.

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. 186*, by Mr. Child, entitled, "AN ACT AMENDING SECTIONS 14-4-4, 14-4-7 AND 14-4-8, REVISED STATUTES OF UTAH, 1933, RELATING TO CONSENT TO ADOPT, JURISDICTION OF DISTRICT COURT, AND PROCEDURE; CONTRACT OF ADOPTING PARENTS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 186 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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. 187*, by Mr. Child, entitled, "AN ACT AMENDING CHAPTER 4, TITLE 14, REVISED STATUTES OF UTAH, 1933, BY ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 14-4-14 AND 14-4-15, RELATING TO INVESTIGATION OF THE SOCIAL, PHYSICAL AND MENTAL CONDITION OF THE CHILD PROPOSED TO BE ADOPTED; THE FNANCIAL AND SOCIAL CONDITION OF THE ADOPTING PARENT OR PARENTS; THE REASONS FOR ADOPTION; THE SOCIAL AND MENTAL CONDITIONS OF THE PARENT OR PARENTS OF THE CHILD PROPOSED TO BE ADOPTED; AND THE PROBATIONARY RESIDENCE OF THE CHILD PROPOSED TO BE ADOPTED; RECORDS SEALED," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 187 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1941.

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 Mr. Child, entitled, "AN ACT AUTHORIZING PLANNING AND ZONING OF UNINCORPORATED TERRITORY WITHIN COUNTIES; PROVIDING FOR THE APPOINTMENT OF COUNTY AND DISTRICT PLANNING COMMISSIONS IN CONNECTION THEREWITH, PRESCRIBING THE PROCEDURE THEREFOR; AND PROVIDING PENALTIES FOR VIOLATION THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 132 was transmitted to the Governor.

March 13, 1941.

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.*

194, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11, 85-8-12 AND 85-8-14, REVISED STATUTES OF UTAH, 1933, RELATING TO UTAH TRAINING SCHOOL, TRANSFERRING THE UTAH STATE TRAINING SCHOOL TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE GOVERNMENT AND CONTROL OF THE PUBLIC WELFARE COMMISSION; AND REPEALING SECTIONS 82-8-2, 82-8-3, 82-8-6, 82-8-7 AND 82-8-10, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 194 was transmitted to the Governor.

March 13, 1941.

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. 196*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 14-7-2, 14-7-3, 14-7-7, 14-7-8, 14-7-37 AND 14-7-38, REVISED STATUTES OF UTAH, 1933, RELATING TO JUVENILE COURTS AND DELINQUENCY, TRANSFERRING THE GENERAL CONTROL AND SUPERVISION OF THE JUVENILE COURTS AND JUVENILE COURT PROBATION OFFICERS FROM THE JUVENILE COURT AND PROBATION COMMISSION TO THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT OF JUVENILE COURTS; JUVENILE COURT JUDGES, JUVENILE COURT PROBATION OFFICERS AND OTHER JUVENILE COURT EMPLOYEES; AND REPEALING SECTION 14-7-1, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 196 was transmitted to the Governor.

March 13, 1941.

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. 278*, by Committee on State and Municipal Affairs, entitled, "AN ACT

CREATING THE PUBLIC WELFARE COMMISSION; PROVIDING FOR THE APPOINTMENT OF THE PUBLIC WELFARE COMMISSION AND THE PUBLIC WELFARE COMMISSION ADVISORY COUNCIL THEIR TERMS OF OFFICE, SALARIES, AND DUTIES AND POWERS; TRANSFERRING THE ADMINISTRATION OF THE STATE DEPARTMENT OF PUBLIC WELFARE TO THE PUBLIC WELFARE COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF PUBLIC WELFARE AND THE DIRECTOR THEREOF; REPEALING SECTIONS 2 AND 3, CHAPTER 69, LAWS OF UTAH, 1935 AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 278 was transmitted to the Governor.

March 13, 1941.

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 Committee on State and Municipal Affairs, entitled, "AN ACT TRANSFERRING THE SUPERVISION, MANAGEMENT AND CONTROL OF STATE PARKS FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT WITH RESPECT THERETO AND REPEALING TITLE 68, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 205 was transmitted to the Governor.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session in the presnce of the House, *S. B. No. 198*, by Committee on State and Municipal Affairs, entitled, "AN ACT CREATING THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, MAKING AN APPROPRIATION; PROVIDING

FOR THE APPOINTMENT OF COMMISSIONERS, THEIR SALARIES, TERMS OF OFFICE, POWERS AND DUTIES, AND CREATING A PUBLICITY AND INDUSTRIAL DEVELOPMENT ADVISORY COUNCIL; PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE COUNCIL, THEIR TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS, VESTING IN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION, ABOLISHING THE WATER STORAGE COMMISSION AND REPEALING CHAPTER 6, TITLE 100, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 198 was transmitted to the Governor.

March 13, 1941.

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. 197*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-7-4, 85-7-5, 85-7-6, 85-7-7, 85-7-12, 85-7-13, 85-7-16, 85-7-28, 85-7-32 AND 85-7-42, REVISED STATUTES OF UTAH, 1933; 85-7-43, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933; 85-7-45, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AND AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; SECTION 85-7-11, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94, LAWS OF UTAH, 1935, SECTIONS 85-7-14, 85-7-27, 85-7-30 AND 85-7-38, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 95, LAWS OF UTAH, 1935; AND SECTION 2 OF CHAPTER 95, LAWS OF UTAH, 1935; RELATING TO THE UTAH STATE HOSPITAL, TRANSFERRING THE GOVERNMENT AND CONTROL OF THE UTAH STATE HOSPITAL FROM THE BOARD OF TRUSTEES TO THE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION; DEFINING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION WITH RESPECT TO THE UTAH STATE HOSPITAL; AND REPEALING SECTION 85-7-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 94,

LAWS OF UTAH, 1935, AND SECTION 85-7-3, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 197 was transmitted to the Governor.

March 13, 1941.

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. 288*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO THE SUPERVISION OF HOTELS AND LODGING HOUSES BY THE STATE BOARD OF HEALTH, AND REPEALING CHAPTER 12, TITLE 3, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 288 was transmitted to the Governor.

March 13, 1941.

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. 287*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTION 3-3-3, REVISED STATUTES OF UTAH, 1933, SECTION 61, CHAPTER 7, LAWS OF UTAH, 1939, AND SECTIONS 5 AND 18, CHAPTER 10, LAWS OF UTAH, 1939, RELATING TO POWERS OF THE STATE BOARD OF AGRICULTURE AND PROVIDING FOR RESTRICTIONS UPON THE POWER OF THE BOARD WITH RESPECT TO EMPLOYMENT AND EXPENSES; REPEALING SECTION 59, CHAPTER 7, LAWS OF UTAH, 1939," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 287 was transmitted to the Governor.

March 13, 1941.

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. 284*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 12, 17 AND 18, CHAPTER 38, LAWS OF UTAH, 1937, TRANSFERRING THE ADMINISTRATION AND CONTROL OF THE UTAH STATE TUBERCULOSIS SANATORIUM FROM THE STATE BOARD OF HEALTH TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE CONTROL OF THE PUBLIC WELFARE COMMISSION, DEFINING THE POWERS AND DUTIES OF THE COMMISSION WITH REGARD TO THE SANATORIUM, AND REPEALING SECTIONS 4, 5, 6, 7, 8, 9, 10 AND 13, CHAPTER 38, LAWS OF UTAH, 1937," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 284 was transmitted to the Governor.

March 13, 1941.

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. 281*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 1, 4, 5 AND 6, CHAPTER 69, LAWS OF UTAH, 1935; SECTION 7, CHAPTER 69, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, SECTION 8, CHAPTER 69, LAWS OF UTAH, 1935; AS AMENDED BY CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 86, LAWS OF UTAH, 1939; AND SECTIONS 12, 13 AND 17, CHAPTER 88, LAWS OF UTAH, 1937; AND SECTION 15, CHAPTER 88, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 87, LAWS OF UTAH, 1939, RELATING TO PUBLIC WELFARE; THE STATE DEPARTMENT OF PUBLIC WELFARE AND THE COUNTY AND DISTRICT DEPARTMENTS AND BOARDS OF PUBLIC WELFARE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 281 was transmitted to the Governor.

March 13, 1941.

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. 297*, by Committee on Agriculture and Irrigation, entitled, "AN ACT REGULATING THE PRODUCTION AND DISTRIBUTION OF FLUID MILK AND FLUID CREAM AND GIVING TO THE COMMISSIONER OF AGRICULTURE THE POWER TO APPOINT LOCAL CONTROL BOARDS FROM PRODUCERS NOMINATED BY MILK PRODUCERS OF MARKETING AREAS; PROVIDING FOR THE ESTABLISHMENT OF MARKETING AREAS, AND POWER TO CREATE A STABILIZATION AND MARKETING PLAN AND MAKE IT EFFECTIVE WITHIN MARKETING AREAS; POWER TO CREATE MINIMUM PRICES TO BE PAID BY DISTRIBUTORS TO PRODUCERS IN THE MARKETING AREAS; METHODS BY WHICH ORDERS AND REGULATIONS MAY BE MADE EFFECTIVE AND FOR THE CANCELLATION OF ORDERS AND STABILIZATION AND MARKETING PLANS BY THE STATE BOARD OF AGRICULTURE; PROVIDING FOR LICENSES AND FEES, AND FOR THE ADMINISTRATION OF THIS ACT, TO REQUIRE BONDS BY DISTRIBUTORS TO GUARANTEE PAYMENT TO PRODUCERS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 297 was transmitted to the Governor.

March 13, 1941.

