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OF THE

LEGISLATURE

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CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal of the Twenty-fifth 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 11, 1943, and continuing for sixty legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL.

D. RAY OWEN, JR.,
Secretary of the Senate,

ROY DRUSHALL,
Minute Clerk.

JOINT RULES OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES of the Twenty-fifth 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.

The Secretary of the Senate and the Chief Clerk of the House shall confer at the close of each day's business regarding the printing of bills to avoid duplication.

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 immediately after their passage or adoption by the senate.

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

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

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

(g) To sign jointly with the president and the chairman of the committee on rules and contingent expenses, 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 spoken in debate, if any senator has meanwhile spoken in debate, or other business has intervened after the words spoken, and before such exceptions have been taken.

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

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

21. Calling of 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 pairs 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, seven 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.

That the chairman of the Rules and Contingent Expenses Committee report on the 30th and 60th Legislative days all disbursements authorized by the Committee.

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. Eleven Copies of Bill Required. Eleven 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. 36. 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 standing committee of the senate, such house bill shall be referred to the committee on revision and enrolling for comparison which committee shall report without delay whether or not such bill is identical with the senate bill. If reported identical, such house bill shall be substituted for the senate bill and shall take its place on the second reading calendar, provided that the fact that the bills are identical shall be entered in the Journal.

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

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

EXECUTIVE SESSIONS

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

113. Executive 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-FIFTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, January 11, 1943.

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

Prayer was offered by Elder Stephen L. Richards of the Council of the Twelve Apostles of the L. D. S. Church.

CERTIFICATE OF MEMBERSHIP OF THE TWENTY-FIFTH LEGISLATURE OF THE STATE OF UTAH 1943

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 3rd, 1942, the following named persons were chosen by the electors as members of the Twenty-fifth Legislature of the State of Utah, to serve in the Senate from the several districts and for the respective terms as follows:

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

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

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

Sixth District—Stanley N. Child, Mrs. E. E. Ericksen and Grant Macfarlane, County of Salt Lake. For the term of four years. J. Arthur Bailey, Lynn S. Richards and L. C. Romney, County of Salt Lake. For the unexpired term of two years.

Seventh District—Emil K. Nielsen and Elisha Warner, County of Utah. For the term of four years.

Eighth District—James A. Kelly, Counties of Beaver and Millard. For the term of four years.

Ninth District—Ray P. Lund, County of Sanpete. For the term of four years.

Twelfth District—Mitchell Melich, Counties of Emery, Grand and San Juan. For the term of four years.

Thirteenth District—June Kendall, Counties of Juab and Tooele. For the unexpired term of two years.

AND I FURTHER CERTIFY that by virtue of an election held on Tuesday, November 5, 1940, 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:

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, 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.

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.

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 11th day of January, A. D. 1943.

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 Richards nominated Senator Macfarlane.

Senator Dawson nominated Senator Morrill.

Senator Macfarlane was elected President of the Senate on the following roll call: Macfarlane, 18; Morrill, 5.

Those voting for Senator Macfarlane: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, Kendall, Macfarlane, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Those voting for Senator Morrill: Senators Dawson, Hirschi, Kelly, Lund and Melich.

Senator Morrill moved that the rules be suspended and that Senator Macfarlane be named President by acclamation.

Motion carried.

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

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

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

Secretary of Senate—D. Ray Owen, Jr.

Minute Clerk—Roy Drushall.

Sergeant-at-Arms—Edward D. Clyde.

Docket Clerk—Hendrik Romeyn.

Chaplain—J. A. Cornwall.

Office Clerks—Beverley Barney, Mrs. A. C. Jensen.

Mailing Clerk—Mrs. Scott P. Stewart.

Assistant Mailing Clerk—Mrs. Ivy Mitchell.

Messengers—Vilate Strong, Orson Cozier.

Doormen—D. R. Clark, Joseph J. Paul, Sam Tomlinson, Mrs. Leona Bohling.

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:

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 Richards, Miller and Melich.

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

The President appointed a committee consisting of Senators Child, Warner and Morrill to notify the House that the Senate is organized and ready to do business.

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

Senators Huggins moved that the Prayer of invocation uttered by Elder Stephen L. Richards be printed at length in the Journal.

Motion carried.

PRAYER OF INVOCATION

"We bow before Thee, our Eternal Father, in humble prayer. We give thanks for the manifold blessings Thou hast bestowed upon us in this our beloved country and in this great State of the Union which has won our affection and devotion. For the sacred institutions of America, founded in Christian virtue and righteousness, our hearts are filled with inexpressible gratitude.

"O God, preserve these inspired concepts and establishments in the earth. Let not the adversary of light and truth destroy freedom and worship and divine faith. Bless all those the world over who give themselves to the cause of liberty. May they be conscious of the fact that it is Thy cause, subserving the noble lineage, the free agency, the dignity and the majesty of man.

Remember, O Lord, those who bear arms to sustain these holy causes of freedom and Christ. Make them potent; in Thy mercy preserve their lives and their virtue and may they have the comfort to know that their service has Thine approval.

"Bless the homes from which they have come. Let Thy Spirit bring consolation and fortitude to heavy and anxious hearts and assuage the sorrow of those bereaved.

"Unite the people, Father, in purpose and effort and in prayerful solicitude for the common good. May pride and arrogance and self-sufficiency give place to true humility that recognizes Thy sovereignty and the dependence of all on Thy providential care. Forgive our errors and weaknesses. Help us to turn from wrong and unprofitable ways that we may more closely approach Thee in the hour of our need.

"Bless those who lead us,—the President and our Governor. May they truly be Thy servants as they serve the people and the great cause. Inspire the minds and the hearts of the lawmakers. Uphold and sustain them. May vision and great wisdom be their portion. We commend to Thee especially, our Father, the representatives of the people who have met this day in the Senate of our State. Let a rich portion of Thy Spirit abide with them. Inspire, unite, and direct their efforts to solve the problems and direct the course of this glorious commonwealth. May the labors and deliberations of this body be carried forward in a fraternity of feeling and purpose and may personal satisfaction and Thine approval be the reward of each member who gives himself unselfishly to this momentous undertaking.

"We pray, O Lord, for the early triumph of righteousness and truth. We pray for peace, founded in universal good will and the brotherhood of man. All this we do humbly in the name of our Lord, Jesus Christ, Amen."

On motion of Senator Huggins a vote of thanks was extended to Elder Stephen L. Richards, Justice Roger I. McDonough and Secretary of State E. E. Monson.

COMMUNICATIONS FROM THE HOUSE

January 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Twenty-fifth Session of the House of Representatives of the State of Utah has this day organized, and the Speaker has appointed Representatives Schenk, Jack and Kerr to advise the Senate that it is ready to do business.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

January 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed Representatives Midgley, Staples and Ward 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.

REPORTS OF SPECIAL COMMITTEES

January 11, 1943.

Mr. President:

Your Committee on Senate Rules begs leave to report that we recommend the adoption of the Senate Rules of the Twenty-fourth Legislature of the State of Utah, subject to the following amendments:

Rule 6 (g) shall read as follows: "To sign jointly with the President and 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."

Rule 75, No. 6, be amended to read: "Health and Labor, 7 members."

That there be added to Rule 80 the following: "That the Chairman of the Rules and Contingent Expense Committee report on the 30th and 60th Legislative days all disbursements authorized by the Committee.