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. 286*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 42-3-2, 42-3-3, 42-3-4, 42-3-5, 42-3-6, 42-3-7, 42-3-8 AND 42-3-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION AS A BUREAU OF IMMIGRATION, LABOR AND STATISTICS AND TRANSFERRING CERTAIN SUCH POWERS AND DUTIES TO THE STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; AND REPEALING SECTION 42-3-1, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 286 was transmitted to the Governor.

March 13, 1941.

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. 289*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-6, 85-4-8 AND 85-4-9, REVISED STATUTES OF UTAH, 1933, RELATING TO THE UTAH STATE FAIR ASSOCIATION, AND TO THE UTAH STATE FAIR ASSOCIATION, AND TO THE POWERS OF THE BOARD OF DIRECTORS OF THE UTAH STATE FAIR ASSOCIATION; AND PLACING THE UTAH STATE FAIR ASSOCIATION UNDER THE DIRECTION, SUPERVISION AND CONTROL OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 85-4-10, RELATING TO THE TERMINATION OF THE TERM OF OFFICE OF THE PRESENT OFFICERS OF THE UTAH STATE FAIR ASSOCIATION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 289 was transmitted to the Governor.

March 13, 1941.

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. 291*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS 35-1-15,.35-1-20, 35-2-1 AND 35-6-8, REVISED STATUTES OF UTAH, 1933, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH AND PROVIDING FOR STANDARDS OF COMPENSATION OR SALARIES OF EMPLOYEES AND FOR DISPOSITION OF FUNDS COLLECTED," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 291 was transmitted to the Governor.

March 13, 1941.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 26*, by Committee on Highways, entitled, "AN ACT REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS, AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES, OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 36-1-23, 36-1-25, AND 36-1-35, REVISED STATUTES OF UTAH, 1933, AND REPEALING SECTION 36-1-26, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND REPEALING SECTION 36-1-21X AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935; AND REPEALING CHAPTER 7 OF TITLE 57, REVISED STATUTES OF UTAH, 1933, INCLUDING IN SUCH REPEAL SECTION 57-7-55 AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND SECTIONS 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, AS AMENDED BY CHAPTER 48, LAWS OF UTAH, 1935, AND ALSO REPEALING SECTIONS 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, AS ENACTED BY CHAPTER 48, LAWS OF UTAH, 1935," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 26 was transmitted to the Governor.

March 13, 1941.

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. 101*, by Mr. Lundell and Mr. Farr, entitled, "AN ACT AMENDING SECTIONS

1, 8 AND 9 OF CHAPTER 43, LAWS OF UTAH, 1939, AND REPEALING SECTION 7, CHAPTER 43, LAWS OF UTAH, 1939, AND ENACTING A NEW SECTION TO BE KNOWN AS 7-A, PROVIDING FOR PERMITS AND LICENSE FEES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 101 was transmitted to the Governor.

March 13, 1941.

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 Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO AGRICULTURE; THE ADMINISTRATION OF THE AGRICULTURAL FUNCTIONS AND PROGRAM OF THE STATE; CREATING A DEPARTMENT OF AGRICULTURE; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF AGRICULTURE AND APPOINTMENTS, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE OFFICE OF THE COMMISSIONER OF AGRICULTURE; CREATING A DEPARTMENT OF AGRICULTURE ADVISORY COUNCIL, MEMBERSHIP, TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS; TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE STATE BOARD OF AGRICULTURE AND TERMINATING THE TERM OF OFFICE OF THE PRESENT COMMISSIONER OF AGRICULTURE; AND REPEALING SECTIONS 3-1-1, 3-1-2, 3-1-3, 3-1-9, 3-1-10, AND 3-1-11, REVISED STATUTES OF UTAH, 1933, AND SECTION 3-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1939," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 203 was transmitted to the Governor.

March 13, 1941.

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. 202*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO PUBLIC HEALTH; THE ADMINISTRATION OF

HEALTH FUNCTIONS AND HEALTH PROGRAM OF THE STATE; CREATING A DEPARTMENT OF HEALTH; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF HEALTH, APPOINTMENT, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE PERSONNEL OF THE STATE HEALTH COMMISSIONER, HIS SALARY AND QUALIFICATIONS; TERMINATING THE TERM OF OFFICE OF THE MEMBERS OF THE PRESENT BOARD OF HEALTH AND OF THE PRESENT STATE HEALTH COMMISSIONER; AND REPEALING SECTIONS 35-1-1, 35-1-3, 35-1-4, 35-1-7 AND 35-1-8, REVISED STATUTES OF UTAH, 1933," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 202 was transmitted to the Governor.

March 13, 1941.

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. 234*, by Mr. Miller, entitled, "AN ACT PROVIDING FOR THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 234 was transmitted to the Governor.

March 13, 1941.

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. 279*, by Committee on State and Municipal Affairs, entitled, "AN ACT AMENDING SECTIONS, 1, 2, 7, 9, 11, 12 AND 19 CHAPTER 90, LAWS OF UTAH, 1937, RELATING TO PUBLIC WELFARE, TRANSFERRING THE ADMINISTRATION OF THE LAWS PROVIDING PUBLIC ASSISTANCE TO AGED AND BLIND PERSONS IN NEED, DEPENDENT CHILDREN AND OTHER PERSONS IN NECESSITOUS CIRCUMSTANCES TO THE STATE DEPARTMENT OF PUB-

LIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 279 was transmitted to the Governor.

March 13, 1941.

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. 280*, by Committee on State and Municipal Affairs, entitled, "AN ACT RELATING TO PUBLIC WELFARE; TRANSFERRING THE ADMINISTRATION OF THE LAWS RELATING TO OLD AGE ASSISTANCE TO THE STATE DEPARTMENT OF PUBLIC WELFARE UNDER THE PUBLIC WELFARE COMMISSION, AND AMENDING SECTIONS 2, 5, 6, 7, 8, 10, 16, 19, 26 AND 27, CHAPTER 89, LAWS OF UTAH, 1937," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 280 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEE

March 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 187*, by Mr. Child, entitled, "AN ACT AMENDING CHAPTER 4, TITLE 14, REVISED STATUTES OF UTAH, 1933, BY ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 14-4-14 AND 14-4-15, RELATING TO INVESTIGATION OF THE SOCIAL, PHYSICAL AND MENTAL CONDITION OF THE CHILD PROPOSED TO BE ADOPTED; THE FINANCIAL AND SOCIAL CONDITION OF THE ADOPTING PARENT OR PARENTS; THE REASONS FOR ADOPTION; THE SOCIAL AND MENTAL CONDITIONS OF THE PARENT OR PARENTS OF THE CHILD PROPOSED TO BE ADOPTED; AND THE PROBATIONARY RESIDENCE OF THE CHILD PROPOSED TO BE ADOPTED; RECORDS SEALED," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 187 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 13, 1941.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 186,* by Mr. Child, entitled, "AN ACT AMENDING SECTIONS 14-4-4, 14-4-7, AND 14-4-8, REVISED STATUTES OF UTAH, 1933, RELATING TO CONSENT TO ADOPT, JURISDICTION OF DISTRICT COURT, AND PROCEDURE; CONTRACT OF ADOPTING PARENTS," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

STANLEY N. CHILD,
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 13, 1941.

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. 206,* by Messrs. McGean, Brewster, Hainsworth, Reid and Elswood, entitled, "AN ACT AMENDING SECTION 18, CHAPTER 110, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 133, LAWS OF UTAH, 1937, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 18-A, RELATING TO THE POWERS OF METROPOLITAN WATER DISTRICTS AND THE APPOINTMENT OF ATTORNEYS AND ENGINEERS FOR ANY SUCH DISTRICTS AS SHALL BE INCLUDED WITHIN THE AREA OF ONLY ONE MUNICIPALITY," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 206 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, 1941.

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. Selvin, entitled, "AN ACT PROVIDING FOR UNEMPLOYMENT COMPENSATION; THE MAINTENANCE OF A STATE SYSTEM OF PUBLIC EMPLOYMENT OFFICES; THE ESTABLISHMENT OF AN UNEMPLOYMENT COMPENSATION FUND AND THE DISTRIBUTION AND INVESTMENT THEREOF; THE ASSESSMENT AND COLLECTION OF CONTRIBUTIONS UPON WAGES FOR EMPLOYMENT BY EMPLOYERS; THE ADMINISTRATION OF THE ACT BY THE INDUSTRIAL COMMISSION OF UTAH AND THE CREATION OF A DEPARTMENT THEREFOR; RECIPROCAL ARRANGEMENTS WITH OTHER FEDERAL AND STATE AGENCIES; ESTABLISHMENT AND CONTROL OF AN EMPLOYMENT SECURITY ADMINISTRATION FUND; PENALTIES; AN APPROPRIATION; DEFINING TERMS; REPEALING CHAPTER 1, LAWS OF UTAH, SPECIAL SESSION, 1936, AS AMENDED BY CHAPTER 43, LAWS OF UTAH, 1937, AND CHAPTER 52, LAWS OF UTAH, 1939, RELATING TO UNEMPLOYMENT COMPENSATION; AND PROVIDING FOR OTHER RELATED PURPOSES," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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 Messrs. Smith, Bennion and Adams, entitled, "AN ACT RELATING TO AGRICULTURAL COMMODITIES AND CONCERNING THE PRODUCTION, SALE AND DISTRIBUTION OF AGRICULTURAL COMMODITIES; STATING A DECLARATION OF POLICY AND DEFINING TERMS; PROVIDING FOR THE STABILIZATION AND MARKETING OF AGRICULTURAL COMMODITIES; PROVIDING FOR THE ISSUANCE FOR THAT PURPOSE BY THE COMMISSIONER OF AGRICULTURE OF MARKETING ORDERS FOR THE PURPOSES OF REGULATING THE HANDLING IN INTRASTATE COMMERCE OF AGRICULTURAL COMMODITIES; PROVIDING FOR THE CONDITIONS UPON WHICH SUCH ORDERS

MAY BE ISSUED, INCLUDING THE HEARINGS WITH RESPECT THERETO; PROVIDING FOR THE ADMINISTRATION OF THIS ACT AND CREATING BOARDS OF CONTROL FOR THE ADMINISTRATION OF SUCH MARKETING ORDERS; FIXING THE POWERS AND DUTIES OF SUCH BOARDS; PROVIDING FOR THE COLLECTION AND DISBURSEMENTS OF SUCH MARKETING ORDERS; PROVIDING FOR THE MAKING OF RULES AND REGULATIONS COVERING THE ADMINISTRATION OF MARKETING ORDERS BY SUCH BOARDS OF CONTROL AND FOR THE ADMINISTRATION OF THIS ACT; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ACT, AND ANY RULES AND REGULATIONS MADE PURSUANT THERETO; AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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 Mrs. Jack, Mrs. Jacob, Mrs. Jensen and Mr. Thomas, entitled, "AN ACT PROVIDING FOR THE EDUCATION OF PHYSICALLY HANDICAPPED CHILDREN BETWEEN THE AGES OF SIX AND EIGHTEEN YEARS; PROCEDURE; REIMBURSEMENTS TO SCHOOL DISTRICTS BY THE STATE BOARD OF EDUCATION; SUPERVISION BY THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, PROVIDING FOR THE APPORTIONMENT OF THE COST BETWEEN COOPERATING SCHOOL DISTRICTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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. 157*, by Mr. Twitchell, entitled, "AN ACT AMENDING CHAPTER 6, TITLE 18, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS 18-6-16, RELATING TO TAXATION OF COOPERATIVE NON-PROFIT ELECTRIC CORPORATIONS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 157 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, 1941.

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 Mr. Scherer, entitled, "AN ACT AMENDING SECTIONS 4, 5, 8, 9, 10, 12, 13 AND 14, CHAPTER 60, LAWS OF UTAH, 1937, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 16, 17 AND 18, RELATING TO PAYMENT OF WAGES OR COMPENSATION FOR LABOR OR SERVICE IN THE MINING OF METALLIFEROUS ORES OR COAL, MAKING PERSONS LIABLE TO EMPLOYEES OF CONTRACTORS; EXCEPTIONS; PENALTIES; PROVIDING FOR ASSIGNMENT OF CAUSE OF ACTION AGAINST SURETIES; AND PROVIDING FOR THE GUARANTEE OF WAGE CLAIMS BY PERSONS AS SELF INSURERS OR BY INSURANCE, PROVIDING PENALTIES FOR VIOLATION HEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

Mr. President:

I am directed to inform your Honorably Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 47*, by Messrs. Leary and T. M. Rees, entitled, "AN

ACT AMENDING SECTIONS 75-2-1 AND 75-6-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 76, LAWS OF UTAH, 1937, RELATING TO STUDENTS FEES OF UNIVERSITY OF UTAH AND UTAH STATE AGRICULTURAL COLLEGE AND JUNIOR COLLEGE STUDENTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 47 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 13, 1941.

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 Mrs. Jensen, Mr. T. M. Rees, Mr. Leavitt, Mrs. Jack, Mr. Bryan, Mr. Foote, Mr. Thorne, Mr. J. E. Rees, Mr. Scherer, Mr. Liddell, Mr. Nichols, Mr. Dix, Mr. Macfarlane, Mr. Hainsworth, Mr. Reid, and Mr. Ingleby, entitled, "AN ACT AMENDING SECTIONS 2, 3 and 16, CHAPTER 89, LAWS OF UTAH, 1937, RELATING TO OLD-AGE ASSISTANCE AND PROVIDING FOR DEFINITIONS, ELIGIBILITY REQUIREMENTS FOR ASSISTANCE, AND APPEALS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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. 145*, by Messrs. Liddell, Stringham, T. M. Rees, Schenk, Miller, Albrecht, and Staples, entitled, "AN ACT AMENDING SECTION 100-3-12, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937, RELATING TO THE

EXTENSION OF TIME FOR CONSTRUCTING WORKS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 145 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 13, 1941.

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. 56*, by Traffic Safety Committee, entitled, "AN ACT TO REPEAL SECTION 11, CHAPTER 45, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1935; AND TO AMEND SECTIONS 7, 8 AND 19, CHAPTER 45, LAWS OF UTAH, 1933, AND SECTIONS 1, 4, 5, 6, 13, 14, 16, 17, 18 AND 21, CHAPTER 45, LAWS OF UTAH, 1933, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1935, AND SECTION 8 X, CHAPTER 47, LAWS OF UTAH, 1935, 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 THE REVOCATION, SUSPENSION AND CANCELLATION OF SUCH LICENSES, AND DEFINING TERMS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 56 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 13, 1941.

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 Mrs. C. L. Jack, Mr. Leavitt, Mr. Scherer, Mr. Hainsworth, Mr. Macfarlane, Mr. Selvin and Mrs. Albert Jensen, entitled, "AN ACT AMENDING SECTIONS 3, 9, 10, 14, 15, 16, 17, 19,

20 and 22, CHAPTER 38, LAWS OF UTAH, 1937, RELATING TO THE ESTABLISHMENT, GOVERNMENT, MANAGEMENT AND CONTROL OF THE UTAH STATE TUBERCULOSIS SANATORIUM, PROVIDING FOR THE ESTABLISHMENT, GOVERNMENT, MANAGEMENT AND CONTROL OF THE STATE MINERS' HOSPITAL FOR DISABLED MINERS AS A PART OF SAID INSTITUTION, PROVIDING FOR THE MANNER IN WHICH MEMBERS SHALL BE ADMITTED TO SAID SANATORIUM, VESTING IN SAID DEPARTMENT OF FINANCE THE PROCEEDS OF THE SALES OF PUBLIC LANDS GRANTED BY THE UNITED STATES TO THE STATE OF UTAH FOR A MINERS' HOSPITAL FOR DISABLED MINERS AND ALL MONEYS BELONGING TO SUCH FUND, AND FOR THE TRANSFER OF THE SAME TO IT, PROVIDING FOR THE INVESTMENT THEREOF AND OTHER FUNDS IN ITS POSSESSION BY SAID DEPARTMENT, AND REPEALING SECTIONS 42-5-3, 42-5-4 AND 42-5-5, REVISED STATUTES OF UTAH, 1933, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 26 AND 27, RELATING TO ADMISSIONS OF APPLICANTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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. Bennion, entitled, "AN ACT AMENDING SECTIONS 100-2-1, 100-2-8, REVISED STATUTES OF UTAH, 1933; SECTION 100-5-1, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935; SECTIONS 100-3-16 AND 100-3-25, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937; SECTION 100-6-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 132, LAWS OF UTAH, 1937; SECTION 100-3-2, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 105, LAWS OF UTAH, 1935, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTIONS 100-3-5 AND 100-3-8, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTION 100-5-13, REVISED STATUTES OF UTAH, AS AMENDED BY CHAPTER 130, LAWS OF UTAH, 1937,

AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; SECTION 100-5-14, REVISED STATUTES OF UTAH, AS AMENDED BY CHAPTER 111, LAWS OF UTAH, 1939; RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE THERETO, THE APPROPRIATION, ADMINISTRATION, AND DISTRIBUTION THEREOF, AND RELATING TO THE POWERS AND DUTIES OF THE WATER STORAGE COMMISSION, AND AMENDING CHAPTER 2, TITLE 100, REVISED STATUTES OF UTAH, 1933, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 100-2-16, AUTHORIZING THE STATE ENGINEER TO ASSIST IN THE SETTLEMENT OF DISPUTES OVER WATER AND THE DISTRIBUTION THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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. 105,* by Mr. J. E. Rees, Mrs. Jack, Mrs. Jacob, Mr. Twitchell, Mr. Garff, Mr. Brewster, Mr. Redd, Mr. England, Mr. McGean, Mr. T. M. Rees, Mr. Dix, Mr. Macfarlane and Mr. Jenkins, entitled, "AN ACT AMENDING SECTIONS 9, 27 AND 29, CHAPTER 85, LAWS OF UTAH, 1937, AND SECTION 20, CHAPTER 85, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 80, LAWS OF UTAH, 1939, RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM; PROVIDING FOR ACTUARIAL VALUATIONS; APPROPRIATING FUNDS FOR THE RETIREMENT SYSTEM; AND PROVIDING FOR MINIMUM AND MAXIMUM RETIREMENT ALLOWANCES IN THE SYSTEM," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 105 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 13, 1941.

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 Messrs. Bench and Lund, entitled, "AN ACT APPROPRIATING $25,000 TO THE SNOW JUNIOR COLLEGE FOR MATERIAL, SUPPLIES, AND LABOR TO CONSTRUCT A NEW HEATING PLANT," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
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 13, 1941.

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. 133,* by Mr. Redd, entitled, "AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO AWARD EDUCATIONAL GRANTS FOR THE PURPOSE OF DEFRAYING A PORTION OF THE NECESSARY EXPENSES OF PERSONS ATTENDING THE JUNIOR COLLEGES OF THE STATE OF UTAH WHO RESIDE BEYOND A PRACTICAL COMMUTING DISTANCE FROM THE MOST ACCESSIBLE JUNIOR COLLEGE; DEFINING THE POWERS OF THE BOARD OF SUPERVISING THE EXPENDITURES OF SUCH EDUCATIONAL GRANTS AND MAKING AN APPROPRIATION FOR CARRYING THIS ACT INTO EFFECT," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 133 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, 1941.