Respectfully,

LYNN S. RICHARDS,
GEORGE M. MILLER,
MITCHELL MELICH.

Report read and adopted.

January 11, 1943.

Mr. President:

We your committee appointed on Joint Rules recommend that we accept the 1941 Joint Rules with the following amendment:

Rule 24 be amended by inserting after the last word "house." the words "that the Secretary of the Senate and the Chief Clerk of the House shall confer at the close of each day's business regarding the printing of bills to avoid duplication."

Respectfully submitted,

DEXTER FARR,
JAMES A. McMURRIN,
CLAUDE HIRSCHI.

Report read and adopted.

The President recognized a committee from the House who reported the House is organized and ready to do business.

COMMUNICATION FROM THE GOVERNOR

January 11, 1943.

President of the Senate,
Building.

Dear Mr. President:

The acute shortage of labor in this area may make it impossible for you to employ the technical skill which is required for some of the important offices in the Senate.

Several of those who held key positions during the last session of your Body are now employees of the State. If you find that it would be in the interest of the Senate if any or all of them or any other of our State personnel were permitted to serve your Body, will you please be advised that in such case you are invited to designate who you would like and they will be made available.

With kindest personal regards, I am,

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

Senator Huggins moved that each Senator be allowed a mailing list of fifteen names.

Motion carried.

Senator Hopkin moved that when invitations are extended to the Senate to visit various institutions of the State the President be empowered to appoint a committee to represent the Senate.

Motion carried.

The committee appointed to wait upon the Governor returned and reported that the Governor would deliver his message to the Legislature tomorrow, January 12, 1943 at 2:30 p. m.

On motion of Senator Farr the Senate adjourned.

SECOND DAY

January 12, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 12, 1943.

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,
ABEL S. RICH,
EMIL K. NIELSEN.

Report adopted and filed.

On motion of Senator Christensen the President appointed a committee consisting of Senators Child, Warner and Dawson to draw up a resolution of condolence to Mrs. Thomas Bailey.

Senator Ericksen moved that the Senate invite the House to meet in Joint Convention on Thursday, January 14, 1943 at 11:00 a. m. to hear a talk by Mrs. Mary Agnes Hamilton of Great Britain.

Motion carried.

Senator Richards moved that at the conclusion of the Joint Convention the Senate stand adjourned until 3:00 p. m. tomorrow, January 13, 1943.

Motion carried.

On motion of Senator Richards the Senate proceeded to the House Chambers 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 Child the President appointed a Joint Committee consisting of Senators Ericksen, Kelly and Romney and Representatives Jenkins, Cannon and Loveridge to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

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

The Governor then proceeded to read his message.

GOVERNOR'S MESSAGE

INTRODUCTION

Ladies and Gentlemen of the Twenty-fifth Legislature:

Two years ago on an occasion similar to this one, I presented a program to the Legislature that seemed very vital then, but which now is definitely unimportant, when compared with the serious problems growing out of the world conflict that has engulfed our country and changed the whole complexion of our state. Then we were confronted with the need of improving the efficiency of our government at decreased costs. Today every man, woman and child is engaged in a fight to preserve that government. Then we were basking in the light of freedom and security. Today we are willingly sacrificing many of the cherished liberties of a free people in order to make it possible for our posterity to be saved from the shackles of slavery. Then we were guarding against increases in taxation which could hardly have been noticed if they had been imposed. Today we are without complaint participating in a national program that may consume all of our individual surpluses and reduce our livings to the barest necessities. Then we were happy in the peace and comfort of family life. Today the hearts of all of us are heavy because of dear ones who must suffer and die that freedom might live. Conditions have materially changed during the past two years —- changed so much that your responsibilities and mine have been greatly increased. No legislature of this state has been faced with more serious problems than you must consider. Never has there been a greater need for careful study and courageous action than now.

CIVILIAN DEFENSE

We have much reason to be proud of the manner in which the people of our state are handling the war emergency. After the Pearl Harbor incident the Federal Government requested the various states to set up civilian defense organizations which would be able to meet any emergency. The State Defense Council created by the Twenty-Fourth Legislature immediately proceeded to comply with that request. Within a very short time tens of thousands of our citizens in every part of the state were organized into units to protect our lives, our property, our health, our families and in fact all we possess from whatever disasters might come from the present world conflict. These citizens have been voluntarily attending classes wherein they have been trained in First Aid, Fire Prevention, Police Protection, Public Health Protection, Sanitation, Public Welfare, Diathetics and in numerous other fields. Thousands of them are now prepared to be fire

wardens, nurses, medical attendants, policemen, messengers, first aiders, evacuation directors, airplane spotters, children supervisors, air patrolers and to serve in many other capacities. The readiness with which they have responded to calls to prepare and serve has been amazing. Utah has repeatedly been referred to as an outstanding example of civilian defense efficiency. Substantially all of what has been done has been voluntary and without cost to the taxpayers.

In addition to the above, our citizens have responded enthusiastically to every call made by the Federal Government. The services rendered by members of draft boards, the enthusiastic responses to calls for workers in salvage drives, the outstanding services done by the teachers of the state in performing the enormuos task of registering citizens for rationing and distributing rationing cards, the unselfish and continuous responses of so many of our people and business institutions of every type who are promoting and handling the sales of war bonds and stamps, the efficient conduct of drives to raise funds for the U. S. O., the Red Cross, the War Chests and other organizations and the eager willingness of our people to give and work for victory, all tell stories of patriotism and devotion to our country and to American ideals which will never be forgotten. It would be impossible to enumerate the magnificent piece of work that has been done in civilian defense and in the war effort by Utah residents. Everyone has grounds for being proud of their achievements along these lines, and to be grateful to the newspapers, radio, motion picture theaters and other publicity agencies of the state for the great amount of time and space given at much expense to all of these projects. Perhaps most of all we are grateful to the young manhood and womanhood of the state who are serving with the armed forces to preserve our liberties, our homes and our families. For them we pray for the protecting guidance of the Almighty.

REPORT ON GOVERNMENT REORGANIZATION

I told the Twenty-fourth Legislature at the beginning of its regular session that the cost of government in our state had been mounting yearly, and that we were paying too much for what we were receiving. I then presented a plan of reorganization and declared that if it was adopted, the costs of administering the various functions, institutions and departments of state would be materially reduced. The legislature took me at my word and passed the program in nearly every detail. I shall now report what has been accomplished since then.

The Legislation which consolidated the services of the state into a comparatively few departments, took effect on July 1, 1941. A year and one-half has passed since we were authorized to proceed with the reorganization. The first few months following the date

the plan became effective were spent in careful study and research. The Public Service Administration, with headquarters at Chicago, was retained to analyze our state structure and to make recommendations. In addition, a number of the executives of large businesses within the state were invited to lend their efficiency experts to assist in placing the state on a sound business basis. They considered the invitation and then proposed that they jointly employ an efficiency expert of their own and lend him to the state, rather than to donate the services of members of their respective staffs. Their proposal was accepted and Lincoln G. Kelly & Co. was engaged at great cost by those public-minded business executives to render whatever assistance the state desired.

Both the Public Service Administration and Lincoln G. Kelly & Co. made careful studies. Each wrote reports of their findings and made many recommendations. Since receiving their reports we have been making needed reforms and have thereby started a government remodeling process that will take from four to six years to complete.

CLASSIFICATION OF EMPLOYEES

The first major recommendation was that the employees of the state should be classified according to both their abilities and the services they perform, that salary schedules providing a minimum and maximum wage for each class be set up, that the schedule for each class should be comparable with salaries being paid by business within the state and by public agencies in other states. This has all been accomplished so that state employees are now paid according to well-worked out salary schedules.

CENTRAL CONTROL OF BUDGETED APPROPRIATIONS

The next recommendation proposed a system of centralized control of all state expenditures, and the establishing of a central accounting bureau which would gradually take over the accounting work of all of the departments of state. These two functions were assigned to the Finance Department. The transfer of the accounting work from the respective departments to the Finance Department will, when completed, reduce the cost of that service to about 50% of what it has been.

The need for a central control of all state expenditures whether appropriated or otherwise is due to several factors. One of them is that the legislature which makes appropriations does not have time, during a sixty-day session, to carefully examine the financial needs of the various departments. You who have had previous legislative experience know that the weight of the lobby for funds made by the departments have in the past greatly influenced the legislature in de-

termining the amount each was to receive. The greater the lobby the greater the return. Consequently, it became the practice for institutions to maintain at state expense lobbying staffs during every legislative session. The results were that those who had the best lobbyists were given more money than they needed, while those who relied entirely on the wisdom of the legislature for funds were often under financed.

It is not surprising, therefore, that conditions like the following have been revealed. In the state prison the salary appropriations had already been so low that prison guards were required to work seven days per week the year round, with no vacations. At several institutions, including the State Hospital, the State Training School and others, scores of people with families gave their full effort to the state for salaries ranging from $40 to $65 per month. In the state capitol building, on the other hand, the employees of some departments had been receiving as much as $100 per month more than the employees of other departments who were doing the same type of work and whose skill, tenures, training and abilities were in the same class. A few departments were able to purchase the best and latest equipment, while others were forced to go without such conveniences.

Had the legislature had opportunities to have carefully examined the needs of the respective state agencies in detail they would never have permitted such conditions to have continued. A central control bureau makes such examinations. Salaries of the underpaid are being adjusted. All employees are given one day a week off and a two-week vacation each year. Each department is receiving the same share of advantages as the others.

Another important factor in favor of central control is the fact that department heads are far more cautious in their spending programs when their respective needs and the wisdom of their requests for expenditures are being constantly examined by unbiased officials. Examples are numerous where equipment needed by one department and which would ordinarily have been purchased has been transferred from other departments that were overequipped. A little supervision over state travel as another example, according to the Finance Department, has resulted in a savings of $100,000 in one year. The system has resulted in similar saving in several fields. There is no question but what a central control department pays big dividends.

When war was declared on December 7, 1941, the state reorganization stopped for several months. The formulating of civilian defense plans, of fitting state activities into the national war program, and the handling of numerous problems growing out of the war all took precedence over state reorganization to such an extent that the third and by far the most important phase of the program—that of streamlining each department—could not be undertaken until very recently. Little more than the establishment of salary classifications

and the innovation of our central control system were therefore undertaken during the first fiscal year of the new plan. Obviously it is too early yet to determine the full extent of the savings which will come to the state when the whole program authorized by the Twenty-fourth Legislature has been completed. We are in a position to at this time pretty much decide, however, whether we are on the right track. Let us now examine the facts by comparing the administrative costs of the last year of the old plan—the fiscal year ending June 30, 1941, with those of the first year of the new plan—the fiscal year ending June 30, 1942.

To fully understand that comparison, it should be made clear that only a very small percentage of cash disbursements of the state represent administrative costs. The cash business of the state might be classified under six general headings:

(a) *State Investments.* This class would include sums of money spent in payment of interest and principal on the state's bonded debts, investment of teachers' retirement, land board, and insurance funds and other surpluses in government and municipal bonds. These expenditures indicate an improved financial condition.

(b) *Merchandise Purchases.* This class includes amounts spent for merchandise sold at a profit, such as liquor to be sold in State Liquor Stores and Sales Tax Tokens. The higher these expenditures, the greater the state net income.

(c) *Special Fund Expenditures.* This includes those programs where the Legislature has provided that all of the income from certain taxes shall be spent for certain specific purposes, such as gasoline tax revenues on roads, sales tax revenues for relief, sports-license fee revenue to improve hunting and fishing, certain taxes for the use of the Agricultural Department, and certain income from other taxes for school purposes. Large grants from the federal government to match state expenditures are also included in this class. The amount of income from special taxes determine largely how much shall be spent on roads and for fish and game improvements, and the economic needs of the people, how much of the sales tax revenues shall go for relief.

(d) *Legislative Expenditures.* This includes the large variety of appropriations made by every legislature for definite purposes concerning which the administrative officials have no discretion; such as specific amounts for livestock shows, grants to individuals in payment of claims, subsidies to children's societies and other private agencies and many other miscellaneous appropriations.

(e) *Miscellaneous Costs* which are inherent in the operation of every government; such as tax and other refunds, premiums on bonds for public officials, fire insurance premiums, and numerous other fixed charges.

Most of the above expenditures are controlled by legislative policies rather than executive discretions and they include about 75 per cent of the total state's business.

(f) Only in the sixth class, that of *Administrative Cost,* do administrative officers have wide discretionary power to make savings. Even some of the expenditures in this group are fixed by statutes. This class includes salaries of state employees, purchases, maintenance of departments, improvements and other overhead necessary to direct and carry on the work of all state agencies. This is the class that is vitally affected by a reorganization program.

It is interesting to note that the past history of the cost of government in Utah shows that government functions about the same as a private industry. In both instances administrative costs vary pretty much in proportion to the amount and nature of business done. For example, the cash disbursements of the state were $23,427,-929.38 in 1936 and $26,047,402.33 in 1937. The legislative appropriations for administration from the general fund for that biennium was $5,517,528.99. The cash disbursements for the next biennium were $26,097,074.09 in 1938 and $31,867,684.30 in 1939—up $7,389,-426.08, or 16.92%. During that biennium the legislative appropriations for administration were $8,025,002.17, up $2,507,473.18, or 45.45%. Thus we see that a 16.92% increase in the state's cash business resulted in a 45.45% increase in administrative costs. In 1940, the cash disbursements were $26,682,158.90 and in 1941 — $30,328,026, down $954,572.64, or 1.67% from the previous biennium. Nevertheless, the legislative appropriations for that period were $8,453,926.49, up $428,924.32, or 5.34%. Even with a 1.67% decrease in the state's business during those two years the administrative costs increased 5.34%. Thus it is seen that since 1936 the percentage of increase in administrative expenses during each year has been much greater than the percentage of increase of the total volume of business.

COMPARISON OF 1941 WITH 1942

Let us now apply this formula to the present situation. The cash disbursements of the state for the first fiscal year after the reorganization got under way amounted to $7,633,475.91 more than they were during the last year of the old plan—an increase of 25.17% in the state's cash business, for during the fiscal year ending June 30, 1941, it was $30,328,026, while in the 1942 fiscal year it amounted to $37,961,502. Without the effects of the reorganization program the percentage of increase in administrative costs, following the pattern of previous years, would have probably been much greater than the 25.17% increase in the state's cash business. Instead, they were less. The departments performed the same services during the year ending June 30, 1942, as were performed during the previous fiscal

year at a cost of $7,229,311.05, as compared with $7,746,997.48 for the 1941 year, making a savings in administrative costs of $507,686.43.