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 Mr. Child, entitled, "AN ACT AMENDING

SECTIONS 14-4-4, 14-4-7 AND 14-4-8, REVISED STATUTES OF UTAH, 1933, RELATING TO CONSENT TO ADOPT, JURISDICTION OF DISTRICT COURT, AND PROCEDURE; CONTRACT OF ADOPTING PARENTS," and the same is returned herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 186 was transmitted to the Governor.

March 13, 1941.

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. 187*, by Mr. Child, entitled, "AN ACT AMENDING CHAPTER 4, TITLE 14, REVISED STATUTES OF UTAH, 1933, BY ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 14-4-14 AND 14-4-15, RELATING TO INVESTIGATION OF THE SOCIAL, PHYSICAL AND MENTAL CONDITION OF THE CHILD PROPOSED TO BE ADOPTED; THE FINANCIAL AND SOCIAL CONDITION OF THE ADOPTING PARENT OR PARENTS; THE REASONS FOR ADOPTION; THE SOCIAL AND MENTAL CONDITIONS OF THE PARENT OR PARENTS OF THE CHILD PROPOSED TO BE ADOPTED; AND THE PROBATIONARY RESIDENCE OF THE CHILD PROPOSED TO BE ADOPTED; RECORDS SEALED," and the same is returned herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 187 was transmitted to the Governor.

March 13, 1941.

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 *H. J. R. No. 2*, by Messrs. Miller, Selvin, Cannon, Leavitt, Frandsen, Pace, Lund and Bench, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CON-

STITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE," and the same is transmitted herewith for further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 13, 1941.

Mr. President:

Mr. Speaker:

Your conference committee, to which was referred *H. J. R. No. 2,* begs leave to report that the House withdraws its objection to the Senate amendment on line 4, and that the House concurs in all the Senate amendments.

Respectfully,

CHARLES W. SPENCE,

G. W. REID.

Report adopted and filed.

H. J. R. No. 2 was returned to the House.

COMMUNICATION FROM THE HOUSE

March 13, 1941.

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. 2,* by Messrs. Miller, Selvin, Cannon, Leavitt, Frandsen, Pace, Lund and Bench, 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. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. 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 Secretary of State.

REPORT OF STANDING COMMITTEE

March 14, 1941.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 60th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,

GEO. A. CHRISTENSEN.

Report adopted and filed.

President Grover addressed the Senate briefly commending the efficient and helpful manner in which the officers and employees of the Senate executed their duties during the session.

On motion of Senator Hopkin, the President appointed a committee consisting of Senators Child, Rich and Dawson, to notify the House that the Senate has concluded its business and is ready to adjourn sine die, and also, with a committee from the House, to wait upon the Governor and ascertain if he has any further business to bring before the Legislature.

A committee from the House consisting of Representatives Miller, Selvin and McGean appeared and notified the Senate that the House had concluded its business and is ready to adjourn sine die.

The committee appointed to wait upon the Governor, returned and reported that he has no further business to bring before the Legislature.

On motion of Senator Ericksen the twenty-fourth Session of the Utah State Senate adjourned sine die.

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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	Child—Enumerators of School Population	49	51	171	198	206	206	391	424	434		54
2	Child—School Taxes and Funds	49	51	171	199	246	261	644	664	674		54, 206, 253, 254, 260
3	Weggeland—Public Employees in Military Service	49	51	218	329							54
4	Miller—Repeal of the Motor Fund Act	52	55	203								119
5	Huggins—Admissions to Mental Hospital	53	55	140	193	246	246	531	591	601		205
6	Christensen, et.al.—Financial Responsibility Act	55	58	69	75							86, 294, 307
7	Huggins—Discharge of Chattel Mortgages	56	59	82	87	194	194	379	395	423		122
8	Huggins—Abstracting by County Recorders	56	59	69	75	75	75	136	153	187	264	
9	Grover—Civil Service for Public Safety Employees	56	59	130	134	142	160	674				143, 159
10	Miller and Watson—Tax on Natural Gas	56	59	237								674
11	Huggins—Registration of Absentee Voters	57	60	68	74							87, 98
12	Macfarlane, Spence—Powers of Naturepathic Physicians	57	60	68	74	87	87	162				
13	Spence—Permitting Dentists to Advertise	57	60	251								674
14	Huggins—Repealing Printed Recording	57	60	93	98							122, 194, 195, 198, 212
15	Miller—Corporation Franchise Tax	62	66	237								674
16	Miller—Excise Tax on Corporations	62	66	238								674
17	Miller—Method of Computing Gross Income	62	66	238								674
18	Farr—Tax on Fuel	62	66	173	208	254	254	325	338	349		212
19	Spence—Sale of Liquor by Drink	63	67	370								221
20	Hopkin—Income Tax on Federal Salaries	63	67	190	261	261	262	389	425			
21	Christensen—Relating to Engineers and Architects	63	67	173	212	260	263	390	436	448		262, 473, 477, 638
22	Dawson—Unlawful Taking of Motor Vehicles	64	67	81	96	111	111	454	591	601		87
23	Hopkin—Estray Fund and Slaughtering of Cattle	64	68	93	97	111	111	243	266	277		
24	Howard—Prohibiting Legislators from Holding Office	64	68	130	135	160	161	674				143
25	Highway Com.—School Safety Patrols	69	76	104	307	329	345	530	603	606		86, 112, 543, 571, 572
26	Highways Com.—Traffic Safety Act	69	90	190	271	293	294	546	687	703		86, 279, 624, 626, 629, 641, 654

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
27	Farr—Defining Terms of Motor Vehicle Act	70	77	105	112	121	121	674				
28	Farr—Registration Fee for Motor Vehicles	70	77	105	121							113, 674
29	Farr—Registration of Non-Resident Motor Vehicles	71	77	189	264	294	308	674				271, 281
30	Farr—Sealing Registration Cards on Trailers	71	77	189	263	263	263	674				
31	Watson—Attorneys to Defend Indigent Persons	71	78	152	198	205	206	674				
32	Watson—Legislative Reference Bureau	71	78	255								674
33	Health & Labor Com.—Reciprocity on Workmen's Compensation	71	78	106	122	134	134	226	266	277		
34	Hirschi—Designating State Roads	71	78	105	113	163	165	542	592	606		134, 144, 562
35	Ellett—Voting by Absentee Ballot	72	79	291								674
36	Ellett—Exempting Household Goods from Taxation	72	79	268								674
37	Macfarlane—Registration of Plumbers	72	79	106	122							
38	Child—Board of Boiler Rules	72	79	132	143	165	175	639	663	675		148
39	Farr—Licensing Motor Vehicle Operators	72	80	105	121							
40	Watson—Metropolitan Water Districts	73	80	256								674
41	Hirschi—Fish and Game Fund	73	80									119
42	Lundell—Registration of Motor Vehicles by County Treasurers	73	80									674
43	Farr—Chiropody	73	81	131	143	163	163	453	592	607		
44	Bailey, et.al.—Chain Store Tax	73	103	217	417	507	605	632	647	653		386, 438, 443, 511, 600, 604
45	McMurrin—Registration of Absent Voters	73	81									98
46	Hirschi—Armory at St. George	74	81									
47	Ellett—Credit for Evaporation of Motor Fuel	84	90	238	645	645	645	674				506, 624
48	Farr—Use of Lands by Fish and Game Commission	84	91	118	134	142	142	390	413	423		
49	Watson—Utah Conservation and Research Foundation	84	91	256								674
50	Huggins, Spence—State Tuberculosis sanatorium and Miners' Hospital	84	91	286								674
51	Miller—Liability of Stockholders in State Banks	85	91	103	111	120	120	226	268	277		

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
52	Miller—Articles of Incorporation of Banks	85	92	104	112	120	120	226	267	278		
53	Miller—Suspension and Liquidation of Banks	85	92	104	111	120	120	225	267	278		112
54	Miller—Powers of Federal Deposit Insurance	85	92	104	112	120	121	225	267	278		
55	Spence—Bi-monthly Payment of State Employees	85	92	219	406	406	406	674				386
56	Ericksen—Pioneer Memorial Building	93	100	130	135	135	135	257	352	393		309, 335, 336
57	Spence—Prohibiting Liquor at Dance Halls	94	100	236								674
58	Johnston—State Board of Pharmacy	94	125	314	346							143, 347, 357, 373
59	Johnston—Narcotic and Prophylactic Act	94	100	131								143, 674
60	Johnston—Supervision of Pharmacists	94	100	131								143, 674
61	Johnston—Placing Pharmacists Under Board of Pharmacy	94	116	188								262, 674
62	Agri. & Irr. Com.—Board of Forestry and Fire Control	95	125	188	262	400	400	674				271, 358
63	Agri. & Irr. Com.—Market Milk Act	95	116	274								674
64	Huggins, Farr—Center for Adult Blind	95	126	152								271, 485, 624, 674
65	McMurrin—Course of Study Committee	96	101	172	206	247	247	537	593	601		
66	McMurrin—Textbook Commission	96	101	172	206	254	254	536	593	607		
67	Health & Labor Com.—Occupational Disease Act	96	126	229								310
68	Huggins—State Flower Day	96	101	288								674
69	Huggins, McMurrin—Absentee Voters	98	101	255								674
70	Farr—Prohibited and Void Marriages	102	116	139	176	192	193	378	395	429		177
71	Farr—Premarital Examinations	102	117	139	176	192	205	378	394	430		195, 199
72	Farr—Relating to Serological Blood Tests	107	126	139	177	193	193	377	394	424		
73	Grover—Fair Trade Practice	107	117	296								674
74	Ellett, et.al.—Housing Authority	108	126	273	429	599	599	674				411, 437
75	Ellett, et.al.—Housing Authority in Cities	108	127	273	610	611						411, 437
76	Ellett, et.al.—Bonds for Housing Authority	109	127	273	612	612	613	674				411, 437
77	Agri. & Irr. Com.—Soil Conservation Districts	109	127	210								674