For the first time in many years and perhaps in the history of the state, the costs of government decreased, while the volume of state business increased.

When you realize the fact that the salary adjustments of underpaid employees in state institutions referred to above, and salary increases for hundreds of other state employees made necessary by the higher cost of living and by the high competitive wages offered at defense plants, have amounted to a total of $600,000 per year over what they were in the previous year, a large part of said increase being in effect during the 1942 fiscal year, and when you further take into consideration the tremendous increases in the cost of food, clothing, bedding and other necessities for the 3000 inmates in our various institutions and the increase in the cost of everything the state buys, over prevailing prices during the previous year, you can easily understand what it means to the state to have a central control of expenditures set up.

To absorb such large scale salary increases and the higher cost of food and supplies, and at the same time to handle an increase of $7,633,475 in the volume of state business, with a half a million-dollar savings in overhead at this stage where less than 50% of the reorganization plan is in effect seems to me to be a pretty good start and seems to vindicate the reorganization program.

Ladies and gentlemen, we are making an honest effort to eliminate waste and unnecessary overhead from all state departments and institutions. It will take three or four years more to complete the job. We are working in the face of much criticism and opposition and during a period of wild demands for increases in expenditures. The above figures show that a good start has been made. If you will have confidence in the program and make a few minor amendments which will be submitted to you, I declare now with much greater confidence than I did two years ago that all of the present services of the state can be administered at a savings of at least a million dollars per year with the new plan when it is put into full effect, from what would be required under the old plan.

Perhaps some of you are wondering which figures are right—those quoted above—or the ones in the state auditor's report which has been so widely publicized. The answer is that they are both right. The above information will be itemized department by department in my budget report. Every detail will be taken from official records. The report of the State Auditor, which was interpreted by the public as a comparison of administrative costs during the past three years was no more than a record of gross general fund expenditures which passed through the auditor's office. It was never intended as anything else. During the fiscal year ending June 30,

1942, the expenditures of several departments that had previously been charged to trust funds, were changed over to the General Fund. Consequently, the increased amount of General Fund expenditures for 1942 over 1941 revealed by the auditor in his report did not indicate increased state expenditures during that year, but merely showed that an increased amount of the state's business was now going through the General Fund instead of being charged to some trust fund as had been the custom previously. For example, the report showed no expenditures in 1941 or before that date for the highway patrol, or for state road administration, or for liquor control administration or for administrative costs of several other departments, because during 1941 these costs were charged to some fund other than the General Fund. In the year 1942 hundreds of thousands of dollars spent for these same services were charged to the General Fund instead of to special funds as theretofore. His report was not intended to reveal administrative costs. That information, with the auditor's okeh, will appear in the budget report. It merely showed the portion of the total cash business of the state which passed through the General Fund, and it included the hundreds of thousands of dollars spent by the federal government through our schools for civilian training courses and other large sums that were unrelated to administration.

In making the comparison for the two years above quoted the administrative costs of the road division of the Engineering Commission and those of the Fish and Game Commission were the only ones not included. Those departments were excluded because it was impossible to determine which of their expenditures should be charged to administration and which to construction projects or other services. I dare say, however, that if such a breakdown could have been made it would have revealed at least as large a percentage of savings in both departments. The present Engineering Commission and their staff have handled a tremendous road-building program to meet war needs with far fewer engineers to do the job. I have not included in the comparison, of course, any expenditures for services which were performed in either one, but not both of the two years.

FURTHER REORGANIZATION

It has not been difficult to complete the first two steps in the reorganization plan described above because of the cooperative attitude of the commissioners and department heads. Practically all of them have concurred fully in plans to eliminate all unnecessary overhead. They have willingly reduced their demands to the minimum.

The third step—that of resetting up departments—will be far more difficult, not because our present administrative officers will be less cooperative, but because well-organized societies and groups outside of the state personnel, some of them national in scope, and

several having the active support of Federal Bureaus, bitterly oppose all changes which might lessen their prestige.

The Welfare Department is the only one in which substantial intradepartment reorganization reforms have been started. The Engineering Department will come next. Eventually every state service will be reset up.

PUBLIC WELFARE

The Welfare Department spends more of the state's money for relief than is appropriated from the general fund to administer and maintain all of the other departments and institutions and services of the state combined. For that reason I shall deal at some length with the underlying reasons for reorganizing that service.

The welfare program of Utah has never as yet met with the approval of the public as a whole, or of the recipients of assistance, or of the Legislature. Welfare Department reforms have been major subjects of discussion in every legislative sessions since a plan of state administration of relief was set up in 1935. Today as before it presents problems of vital concern.

The Twenty-first Legislature concluded its regular session in March of 1935 in the midst of a wild public clamor for relief. Thousands of heads of families were without employment and thousands of other citizens had lost their life's savings through bank failures. A general condition of distress prevailed. That Legislature, before it adjourned, had passed the sales tax law to provide revenues for public relief and had authorized the Governor to set up whatever organization might be necessary to meet the requirements for federal participation in the state welfare program. On the passage by Congress of the Federal Social Security Act, the State Department of Public Welfare was created, and Utah was one of the first states in the Union to receive large scale federal assistance for public relief. The legislation that provided for this program had been designated as an Emergency Relief Act indicating that it was intended that the program continue only during the depression emergency.

Soon after the effective date of the act, officers and members of social service organizations were appointed to formulate the Utah plan of public assistance. They received liberal cooperation from experts furnished by national social service groups. Those people did what the representatives of most any well-organized association would probably have done under similar circumstances; namely, they set up a plan which was designed to accomplish the objectives of the organization they represented. In this case the creators of the Utah welfare plan who were schooled and trained in social service gave us a lot more than we had bargained for. They not only created a statewide program for the distribution of money to relieve distress, as the Legislature had intended, the type of plan that had been serving the

people of the state on a smaller scale for years before, but they also made their plan include a state-wide social service program. The distribution of funds to the needy was only a part of a larger program of providing expert social guidance for the thousands of citizens who needed financial aid. In other words, the distribution of relief to the needy was integrated into a plan of social service. Both the Legislature and the public were made to believe that the Federal Government would not contribute public welfare financial assistance to any state that did not offer social service to the recipients as a part of the relief setup. There was no thought in the minds of the creators of that program of making it temporary as the people of the state and the Legislature had then intended. No part of the service was aimed at finding employment for recipients and thereby getting them off of relief, or of doing anything to reduce the welfare load. In fact, quite the reverse was true for, as I shall point out later, rules were set up which not only discouraged rehabilitation, but actually penalized recipients who tried to be industrious. A type of social service program which could never have received legislative approval on its own merits, was imposed on the citizens of the state by making it a part of a needed relief plan. That is the type of program that is now written in the statutes of our state.

I have no criticism to make of any of the ideals and objectives of such a service. Perhaps it would be a good thing if the state could furnish efficient and skilled social guidance not only for every relief client, but for every home in Utah. The services of trained experts in this field would undoubtedly be beneficial if properly performed. It would likewise be helpful if free medical services, free dental services, free legal services and other free services could be provided for everyone who needed or wanted them. No matter how highly desirable such things might be, the fact still remains that the taxpayers must pay the bill for them if they are to be provided. I declare to you that the state of Utah cannot afford at this time the luxury of social service for all relief clients any more than it can afford to offer free medical, dental or legal service. The best evidence that we cannot afford it are the figures of the cost of it. During the fiscal year ending June 30, 1937, the relief bill in Utah was $4,019,606.99. Each of the fiscal years since then show the following expenditures:

1938	$6,123,821.61
1939	6,329,104.08
1940	7,270,316.50
1941	8,291,874.99
1942	9,019,798.83

During the five-year period from July 1, 1937, to June 30, 1942, the relief load in our state has increased at the rate of one million dollars per year. Yet investigations show that thousands of old people

and other helpless citizens are not even now receiving nearly enough to supply their barest needs during times like the present. More liberal grants must be given to them at once if suffering is to be relieved. Certainly all of us want every person who cannot care for himself to be adequately fed and cared for. On the other hand every person now on relief who can be made self-sustaining should be taken off the rolls as soon as possible. The public assistance policy of the state should work toward such ends. It should be obvious even to the most ardent supporter of the present program, that rises in cost such as have been occurring cannot go on indefinitely. Something must be done to level them off or the whole structure will be destroyed by its own weight.

The income from a 2% percent sales tax is not great enough even now to supply the reasonable needs of the aged and helpless residents of this state under the administrative philosophy of the social service set up provided by our statutes. The only reason why we have been able to carry on to date and to accumulate a small reserve even during this period of temporary war prosperity is because we have closed our eyes to conditions of dire want among hundreds of our citizens until such time as this Legislature convened to consider the issue. The reserves we have will be wiped out in a very short time if we give the aged and others what they need, and yet do not change the basic philosophy outlined in the statutes. We are now faced with three alternatives: (a) Either to permit a portion of our citizens to continue in want or (b) throw other millions of dollars into the program in order to continue the present large-scale social service theory or (c) recreate the department on the principle of helping the clients help themselves, rather than on the theory of rendering social service to the whole clientele.

I earnestly recommend the third alternative. In doing so I declare that careful investigation shows that if we will administer relief with the idea of rehabilitating the clientele, instead of putting our emphasis on regulating their lives, the adminstrative costs of the department can be materially reduced and the administrative personnel in the department can be cut to less than 50% of the number previously required, without any reduction in efficiency. In addition it is my believe that enough of the relief clients can be made self-sustaining under the proposed program to reduce the welfare rolls to such an extent that the present tax will provide more than enough to maintain adequate permanent assistance for the aged and needy who cannot be rehabilitated. Such a change would limit the type of social service now being rendered only to that small percentage of the clientele who have no means either through their own families or other avenues to help themselves and who therefore need the guidance of trained social workers.

Ninety per cent of the clientele would receive financial aid only, plus the active cooperation of a corps of workers whose whole energy

would be spent in placing as many of them as possible in private employment so that they might become self-sustaining as soon as possible.

It is difficult sometimes to visualize the results of these two basic philosophies. Let me, therefore, illustrate by taking specific examples of the effects of the present plan and contrast them with what would result under the rehabilitation program. During the past the department has worked out detailed budgets for all categories of recipients. These budgets state how much a recipient might spend each month for rent, food, clothing, light, heat, etc. The budgets are always kept so low that they can supply only the very barest necessities. In the Ogden area, for example, the budget for a widowed mother and two children is about $45 per month. It is perfectly obvious that only the most needed requirements of a family of three could be supplied in the city of Ogden with so little money. On being placed on relief that mother is informed by the case worker that she will be allowed that amount each month provided that she and the members of her family receive no income or assistance from any other source. Now, if during the summer months one of her children should get a part-time job cutting a neighbor's lawn and earn $10 per month to buy some extra school supplies, or a few things that children want, or to take the family to an occasional motion picture show, or to pay the installments on a new kitchen stove, the rules say that the case worker must immediately reduce the family grant by $10 per month. The child's earnings must therefore go into the family budget. After the summer is ended and the industrious child returns to school and his income of $10 per month stops, the rules of the past have required that a new investigation be made before the cut can be restored. Cases are numerous where it has taken from six weeks to three months for a cut once made to be restored. Under such circumstances the widowed mother knows that her family will be in want for a period if any one of them works, so she is forced to teach her children not to be industrious and to depend on the state for a living. If there was only one such example the problem would not be so serious, but there are hundreds of children in this state who are being so trained and taught because of a welfare philosophy that is being sponsored by our laws. It will take the best efforts of the most skillful leaders of our state to undo the damage the present setup has done to not only those children, but to many of their parents. It would amaze you if you knew of the number of able-bodied men who support their families only on threats of imprisonment if they do not do so.

Take another example: Let us assume that the budget for an old person is $30 per month. If such a one should keep a cow or have a small garden, the case worker, often inexperienced in the art of figuring net incomes, would be required to decide the value of the cow or garden to the client and reduce his grant in that amount. Consequently, the recipient soon discovers that it does not pay to be industrious, so he wastes his life. The only circumstance under which

a relief client would dare accept employment under the present philosophy of social service administration would be where he was sure of a permanent position that would pay more than the relief check. The whole setup makes temporary employment out of the question. Such a system is a good one to keep people on relief perpetually and to furnish a lot of opportunities for social workers to teach clients how to make their meager incomes stretch through the month, but it is a system that is training thousands of citizens in the belief that industry and personal independence does not pay. With farmers crying for part-time labor, and industry offering short-term employment to all who will accept, there are hundreds of able-bodied people on relief in our state who would like to work, but who are literally forbidden to do so by a social service philosophy that seems to be more interested in offering learned guidance to the clientele than in rehabilitating them. If we knew of the number of 16 and 17-year-old girls from relief homes who are launching on careers of immorality in order to escape the misery coming from poverty imposed by the system described above, we would be shocked beyond measure. If we knew the number of young boys from such homes who were stealing and beginning careers of crime in order to get secret funds which would not be deducted from the family grants, we would understand the seriousness of this issue. If we knew the number of adults in relief homes who were lying about their private incomes in order to save their children from privation which would follow cuts in their already meager grants, we would wonder how such a program could have survived for so many years. It would take a lot of good in the system to compensate for the evils it has brought to the people of this state.

REHABILITATION SERVICE

Let us now see how the rehabilitation philosophy would handle the cases referred to above. In the first place a family budget large enough to supply a decent living would be set up. Instead of telling the widowed mother with two children that the family income could not exceed $45 or $50 per month, the allowance would be $75 or $80 or whatever amount is necessary to permit them to live decently. The mother would be informed that the state would give her only enough to provide the minimum needs of the family—$45 or $50 per month as is being done at present, but that the family could earn or receive as gifts the difference between what the state gave them and their budget. Only where the income exceeded the $75 or $80 budget would the grants be cut. Instead of a case worker visiting the family for the purpose of keeping their expenditures down, a rehabilitation worker would try to help them increase their incomes. They would help the children get part-time employment if they were old enough to work, or assist the mother in placing her children in day nurseries and find work for her. They would use their influence to get the family off of relief.

The budget for the old person might be set at $50 per month—$30 of which the state would provide. The remainder they could earn for themselves. Under such a system relief clients by the hundreds, particularly during times like the present, would learn from experience that it was more profitable to be self-sustaining and industrious than to live lives of laziness in idleness. They would be taught to serve themselves, and the relief rolls would go down.