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
78	Agriculture and Irrigation Com.—Dairy and Food Products	109	127	209								674
79	Agriculture and Irrigation Com.—Cold Storage Plants	110	128	209	346	358	358	530	593	607		
80	Agriculture and Irrigation Com.—Meat Inspection	110	117	210	405	417	417	638	662	675		386
81	Hirschi, et.al.—Armories at Payson, Vernal and St. George	110	117	140	207	254	254	674				173
82	Hopkin—Trespass on Posted Private Lands	118	128	188	317	329	330	480	594	608		224, 240, 289, 487
83	Grover, Ellett—Creating Public Welfare Commission	118	128	273	458							474
84	Grover, Ellett—Transferring Old Age Assistance	118	128	272								674
85	Grover, Ellett—Transferring of Assistance to Needy	119	129	274								674
86	Grover, Ellett—Support of Poor by Relatives	119	129	272								674
87	Grover, Ellett—Relating to Juvenile Courts	119	129	272								674
88	Huggins—Fees of County Recorder	119	129	140	194	194	194	380	395	430		122
89	Watson—Cost of Collecting Taxes	119	130	238								674
90	Farr—Grading Motor Fuels	132	137	189	263							297
91	Watson—Removal of Resources from State Lands	133	137	203	331	387	388	556	594	602		357, 565
92	Health and Labor Com.—Practice of the Healing Arts	133	138	287								674
93	Ellett, Grover—Service Tax	133	138	239								674
94	Macfarlane—Appropriation to C. E. Alsop	133										674
95	Miller—Records Open to Legislature	133	138	219								674
96	Hopkin—Game Preserves	134	138	244	438	462	462	674				411
97	Rich—Election of County Commissioners by Districts	140	153	341								273, 284, 674
98	Agriculture and Irrigation Com.—Segregation of Property for Taxes	141	153	414								243, 249, 538, 674
99	Christensen—Deceased Motor Carriers	141	154	189	262	263	263	389	413	430		
100	Spence—Adoptions of Minor Children	141	154	230								674
101	Lundell, Farr—Permits and License Fees	141	154	268	437	437	437	643	681	703		411

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	Christensen—Adulterated Foods	142	180	275								674
103	Huggins—Electrical Board	155	180	236								674
104	Huggins—Prohibiting Payment of Insurance to Embalmers	155	167	230	437	462	462	674				411
105	Judiciary Com.—Pleadings in Writing Instruments	155	167	230	418	418	418	536	595	608		386
106	Judiciary Com.—Special Proceedings	155	167	230	418	418	418	535	595	608		386
107	Judiciary Com.—Homesteads	156	168	231	418	436	436	543				386
108	Judiciary Com.—Inheritance Taxes	156	180	231	449	465	465	535	596	609		411
109	Judiciary Com.—Inheritance and Rights of Supervisorship	156	168	231	449	521	521	674				411
110	Judiciary Com.—Net Estates	156	180	231	521	521	521	674				411
111	Judiciary Com.—Desertion	156	181	231	539	605	605	674				445
112	Judiciary Com.—Insufficient Funds	157	168	232	539	540	540	643	681	694		445
113	Judiciary Com.—Fornication	157	181	232	540	540	540	674				445
114	Judiciary Com.—Notary Public	157	168	232								674
115	Judiciary Com.—Fees of Notaries Public	157	169	232								674
116	Judiciary Com.—Rights of Judges to Practice Law	157	169	233								674
117	Judiciary Com.—Appeal from Public Service Commission	158	169	233								674
118	Judiciary Com.—Review of Revocation of Drivers Licenses	158	169	233								674
119	Judiciary Com.—Review of Decisions of Tax Commission	158	181	233								674
120	Judiciary Com.—Hearings Before Trade Commission	158	181	234								674
121	Judiciary Com.—Appeal from Industrial Commission	158	182	234								674
122	Judiciary Com.—Language in Appeal from Public Service Commission	158	170	234								674
123	Judiciary Com.—Appeal from Industrial Commission	159	182	234								674
124	Judiciary Com.—Appeal from State Insurance Commission	159	170	235								674
125	Judiciary Com.—Appeal from State Securities Commission	159	170	235								674

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
126	Judiciary Com.—Appeal from Department of Registration	159	170	235								674
127	Judiciary Com.—Appeal from Tax Commission	159	171	235								674
128	Macfarlane—Domestic Private Corporations	175	182	252								674
129	Dawson—Contest of Wills	175	182	252								674
130	Ellett—Maximum Levies by Counties	176	183	350								674
131	Child—Zoning of Unincorporated Territory	183	187	219	401	417	465	546	596	602		464
132	Child—Zoning by Cities and Towns	183	187	219	401	464	464	547	682	695		386, 404, 417, 436, 462, 568, 640
133	Miller—Confirming Districting of Counties	191	201	289	405	405	405	674				386
134	Miller—Tax for Exhibits to Encourage Trade	191	201	288								674
135	Macfarlane—Agents of Foreign Corporations	191	201	252								674
136	Rich—Building of Roads in Adjacent Territory	191	202	268	419	437	437	674				411
137	Grover—Firemen's Pension Fund	191	202	340								674
138	Dawson—Taxes on Irrigation and Conservation Districts	191	202	252								624, 674
139	Miller—Governor's Reorganization Bill	195	223									674
140	Health and Labor Com.—Insurance for Occupational Disease	197	202	229	520	520	520	630	648	652		506
141	Health and Labor Com.—State Insurance Fund	198	203	229	520	539	539	630	649	673		506
142	Farr—Taxes on Insolvent Estates	204	215	350								674
143	Farr—Emergency Revenue Act	204	215	350								674
144	McMurrin—Compensation of School Board Members	204	216	287								674
145	Watson—Extending Granger Act	204	216	269								674
146	Spence—Initiative and Referendum	210	216	319								674
147	Grover, et.al.—Housing of Defense Workers	210	216	341	613	623						411, 437, 612
148	Grover—Sales Tax on Motor Vehicles	211	217	351								674
149	Grover—Intransit Permits on Motor Vehicles	211	217	351								674
150	Christensen—Metropolitan Water Districts	211	244	369								674

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
151	Spence—Sale of Liquor by Drink	220	331	361								541, 674
152	Johnston—Miners' Hospital in Sanpete	221	228	269								328, 674
153	Macfarlane—Taxes on Non-domiciled Decedents Estates	222	228	269								674
154	Child—Licensing Boiler Services	239	244	286								674
155	Child—Publicly Owned Motor Vehicles	239	244	341								674
156	Ericksen—Civil Service	239	249	313								674
157	Macfarlane—Disposition of Property on Simultaneous Deaths	247	250	290								674
158	Macfarlane—Uniform Pistol Act	247	250	290								674
159	Ericksen, et.al.—Fees of Superintendent of State Hospital	247	250	327								674
160	Ericksen, et.al—Warrants of Commitment to State Hospital	247	250	290								674
161	Ericksen, et.al.—Execution of Commitment Warrants to State Hospital	248	251	327								674
162	Ericksen, et.al.—Examination of Alleged Insane Persons	248	251	327								674
163	Ericksen, et.al.—Sterilization	248	251	327								674
164	Huggins—Non-pecuniary Corporation	258	265	320								674
165	Huggins—Incorporation of Non-pecuniary Corporations	259	265	319								674
166	Miller—Liability of Innkeepers	259	265	319	521	522	522	645				445
167	Miller—Corporation Franchise Tax	259	332	351								674
168	Christensen—Common Carrier Liability Insurance	270	284	326								674
169	Miller, Watson—Public Employees in Military Service	270	285	328	329	345	345	542	597	603		
170	Spence—Purchase of Goods Produced by Blind Persons	270	285	326								674
171	Ellett—Void Marriages	270										674
172	Watson—Salaries of Executive Departments	270	285	340								674
173	Dawson—Court Clerk in Probate Matters	275	294	369								674
174	Dawson—Jurisdiction in Probate Matters	275	295	368								674

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
175	Dawson—Enumerating Magistrates	275	295	368								674
176	Dawson—Relating to Practice of Law by Judges	275	295	368								674
177	Dawson—Pre-emptory Challenges	275	295	368								674
178	Dawson—Enumerating Courts of Justice	276	296	367								674
179	Dawson—Enumerating Courts Having a Seal	276	296	367								674
180	Dawson—County Court	276	311	367								674
181	Lundell, et.al.—Referendum in School Consolidations	276	285	342								674
182	Christensen—Title Insurance Fund	276	286	370	419	437	437	639	663	676		411
183	Morrill—County Commission as Board of Equalization	276	286	340	419	419	420	644	664	676		411
184	Hopkin—Duties of Board of Purchase and Supplies	277	311	362								674
185	Ellett, Hopkin—Duties of Engineer in Water Disputes	291	338	551								674
186	Child—Adoption of Children	292	311	397	655	655	655	694	707	715		541, 624
187	Child—Investigation for Adoption	292	312	396	655	655	656	695	707	716		541, 624
188	Lundell, Hirschi—Primary Elections	292	312	362								485, 624, 674
189	Watson—Distribution of Electricity by Cities	293	312	362								674
190	Howard—Fishing and Hunting for 75 Year Olders	298	312	562								674
191	Watson, et.al.—Corporation Franchise Tax on Banks	298	313	441								674
192	Watson, et.al.—Occupation Tax on Mines	299	313	403								541, 674
193	Ellett, Child—Limiting School Taxes	299	313	351								674
194	St. and Mun. Aff. Com.—State Training School	299	425	455	478	478	478	660	682	696		473
195	St. and Mun. Aff. Com.—State Industrial School	299	492	538	541	553	553	674				
196	St. and Mun. Aff. Com.—Juvenile Courts and Detention Homes	300	426	467	485	486	486	657	683	696		
197	St. and Mun. Aff. Com.—Utah State Hospital	300	426	455	479	479	500	657	684	698		473, 486, 493
198	St. and Mun. Aff. Com.—Department of Publicity and Industrial Development	300	366	441	452	475	477	670	684	697	450	457