Under the present system an individual who is unemployed because of a need for a minor adjustment becomes a perpetual client. Under the rehabilitation program he would be made employable if possible. Scores of those who have given up hope for personal independence could be made self-sustaining if they were provided with an artificial limb, or a hernia operation or some other medical care. The rehabilitation service would provide such benefits if by so doing the clients could be made to earn their own ways thereafter.

Under the present system thousands of able-bodied men have received monthly grants and lived in idleness. The new program provides for state make-work projects. Able-bodied persons eligible for relief for whom private employment cannot be found will be permitted to earn the amounts of their grants by building roads or sewing clothing for inmates in institutions or in some other way working for the money they receive. The present system encourages idleness. The proposed one will stimulate industry.

A few of the above-described reforms have recently been put into effect—those that could be made under our present statutes. A small rehabilitation service, which was set up independent of the Welfare Department, has been finding employment for relief clients during the past three months. The Welfare Commission has made intradepartment adjustments. Because of such reforms the department is now operating with more than a hundred fewer employees than formerly. Reports of relief expenditures during the first four months of the present fiscal year show a substantial reduction under the former year. The Commission is constantly running into conflicts, however, with our statutes as they attempt to change the program and eliminate the evils therein.

Time will not permit a continuation of this discussion, but I think that enough has been said to cause you to understand the real issue before you. A state-wide public welfare program will always be expensive, especially where it cares for the needy aged. If you will pass the legislation to be presented on this subject which will repeal the present statutes, all of which except for the ones pertaining to old-age assistance, were written by the social service experts who created the Utah plan of relief described above, a Welfare Service will be set up which will (1) render the most efficient social service possible to those on relief in every category who are unable to serve themselves and therefore need it; and to protect and serve the chil-

dren of the state. Workers who have received the splendid training given by the Social Welfare Departments of our two great universities and who are well qualified to administer to the needy will be employed at salaries worthy of the training they have received and the great importance of their services, to do this work. (2) Those aged and other clients who are eligible for relief and who are not in the class to be rehabilitated or provided with social service will be given their monthly grants and then left alone, except for occasional friendly visits required to maintain checks on eligibility. (3) Those who are employable or can be made employable will be served by workers who will do all possible to make them self-sustaining. A program will be set up that will meet the needy of our people, without breaking the state, but there will be a complete departure from the idea that the aged mother with grown children, who are willing and able to render affectionate care, must be processed under the same rules and subjected to the same supervision and served by the same workers and chronicled by the same methods as the crippled parent with a house full of problem children or the helpless inmate of a convalescent home who is friendless and alone. It will be a program that will render social service only to the social needy, but will relieve the ones who are capable of running their own affairs from the prying supervision of the state. It will eliminate the prevailing philosophy that every person who must have financial aid from the state thereby becomes a social problem requiring detailed state supervision — a philosophy that tends to make all recipients permanent clients.

If you will act favorably on my proposal you may rest assured that nothing will be done to jeopardize in any way the large amounts of federal money being provided for welfare purposes. For seven years we have tried the social service plan, and it has miserably failed. Let us now rehabilitate our people. Let us begin again by repealing the entire program now on our statute books and creating a new procedure. If you will do this the present sales tax will be sufficient and large enough reserves can probably be built to furnish the needs of our people after the war. If you do not do so, but place your stamp of approval on the present setup, you should provide additional revenues at this session to meet the postwar requirements.

Ladies and gentlemen of the Legislature, I might sum up what I have said on this point by stating that the time has come when the administration of relief must be taken from social service organizations and restored to the elective officers of the counties and the state who are responsible to the people for what they do.

THE STATE DEBT

Two years ago the bonded indebtedness of the state was $2,155,000. At the end of the present biennium it will be $1,695,000 in the form of serial bonds bearing interest at the rate of 1¼% for some

and 1½% per annum for the others, and payable at the rate of from $100,000 to $170,000 per year, the final bonds coming due in 1955.

I am happy to advise you that I have this day transferred the sum of $1,695,000 to the Board of Loan Commissioners to retire those bonds. For all intents and purposes, therefore, the state of Utah is now out of debt. It will probably be impossible to retire any substantial numbers of the outstanding obligations before their dates of maturity, for they are not redeemable on call. I therefore ask you to pass such legislation as shall be necessary to authorize the Board of Loan Commissioners to invest this money in federal securities which will mature on or about the dates our state bonds become payable. Interest received from such investments will probably be sufficient to cover the interest requirements of our own obligations, so that Legislatures in the future will be relieved of the necessity of making appropriations for state debts.

PROPOSED LEGISLATION

Though I have been requested to bring to your attention in this message many important proposals for legislative action, I shall confine my recommendations with one or two exceptions to a few matters relating to the present emergency.

Sinking Fund Investments. Section 8-0-4, Revised Statutes of Utah, 1933, limits the investment of municipal sinking funds to city, county, school district and state bonds. There is no authority to purchase United States Government bonds. It is recommended that this section be amended so as to permit local government units to contribute to the war effort by purchasing federal securities with sinking fund revenues.

Automobile Drivers Responsibility Act. Chapter 52, Laws of Utah, 1935, relieved automobile drivers from responsibility for injuries or death of a guest riding in their cars except in cases of wilful misconduct or intoxication of the driver. "Guest" is defined as a person who accepts a ride without paying for it. Automobile passengers being carried to and from defense plants under the ride-sharing program proposed by the O. P. A. in order to conserve rubber, usually contribute to the cost of each trip and therefore are not "guests" as defined by the act. In order to make this federal program effective in Utah, I recommend that the term "guest" be redefined so as to include "any person who accepts a ride in any vehicle as a member of a ride-sharing plan or agreement pursuant to the terms of any regulation now existing or hereafter promulgated by the office of Price Administration or any other federal agency, even though said person pays compensation therefor."

War Emergency Legislation. The State Council of Defense will present for your consideration certain legislation designed to facilitate the handling of war emergencies. Most of their proposals have been requested by the federal government. One of these measures will provide for the granting of authority to someone to suspend the operation of state statutes, and city and county ordinances which interfere with the federal war program. The need for such an act becomes apparent when it is understood that restrictions imposed by local governments in the United States are so numerous and varied that nearly every phase of federal war plans is in conflict with some of them. Federal officials recommend that the governors of the respective states be given this emergency power. Governors of several of the states have already been granted it. I recommend, however, that the authority be vested in our State Council of Defense which is made up of very representative citizens of our state. Among the reasons why such authority should be granted to some state officer or group is the fact that the President of the United States has power to do most anything to win the war. If the several states will not put themselves in a position where they can speedily handle war emergencies, the federal government will do it for them. Such a thing would nullify most of the future arguments which could possibly be proposed in support of states' rights and state sovereignty.

Privileges for Soldiers and Sailors. Under the laws of Utah, the property tax on automobiles must be paid before car licenses may be purchased if such cars were in the state on January 1. Quite a number of the military personnel of other states had automobiles with licenses from their home states in Utah on January 1. Most of them are transferred to other posts within a few weeks after their arrival here. It seems unfair to require them to pay property taxes to Utah on their cars. I therefore recommend that our laws be amended so as to permit military personnel of other states stationed in Utah to purchase Utah licenses for their automobiles without producing evidence that the property tax on their cars has been paid. I recommend, however, that this amendment be written so as not to include out-of-state civilian employees at defense plants or military posts.

I also recommend that our statutes be amended so as to exempt the children of visiting military personnel from paying the extra registration fee required of out-of-state students registering at our universities and junior colleges.

Election Hours. In order to insure that men and women employed in defense work where several hours of travel to and from their places of employment are required each day, might have the privilege of voting, it is recommended that the law be amended so as to require polling places to remain open until 9 p. m. on election days, during the emergency.

County General Funds. The county officials' organization of the state will present a bill amending Sec. 80-9-5, Revised Statutes of

Utah, 1933, so as to permit an increase in tax levy for county general fund purposes. Past legislative enactments have imposed such great financial burdens on county general funds that the present levy maximum does not bring in enough money to cover them. As a result, most of the counties with ample revenues in their treasuries have general fund deficits. I recommend such legislation as will be necessary to relieve this condition.

State Construction. A shortage of materials of all kinds for construction purposes has resulted in a recent issuance of a request to the various states by Donald Nelson, chief of the War Production Board, that all building of every sort by states, counties, cities, school districts and private citizens be stopped during 1943, so that all raw materials of the nation might go into war equipment or war projects. The largest program of war production ever conceived is in the making for 1943. The following is a quotation from Mr. Nelson's letter to me bearing date of December 31, 1942:

> "I am, therefore, asking you, as well as the governors of the other states, to use your influence with the legislature of your state, and with the county and city governments within it to restrain, as far as it can possibly be done, any new construction during the year 1943. I know that funds are available in many of the states; I know that serious and urgent proposals will be made to build schools and hospitals and public buildings, that will be very desirable because of the shifts in population consequent upon the war effort. What I ask is that wherever you can possibly do so, you defer such construction until after 1943. I think it may be truthfully said that each building built in 1943 will take something away from our fighting forces and is, therefore, only justified if it is absolutely necessary. Surely your state and its cities can devise expedients where the young shall not go unschooled, where the ill and the infirm shall be cared for, and still refrain from building during this critical year. Your state can do what other cities and states are doing in deferring plans for new roads, new structures and kindred developments."

Utah has pledged her full cooperation to Mr. Nelson. During this year there will, therefore, be no new construction of buildings, roads or anything else by the state, except in cases where the federal government requests them. I urge all other government units in the state to take similar action. May I call your attention to the fact that the spending of any portion of the $800,000 fund on "B" and "C" roads during 1943 for construction purposes will be in conflict with the above request of the War Production Board. Consideration should be given to providing for an accumulation of at least a portion of that fund for the use of cities and counties during the reconstruction period following the war.

State Banks. Under the present laws of Utah, state banks are limited by statutes in the amount of loans they might make on federal building projects, while national banks doing business in Utah have unlimited lending authority as to them. Our laws thereby handicap our own institutions. The attorney general is preparing legislation that will eliminate this discrimination, and which should receive your favorable attention.

Coal Processing. For ten years the women of Salt Lake, Weber, Davis and Utah counties, and perhaps those of other counties in the state, have pleaded with the legislature to eliminate the smoke nuisance in our cities by providing for the processing of coal. They have had our coal tested at their own expense in processing plants in both Europe and America and have proved that Utah coals are not only rich in by-products, but have the qualities which make a perfect smokeless fuel that can be put on the market at a cost no greater than unprocessed coal. They, furthermore, have evidence that the revenues from the sale of by-products taken from the coal during the processing can be made the source of tremendous profits. Past legislatures have appropriated tens of thousands of dollars for reports and experiments. As private industry seems unwilling to go into the business of coal processing, the time has come for state action. With nearly all of the women and most of the men in the areas afflicted by smoke in favor of the construction of a coal-processing plant capable of turning out smokeless fuel on a commercial scale, this legislature should make provisions for the construction of such a plant. I therefore ask you to appropriate sufficient funds from the revenues to be set aside for postwar projects to complete such a plant and to put it into production, as soon as the emergency is ended and materials for construction are available.

Central Accounting Bureau. The statute setting up the Finance Department was intended to transfer all of the accounting services of the state from the auditor's office to the Finance Department. After the Twenty-fourth Legislature had adjourned, it was discovered that the Act intending to do this was not definite enough in this matter to cause the state auditor to feel justified in discontinuing the accounting work he had previously performed. Consequently, both the State Auditor's Office and the Finance Department have each been maintaining separate records of state income and expenditures—a duplication that has unnecessarily cost the state many thousands of dollars.

You will be asked to clarify this issue and to transfer all accounting services to the Finance Department, thereby relieving the state auditor of all responsibilities except to maintain up-to-date audit of every department as the Constitution intended. The wisdom of such a step can be understood when it is realized that under a system such as we have had where the state auditor keeps the records and does the accounting work for the state, no audit is ever made of his

books, except by himself. As to whether mistakes have been made by the state auditors of the past, we do not know. Certainly no one will contend that the individual who writes all of the checks for the state should never have an audit made of his accounts, yet that is the condition that has prevailed in this state for half a century.

Under the proposed plan the Finance Department will do all of the accounting and issue all checks. The auditor will maintain a continuous audit of that department as well as making periodic audits of every other state service. I hope you will act favorably on this change.

Reforms in Legal Procedure. On January 21, 1942, I addressed a letter to the Utah State Bar requesting that body to make a careful study of the procedures in our courts with the view of having legislation prepared to clarify and improve court routine. Everyone is acquainted with the delays and slowness characteristic of so much of the business of the courts, which often results in tremendous unnecessary losses to litigants. The bar enthusiastically complied with my request. Committees of lawyers were organized and were assigned topics to be studied. The members of these committees spent long hours of hard work on their respective assignments. The good that came from their efforts is exceptional. They deserve the commendation and thanks of the people of the state for their services.

Most of the reports and recommendations growing out of these studies have been filed. A compilation of them will be furnished you if you desire. Proposed legislation embodying certain reforms in procedure is being prepared for you. I recommend your careful consideration of the same and particularly propose your friendly study of the following: (a) A bill recognizing rule-making authority of the Supreme Court; (b) a resolution calling for Constitutional Amendment giving the legislature authority to provide for the selection of judges, and (c) a bill providing for institution of county courts.

Higher Education. There has never been a time in the history of the state when the subject of higher education has needed more careful study from a state legislature than now. Most of the manpower of Utah of the age that usually attend college has or will be called into the military service. Many young women of college age are attracted by opportunities for employment, and are not attending school. The result has been a gradual reduction in enrollment during the past two years. Prospects for a further drastic decrease before the end of the present school year, due to the lowering of the draft age, are great.

A reduction in enrollment results in a proportionate cutting of income from fees. During the present biennium the enrollment losses have been general in nature and therefore have not made it feasible to eliminate particular departments or schools. Consequently, full scholastic programs have been continued with reduced classroom en-

rollment. The effects have been definite reductions in fees, with no substantial reduction in overhead due to attendance cuts. This has placed a great burden on the general fund and has resulted in far more money having been contributed by the state for higher education than ever before.

It is impossible to determine at this time what the situation will be during the next biennium. If the war goes on for more than two years and the demand for manpower in industry and by the armed forces continues, enrollment in some of the departments and schools may be so low that there will be no justification for maintaining them. On the other hand, if the war ends before the close of the biennium, the reverse will be true.