SENATE BILLS—Continued

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
199	St. and Mun. Aff. Com.—State Department of Education	301										674
200	St. and Mun. Aff. Com.—Agricultural Dept. (Powers and Duties)	301										674
201	St. and Mun. Aff. Com.—State Chemist	301	484	550								569, 674
202	St. and Mun. Aff. Com.—Department of Health	301	471	490	513	526	526	671	685	704		506
203	St. and Mun. Aff. Com.—Transferring Agricultural Dept.	302	471	492	506	513	513	672	686	704		
204	St. and Mun. Aff. Com.—Transferring Produce Dealers	302										674
205	St. and Mun. Aff. Com.—Transferring Park Commission	303	471	492	517	518	518	669	687	697		506
206	St. and Mun. Aff. Com.—Transferring State Land Board	303										674
207	St. and Mun. Aff. Com.—Firemen's Pension Fund	303										674
208	St. and Mun. Aff. Com.—Transferring Teacher Retirement	304										674
209	St. and Mun. Aff. Com.—Transferring State Insurance Fund	304										674
210	St. and Mun. Aff. Com.—Transferring Board of Purchase and Supplies	304										674
211	St. and Mun. Aff. Com.—State Fish and Game	304	440	557								569, 674
212	St. and Mun. Aff. Com.—Transferring Duties of State Engineer	305	523	551	583	583	584	674				569
213	St. and Mun. Aff. Com.—Transferring Road Commission	305	524	574								674
214	St. and Mun. Aff. Com.—Transferring Aeronautics Commission	305	524									674
215	St. and Mun. Aff. Com.—Transferring Building Commission	306	524	532								541, 674
216	St. and Mun. Aff. Com.—Tax Commission	306										674
217	St. and Mun. Aff. Com.—Liquor Commission	306	435	574								674
218	St. and Mun. Aff. Com.—Motor Vehicle Fund	306	380	470								489, 506, 674
219	St. and Mun. Aff. Com.—Transferring Dept. of Registration	314	548	569								674
220	St. and Mun. Aff. Com.—Transferring Land Value Insurance	314										674
221	St. and Mun. Aff. Com.—Transferring Benefit Associations	314										674
222	St. and Mun. Aff. Com.—Transferring Banking Department	314	548	557								569, 674

SENATE BILLS—Continued

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223	St. and Mun. Aff. Com.—Transferring Regulation of Plumbers	315										674
224	St. and Mun. Aff. Com.—Transferring Trade Commission	315	537	540	540	541	541	674				
225	St. and Mun. Aff. Com.—Transferring Insurance Department	315	575	581								674
226	St. and Mun. Aff. Com.—Transferring Title Insurance	315										674
227	St. and Mun. Aff. Com.—Transferring Control of Savings and Loan Associations	315										674
228	St. and Mun. Aff. Com.—Transferring Reorganization of Building and Loan Associations	316										674
229	St. and Mun. Aff. Com.—Transferring Regulation of Small Loans	316										674
230	St. and Mun. Aff. Com.—Transferring Control of Building and Loan Associations	316										674
231	St. and Mun. Aff. Com.—Transferring State Security Commission	316	575	580								674
232	St. and Mun. Aff. Com.—Transferring Duties of Public Service Commission	316	503	516	530	571	582	674				528, 533, 544, 581
233	Watson—Board of Amusement Control	316	338	362								674
234	Miller—Water Conservancy Districts	320	332	503	570	598	599	642	688	705		541
235	McMurrin—Cemetery Districts	320	332	363								674
236	Hopkin—Bear River Water Users Committee	321	339	367								415, 674
237	Macfarlane—Narcotic Drugs	321	440	467								674
238	Macfarlane, Huggins—Dividends and Preferred Stock of Corp.	328	339	369								674
239	Macfarlane, Huggins—Acts Prohibited to Directors of Corp.	328	339	369								674
240	Huggins—Powers and Duties of Boards of Education	328	339	397								674
241	Child—Abandoned Cemetery Lots	342	352	417								674
242	Christensen—Special Taxes by Cities and Towns	342	352	441								624, 674
243	Lundell—Refund of Taxes on Non-highway Motor Fuels	342	353	441								506, 674

SENATE BILLS—Continued

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244	Lundell—Trapping Fur-bearing Animals	343	353	561								674
245	Huggins—Care of Indigent Persons	343	353	397								674
246	Johnston—Appropriation for Snow College	343	353	382								470, 490, 506, 674
247	Grover—Civil Service Commission	343	354	417								674
248	Grover—Civil Service for State Departments	343	354	416								674
249	Christensen—Transfer Title to Motor Vehicles	344	354	468								674
250	Christensen—Disposition of Motor Vehicles Fund	344	354	383								674
251	Christensen—Instruments Evidencing Liens	344	355	467								674
252	Williams, et.al.—State Guard	344	355	416	554	554	554	674				528, 553
253	Williams, et.al.—Regulating Explosives	344	355	416	554	554	554	674				528, 553
254	Williams, et.al.—State Council of Defense	344	355	415	555	555	555	674				528, 553
255	Williams, et.al.—Local Council of Defense	345	356	416	563	563	563	674				528, 553
256	Education Com.—Retirement for Non-teaching Employees of Schools	356	361	517								674
257	Huggins—Escheating Funds in Liquidated Banks to State	356			356	356	357	630	649	654		
258	Lundell—Purchase of Land for State Hospital	356	361	516								626, 674
259	Farr, Hopkin—State Fish and Game Advisory Com.	363	380									674
260	Huggins—Unemployment Compensation	371	381	434								674
261	Grover—Smoke Abatement District	372	381	469								674
262	Huggins, Farr—Graft in Purchase of Material	372	381	469								674
263	Huggins, et.al.—Revision of the Statutes	372	381	457	529	529	529	633	662	676		467, 485, 528
264	Lundell, Farr—Utah Lake Authority	375	382									674
265	Hirschi—Dixie College	383	397	470								491, 674
266	Hopkin—Tubercular Indemnity Fund	383	398	551								674
267	Miller—Duties of Board of Purchase and Supplies	383	426	456								674

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268	Lundell—Sale of Lands Below Meander Line of Lakes	388	398	573								674
269	Miller—Smokeless Fuel	388	398	456								642, 674
270	Ericksen—Indecent and Obscene Exposure	399	411	468	611	612	612	642	664	677		569
271	Christensen, Dawson—Fees at U. of U. and U.S.A.C.	399	411	517								674
272	Macfarlane, et.al.—Refund of Fuel Tax on Aircraft	399	426	457	529	529	529	674				485
273	Spence—Business on Sunday	408	427	483								674
274	Watson—Remedy to Discharge by Civil Service Commission	408	427	457								674
275	Rev. and Tax. Com.—Tax on Estates	408	427	456								674
276	Williams, et.al.—Protection of Property	408	427	469	563	565	565	674				528, 553
277	Spence, Lundell—Bonds for Selling Beverages	409	428	572								674
278	St. and Mun. Aff. Com.—Public Welfare Commission	409	412	450	458	485	485	666	688	696		474
279	St. and Mun. Aff. Com.—Transferring Public Welfare Dept.	409	412	455	479	485	512	658	689	705		473, 486, 500, 511
280	St. and Mun. Aff. Com.—Relating to Old Age Assistance	409	412	455	501	512	513	667	689	706		473, 504
281	St. and Mun. Aff. Com.—Creating State Welfare Commission	410	412	456	501	512	512	666	690	700		473, 504
282	McMurrin—Registration of Absent Voters	410	428	468								674
283	Huggins—Registration of Absent Voters	410	428	468								674
284	St. and Mun. Aff. Com.—Transferring State Tuberculosis Sanatorium	429	435	483	505	513	650	668	690	700		485, 526
285	Hopkin—Income Tax on Federal Salaries	443			443	443	443	546	648	653		568, 631
286	St. and Mun. Aff. Com.—Relating to Publicity and Industrial Development	460	472	490	518	518	518	660	691	701		506
287	St. and Mun. Aff. Com.—Powers of State Board of Agriculture	461	472	491	518	519	519	671	691	699		506
288	St. and Mun. Aff. Com.—Supervision of Hotel by Board of Health	461	472	510	534	534	534	659	692	699		528
289	St. and Mun. Aff. Com.—State Fair	461	472	491	519	519	519	664	692	702		506
290	St. and Mun. Aff. Com.—Soil Conservation Districts	461	473	550								569, 674

SENATE BILLS—Continued

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291	St. and Mun. Aff. Com.—State Board of Health	461	473	490	519	520	520	669	693	702		506
292	Christensen—See S. B. No. 21	484			484	484	484	509	597	609		
293	Lundell—Market Milk Bonds	493	503	551								674
294	Huggins—Utility Regulation Fee	505	509	562	562	562	562	638	649	654		
295	St. and Mun. Aff. Com.—Authority of Fish and Game Commission	510	515	561								569, 674
296	St. and Mun. Aff. Com.—Hunting Areas	510	516	561								569, 674
297	Agriculture and Irrigation Com.—Market Milk Areas	511	527	550	626	627	627	652	694	701		569, 624
298	St. and Mun. Aff. Com.—Survey of Ground Water	525	527	550								569, 674
299	St. and Mun. Aff. Com.—Relating to Highways	525	527									674
300	St. and Mun. Aff. Com.—Prison Labor on Highways	525	527									674
301	St. and Mun. Aff. Com.—Creating State Engineering Commission	525	528	538	571	598	598	674				541, 576, 582
302	St. and Mun. Aff. Com.—Motor Tax	526	528									674
303	St. and Mun. Aff. Com.—Relating to the Public Service Com.	570	575	580								674
304	St. and Mun. Aff. Com.—Relating to Utah Centennial Observance	570	576	580								674
305	St. and Mun. Aff. Com.—Relating to State Highway Patrol	604	610	619								674
306	St. and Mun. Aff. Com.—Creating the Department of Finance	604	610	620								674

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	Ellett—Compensation of Employees	52			52	52	52	55	57	58		
2	Miller—Tax Limitation on Tax Levies	69	76	173	212	255						
3	Child—State Superintendent of Public Instruction	83	89	171	199	206						246
4	Child—Governor's Appointive Power	83	90	172	206							207, 246
5	Child—State Board of Education	83	90	172	207							206, 246
6	Dawson—County Attorneys	93	99	132	176	192	192	454				
7	Howard, Huggins—Governor's Mansion	106	116	139	193	193	193	391	425	434		
8	Child—Condolence to Senator McMurrin	107			107	107	107	123	137	184		
9	Judiciary Com.—Non-partisan Judiciary	154	179	236								674
10	Miller—Constitutional Convention	203	217	289								674
11	Ellett, et.al.—Condolence to Family of Reed Smoot	297			298	298	298	309	318	322		
12	Farr, et.al.—Bird Refuge	398			399	399	399	406	414	431		
13	Hopkin, et.al.—Condolence to Family of John William Anderson	403			404	404	404	431	435	445		

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	Watson—State Rights in Control of Waters in State	183			183	183	183	325	337	349		
2	Williams—Making Silver Basic Money (S. C. M. No. 1)	222	228	442	443	444	444	531	598	609		

SENATE CONCURRENT RESOLUTIONS

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
1	Grover—Declaring Rivers and Streams Non-navigable	363	380	415								674
2	Highways Com.—Developing Highways for National Defense	428	434	549								674

HOUSE BILLS

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to the House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
1	Brewster—Change of Representation in the Legislature	86	132			674				142, 162
2	Brewster—Dividing Counties for Representation in House	86	131	135		674				142, 162, 320, 375
3	Elswood—City Judges	89	106	110	110	110	125	125	187	122
4	Twitchell—Local Option	178	289	365		674				382, 392, 573
5	Redd—County Treasurers to Distribute License Plates	115	195	224	245	245	379	379	454	240, 283, 297, 318, 332
6	Elswood—Taxes on Personal Property	88	237	245	260	260	392	392		
8	Hinckley—Vending Machines	114	370	387	452	387	584	584		386, 406, 407, 449, 454
9	Rees—Providing for Insurance Reserves	257	296	372	385	386	621	623		373, 402
10	Miller—County Libraries	99	174	222	240	241	334	334		282
12	Rees—Senatorial Districts	123	210	241		674				
13	Pace—Receivership Assets	115	287	364	385	385	584	585		402
18	Miller—Salaries for County Officials	214	256	324	331	331	393	393		333
20	Reid, Cannon—Redevelopment Corporations	284	396			674				445, 624
22	Miller—Licensing Wineries and Distilleries	502	618			674				635
24	Miller—Special Assessments	124	237	242		242				
25	Elswood—Assessments on Animals Being Fed for Slaughter	186	414	448	451	451	585	585		445
26	Rees—License to Collect Sales Tax	136	236	241	241	242	282	283		249
28	Jack—Miners' Hospital	335	396	624	636	636	712	713		445
31	Redd—Public Notice on Land Sales by Land Board	185	218	241	260	260	333	334		245
32	Nichols—State Barber Board	555	574			666				635, 656
38	McGean—Disposition of Chattel Mortgages	200	290	365	365	365	440	440		
40	Selvin—Registration of Strikers	200	229	241		322				261, 271
41	Smith—Agricultural Marketing Act	178	414	448	465	478	708	709		445, 458, 477, 537, 581
42	Jensen—Prerequisites for Marriage	482	574			674				
44	Elswood—Relating to Bribes	185	370	387	400	401	585	585		386, 432

HOUSE BILLS—Continued

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to the House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
45	Bennion, et.al.—Organization of Health Co-operatives	615	635			674				624, 642
47	Leary, T. M. Rees—Relating to Fees of University Students	522	619	651	651	652	710	711		642
50	Schenk—Life Insurance Cooperatives	209	253	323	330	331	586	586		333
51	Miller—Benefit Associations	334	383	387	387	387	586	586		386, 407
53	Leavitt—Occupational Disease	310		322	330	330	586	587		
56	Traffic Com.—Licensing Motor Operators	366	470	636	637	637	712	712		506, 624, 635, 649, 650
58	Education Com.—Course of Study Committee	186				674				
59	Education Com.—Textbook Commission	186				674				
61	Kerr—Weed Eradication	221	256	363	384	385	587	587		407
62	Albrecht—Transcient Livestock and Honeybees	208	288	364	385	451	587	588		449, 460
65	Brewster—Regulations of Buildings	227	269	363		364				
67	Stringham—Reservation of Minerals in State Lands	317	466	628	628	628	680	680		624, 627
68	Jack—Education to Physically Handicapped	489	517	645	646	646	709	709		528, 624, 635
69	Bennion—Police School	310	342	375	400	375	588	588		382, 384, 431
70	Wood—Change Book of County Auditor	227	288	364	385	385	588	589		407
73	Rees—Sale of Seeds	310	553			674				
74	Jack—Death Benefits Paid by Employer	433	482			674				
76	Selvin—City Judges	227	320	374	386	386	589	589		408
78	Jensen, et.al.—Distribution of Waters in the Jordan River	641				674				642
80	Liddell—Control of Noxious Weeds	433				674				
81	Adams—Consolidation of Schools	242	341	375	386	386	589	589		
82	St. and Mun. Aff. Com.—Reorganization of State Government	421	442			674				445, 624
83	Jensen—Old Age Assistance	420	524	543	544	544	711	711		528, 539, 567, 568
84	Jacob—County Charges	360	396	449	451	451	590	590		445
85	Rees—Commercial Fertilizers	297	415			674				

HOUSE BILLS—Continued

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to the House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
86	Scherer—Payment of Wages	446	483	656	656	656	710	710		528, 624, 635
91	Adams—Relating to Non-use of Water	447	553			666				642, 656
92	White—Validating Banks by Public Body	460	510			666				624, 635, 656
93	Frandsen—Water Rights Under Federal Projects	447				674				
94	Bench—Irrigation and Conservation Districts	446	552			666				642, 656
95	Nichols—Time of Payment of Wages	515	549			674				635
96	T. M. Rees, Jacob—Relating to Moving of Historic Relics	616	626			674				635
99	Jacob—Control of U. of U. and U.S.A.C.	508	619			674				
105	J. E. Rees, et.al.—Teacher's Retirement System	567	619	646	646	646	714	714		624, 635
107	Miller—Authorizing Governor to Convey Property Owned by State	377		377	377	377	439	440		
108	Jack, T. M. Rees—Eradication of Noxious Weeds	438	549			674				642
110	Hinckley—Auditor to Destroy Records 10 Years Old	439	469			674				528, 624, 635
111	Jack—Controlling Drugs	447	483			674				528, 642
115	Elswood—Stamp Tax	465	573			674				
116	Rees—Soil Conservation District	489	552	646	646	646	680	680		635
117	Rev. and Tax. Com.—Computing Income Tax	439	618			674				
118	Rev. and Tax. Com.—Computation of Tax to Do Business	481	618			674				
124	Brewster—Planning Commissions	480	538			674				
129	Bennion—Reciprocal Agreements	514	525			666				528, 624, 635, 656
131	Selvin—Relating to Licenses for the Blind	625				674				635
132	Selvin—Illiterate Voters	481	573			674				
133	Redd—Junior College Scholarships	466	516	650	651	651	715	715		528, 624, 635
135	Hainsworth—State Com. of Amusement Control	532	569			674				
137	Bennion—Relating to Water and Water Rights	616		628	628	628	713	714		624, 627
140	Selvin—Assistance for the Blind	578	635			674				642

HOUSE BILLS—Continued

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to the House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
141	Lund—Referendum and Consolidation of Schools	515	549			666				642, 656
142	Selvin—Providing for a Blind Allotment	578	635			674				
145	Liddell, et.al.—Extension of Time for Constructing Works	578		661	661	661	711	712		624, 642, 656
147	Stringham—Relating to Pondkeepers	502	552			666				642, 656
151	Bench, Lund—Appropriation to Snow Junior College	590	604	665	665	665	715	715		635, 656
154	Abbott—Advertising Dairy Industry	488	552			666				656
157	Twitchell—Defining Non-profit Co-operatives	566	580	627	627	628	710	710		624
166	Twitchell, Elswood—Relating to Motor Vehicle Registration Fund	566	575			674				
167	Selvin—Relating to Unemployment Compensation	579	598	647	647	647	708	708		624, 635
180	T. M. Rees, Jacob—Relating to Rights of Water in River Systems	617	634			666				635, 656
206	McGean, et. al.—Metropolitan Water Districts	617	623	651	651	651	707	707		624, 635, 677
209	Bennion—Relating to Industrial Recovery	620				666				635, 656
210	Elswood—Appropriation for Expenses of the Legislature	615		615	615	615	633	634		

HOUSE JOINT RESOLUTIONS

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to the House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
1	Twitchell—Escalante National Monument	124	188	192	192	192	214	214		
2	Miller, et.al.—Compensation of Members of Legislature	115	319	374	400	400	717	717		432, 716
3	Bryan, et.al.—Condolence to Matt W. Currey	74		75	75	75	88	89		
5	Resolutions Com.—Condolence to Milton Bodel	151		152	152	152	184	185		
6	Resolutions Com.—Condolence to David H. Thomas	214		215	215	215	283	283		
13	Brewster—Investigating Committee	579	634			674				
18	Resolutions Com.—Condolence to Dr. Vernon Family	523		523	523	523	590	590		
19	Pace—Governor's Birthday	614		614	614	614	634	634		

HOUSE CONCURRENT RESOLUTION

Number	AUTHOR — SUBJECT	Received and Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to the House	Signed by Speaker	Signed by President	Action of Governor	Further Reference
1	Pace, et.al.—Lend Lease Bill	99	174	222	223	223	282	282		

GOVERNOR'S ACTION ON BILLS OF THE 1941 LEGISLATURE

SENATE BILLS

No.	Author	Subject	Approved	Vetoed
1	Child	Enumerators of School Population	Feb. 28	
2	Child	School Taxes and Funds	March 24	
5	Huggins	Admissions to Mental Hospital	March 17	
7	Huggins	Discharge of Chattel Mortgages	Feb. 25	
8	Huggins	Abstracting by County Recorders	Feb. 7	
18	Farr	Tax on Fuel	Feb. 24	
20	Hopkin	Income Tax on Federal Salaries		March 24
21	Christensen	Relating to Engineers and Architects		March 13
22	Dawson	Unlawful Taking of Motor Vehicles	March 17	
23	Hopkin	Estray Fund and Slaughtering of Cattle	Feb. 15	
25	Highways Com.	School Safety Patrols	March 24	
26	Highways Com.	Traffic Safety Act	March 24	
33	H. & L. Com.	Reciprocity on Workmen's Compensation	Feb. 15	
34	Hirschi	Designating State Roads	March 17	
38	Child	Board of Boiler Rules	March 24	
43	Farr	Chiropody	March 17	
44	Bailey, et.al.	Chain Store Tax	March 24	
48	Farr	Use of Lands by Fish and Game Com.	Feb. 28	
51	Miller	Liability of Stockholders in State Banks	Feb. 15	
52	Miller	Articles of Incorporation of Banks	Feb. 15	
53	Miller	Suspension and Liquidation of Banks	Feb. 15	
54	Miller	Powers of Federal Deposit Insurance	Feb. 15	
56	Ericksen	Pioneer Memorial Building	March 1	
65	McMurrin	Course of Study Committee	March 17	
66	McMurrin	Textbook Commission	March 17	
70	Farr	Prohibited and Void Marriages	Feb. 28	
71	Farr	Premarital Examinations	Feb. 28	
72	Farr	Relating to Serological Blood Tests	Feb. 28	
79	A. & I. Com.	Cold Storage Plants	March 17	
80	A. & I. Com.	Meat Inspection	March 22	
82	Hopkin	Trespass on Posted Private Lands	March 24	
88	Huggins	Fees of County Recorder	Feb. 28	
91	Watson	Removal of Resources from State Lands	March 17	
99	Christensen	Deceased Motor Carriers	Feb. 28	
101	Lundell, et.al.	Permits and License Fees	March 22	
105	Jud. Com.	Pleadings in Writing Instruments	March 17	
106	Jud. Com.	Special Proceedings	March 17	
108	Jud. Com.	Inheritance Taxes	March 17	
112	Jud. Com.	Insufficient Funds		March 24
131	Child	Zoning of Unincorporated Territory	March 17	
132	Child	Zoning by Cities and Towns	March 22	
140	H. & L. Com.	Insurance for Occupational Disease	March 18	
141	H. & L. Com.	State Insurance Fund	March 18	
169	Miller, et.al.	Public Employees in Military Service	March 22	
182	Christensen	Title Insurance Fund	March 22	
183	Morrill	County Commission as Board of Equalization	March 22	
186	Child	Adoptions of Children	March 22	

SENATE BILLS—Continued

No.	Author	Subject	Approved	Vetoed
187	Child	Investigation for Adoption	March 22	
194	S.& M. A. Com.	State Training School	March 24	
196	S. & M. A. Com.	Juvenile Courts and Detention Homes	March 24	
197	S. & M. A. Com.	Utah State Hospital	March 24	
198	S. & M. A. Com.	Department of Publicity and Industrial Development	March 24	
202	S. & M. A. Com.	Department of Health	March 22	
203	S. & M. A. Com.	Transferring Agricultural Department	March 22	
205	S. & M. A. Com.	Transferring Park Commission	March 22	
234	Miller	Water Conservancy Districts	March 24	
257	Huggins	Escheating Funds in Liquidated Banks	March 17	
263	Huggins, et.al.	Revision of the Statutes	March 22	
270	Ericksen	Indecent and Obscene Exposure	March 22	
278	S. & M. A. Com.	Public Welfare Commission	March 22	
279	S. & M. A. Com.	Transferring Public Welfare Department	March 24	
280	S. & M. A. Com.	Relating to Old Age Assistance	March 24	
281	S. & M. A. Com.	Creating State Welfare Commission	March 24	
284	S. & M. A. Com.	Transferring State Tuberculosis Sanatorium	March 24	
285	Hopkin	Income Tax on Federal Salaries	March 17	
286	S. & M. A. Com.	Relating to Publicity and Industrial Dev.	March 24	
287	S. & M. A. Com.	Powers of State Board of Agriculture	March 24	
288	S. & M. A. Com.	Supervision of Hotel by Board of Health	March 24	
289	S. & M. A. Com.	State Fair	March 24	
291	S. & M. A. Com.	State Board of Health	March 24	
292	Christensen	Relating to Engineers and Architects	March 18	
294	Huggins	Utility Regulation Fee	March 18	
297	A. & I. Com.	Market Milk Areas	March 24	

HOUSE BILLS

No.	Author	Subject	Approved	Vetoed
3	Elswood	City Judges	Feb. 1	
5	Redd	County Treasurers to Distribute License Plates		Feb. 26
6	Elswood	Taxes on Personal Property	Feb. 28	
8	Hinckley	Vending Machines	March 17	
9	Rees	Providing for Insurance Reserves	March 18	
10	Miller	County Libraries	Feb. 19	
13	Pace	Receivership Assets	March 17	
18	Miller	Salaries for County Officials	Feb. 28	
25	Elswood	Assessments on Animals Fed for Slaughter	March 17	
28	Jack	Miners' Hospital	March 22	
31	Redd	Public Notice on Land Sales by Land Board	Feb. 19	
38	McGean	Disposition of Chattel Mortgages	Feb. 28	
41	Smith	Agricultural Marketing Act	March 24	
44	Elswood	Relating to Bribes	March 17	
47	Leary, et.al.	Relating to Fees of University Students	March 22	
50	Schenk	Life Insurance Cooperatives	March 24	
51	Miller	Benefit Associations	March 18	
53	Leavitt	Occupational Disease	March 19	
56	Traffic Com.	Licensing Motor Operators	March 24	
61	Kerr	Weed Eradication	March 19	
62	Albrecht	Transient Livestock and Honeybees	March 19	
67	Stringham	Reservation of Minerals in State Lands	March 22	
68	Jack	Education to Physically Handicapped	March 22	
69	Bennion	Police School	March 17	
70	Wood	Change Book of County Auditor	March 17	
76	Selvin	City Judges	March 17	
81	Adams	Consolidation of Schools	March 24	
83	Jensen	Old Age Assistance		March 24
84	Jacob	County Charges	March 17	
86	Scherer	Payment of Wages	March 24	
105	Rees, et.al.	Teacher's Retirement System	March 22	
107	Miller	Governor to Convey Property Owned by State	March 1	
116	Rees	Soil Conservation District	March 22	
133	Redd	Junior College Scholarships		March 24
137	Bennion	Relating to Water and Water Rights	March 24	
145	Liddell, et.al.	Extension of Time for Constructing Works	March 22	
151	Bench, et.al.	Appropriation to Snow Junior College	March 22	
157	Twitchell	Defining Non-profit Co-operatives	March 25	
167	Selvin	Relating to Unemployment Compensation	March 24	
206	McGean, et.al.	Metropolitan Water Districts	March 24	
210	Elswood	Appropriation for Expenses of Legislature	March 17	

HOUSE CONCURRENT RESOLUTION

No.	Author	Subject	Approved
1	Pace, et.al.	Lend Lease Bill	Feb. 13

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 and Contingent Expenses	Social Relations and Relief	State and Municipal Affairs
Ashton		+	+		+					+					
Bailey	+		+								+		C		+
Child				+		+		+			+	C			
Christensen			C				+			+	+		+		
Dawson						+		+				+		+	+
Ellett		C		+				+						+	+
Ericksen				+		+				+				+	+
Farr				+	C					+					+
Hirschi		+	+		+									+	
Hopkin	+	+			+						+			C	
Howard						+			C	+			+		
Huggins		+					+	+			C				
Johnston		+			+		C		+					+	
Lundell	C	+					+			+	+				
Macfarlane		+	+					C			+				
McMurrin	+	+	+	C											
Miller		+						+	+	C	+				
Morrill	+		+	+	+		+								
Rich	+			+							+	+		+	+
Spence					+	C	+		+						
Watson								+	+		+			+	C
Williams	+	+					+				+			+	

C Chairman of Committee + Committee Member