The Utah schools of higher education have maintained a most enviable record. Our senior universities are in the highest class of universities of the nation, making the credits of our students acceptable at face value at all other universities. The value of education to our people and our state can never be overemphasized. The great importance of the various schools to the businesses and citizens of the communities in which they are located is vital. For these and many other reasons I urge this body to approach the problem with the thought of maintaining at least a skeleton of every department and institution rather than to close them entirely.

Most of the teaching staff of all of our schools are made up of people who have given the best years of their lives to their respective institutions at salaries far less than the prevailing schedules in most other states. It has been due largely to their skill and learning that our universities have been able to maintain their high positions among other schools of higher education of the nation. If reduced enrollments make it necessary to discontinue the services of any of them they should be given leaves of absence without pay or arrangements should be made to offer sabbatical leaves to as many of them as possible, so that they might have assurances of their positions after the war and might be allowed to further prepare themselves by attending other universities during the emergency.

Some year and one-half ago I appointed a committee made up of regents of the University of Utah, trustees of the Utah State Agricultural College and faculty and alumni association members from both of the schools to define the functions of the two schools and to make recommendations for the coordinating of their respective programs rather than to continue a policy of both competing with each other in the same fields.

Information has come that the report will be ready shortly. On receipt of the same I shall make a definite proposal of reforms to the legislature. Utah, with so small a population, cannot afford to maintain two large universities offering courses in the same fields, plus five junior colleges. The work should be divided so that each senior

university specializes in different majors so far as practical. A procedure to accomplish these ends, without handicapping any of the schools and without reducing the educational opportunities of our people should be the subject of your thorough attention.

STATE FINANCES

There are four major sources of state income. These are. (a) Miscellaneous excise and property taxes which go into the general fund; (b) the sales tax which is spent for public relief; (c) the motor fuel and motor vehicle taxes from which state highways are constructed and maintained, and (d) fees collected from state institutions which go into the general fund.

The high degree of prosperity enjoyed by the people of our state during the first year of the present biennium has caused most of us to assume that the revenues of the state have increased to such an extent that we can now afford most any luxury. Though it is true that state income has been enhanced by the war prosperity the picture is not nearly as rosy as many believe.

General Fund. The total collections for the general fund for the last fiscal year were $5,986,434.96, as against $4,364,510.06 for the previous year. This represents a net increase of $1,621,924.90. Included in the income for the last fiscal year were the sum of $410,-446.47 from property tax levy for the general fund, and $860,067.76 in the form of a district school fund surplus. Neither of these items which total $1,270,514.23, will occur again, because the property tax levy for the general fund has been eliminated and the district school levy has been reduced by two mills and will therefore probably wipe out all such surpluses, which when they occur, go into the general fund. Thus, you can see we have followed a policy of reducing the property tax whenever it became apparent that we could do without the money obtained therefrom. In addition to the above $565,758.36 of the year's income represents increased liquor profits over the previous year. This also will probably not occur again for hard liquors have already been rationed to the state so drastically that it is now possible to purchase only about 50% of the normal consumption. This rationing will continue for the duration. That will wipe out at least all increased profits over the previous year. Add, therefore, this $565,758.36 to the $1,270,514.23 mentioned above and you have a certain future decrease in general fund revenues in the amount of $1,836,272.59 per year, or $3,672,545.18 per biennium.

It should be pointed out also that the teacher retirement law passed by the last legislature cost the general fund the sum of $157,-451.01 more in 1942 than in 1941. This added expense will not decrease and should therefore be taken into consideration as you make your appropriations.

Thus it can be seen that even if the other general fund incomes maintain their present levels, which will not occur when the war emergency ends, the general fund revenues for the next biennium will be nearly $2,000,000 less per year than they were during the last year unless a property tax levy is imposed.

A sum in excess of the total amount of the 1942 general fund increase over the previous year has already been transferred to the Board of Loan Commissioners, as pointed out above, for the payment of the state's bonded indebtedess. This will wipe out all increases in the general fund reserves. It becomes very apparent, therefore, that no new programs intended to be paid from the general fund should be passed, without provisions being made for paying for them through new taxation. Any reserves which might remain in the general fund at the end of the biennium should most certainly be kept intact to meet possible emergencies such as the destruction of our cities by air raids, or the handling of the migration of citizens from the west in case of an attempted invasion of the Pacific Coast, or an epidemic of disease among our citizens which often accompany wars, or some other unforeseen circumstance, any one of which might occur during the period of the present world conflict.

Sales Tax. Revenues from the sales tax have increased greatly during the past year. They have been sufficient to cover the state's share of the relief load and permit the building of a reserve which should amount to about $2,500,000 by the end of the biennium, if a drop in receipts or an increase in grants does not occur. With a gradual increase in the nation's rationing program, however, there will be less and less to buy and the sales tax income will undoubtedly soon be on the decline. Part of this reserve may be used if the old-age assistance grants are adjusted upward—a thing that must be done in many cases for hundreds of the aged who will be in no position to help themselves even if the reform in the Welfare Department previously proposed in this message, are made, are in dire need of more assistance.

Then again when war ends, widespread unemployment may return, in which case there will be great need for all of the reserves which can be built up during periods of prosperity.

I urge you, therefore, to frown upon any attempt to divert the sales tax revenues into any other channel than that of direct relief.

Gasoline Tax. Little need be said about this source of revenue. Gasoline and rubber rationing have already drastically cut gasoline tax revenues. Income from this source will be barely enough to maintain our present state road system and will probably forbid all future new construction not entirely financed from federal funds, until rationing ends. I urge you, therefore, not to add any more highways to the state system at this time, but that you instead take from the

system those highways which in the main serve local rather than state and interstate traffic.

Fees from State Institutions. About one-half of the financial requirements of our junior and senior colleges come from student fees. Enlistment and induction of 18 and 19-year-old boys into the military forces of the country, referred to above, have so greatly cut the enrollment in these schools that during the fiscal year ending June 30, 1942, dedicated credits were down $246,958.73 under legislative appropriations.

Any analysis of the future income prospects of the state will show that we have passed the peak of state income and are facing drastic revenue reductions. Most certainly the state will have no more income than will be required to maintain its present programs.

INDUSTRIAL DEVELOPMENT

The phenominal industrial growth of our state since the last meeting of the legislature, which is providing employment at home for our children who theretofore had been migrating to other states by the thousands in search for opportunities, has created problems that should receive your careful consideration. Increased prosperity has increased juvenile delinquency in the industrial areas, and has thereby emphasized the wisdom of consolidating into one well-staffed service all of our state programs for juveniles, which are now being conducted by several separate children's agencies such as the Juvenile Court and probation division, the public welfare division, the child welfare division, the crippled children's division and several independent agencies receiving state assistance. The tremendous increase in the consumption of intoxicating liquor in areas where prosperity abounds stresses the need for rigid enforcements of liquor and moral laws as well as the responsibility of our schools and churches to vigilantly prepare all of us to guard against the dangers and hazards that accompany the lowering of social and moral standards. Prosperity has brought many problems which were previously uncommon.

With a few isolated exceptions, the area within a radius of 60 or 70 miles from Salt Lake City has alone been directly benefited by our industrial expansion. War projects have in the main been centered within this zone. Eastern and Southern Utah are losing much of their population to this section.

We who are enjoying the unusual advantages that increased prosperity has brought to this area cannot ignore the serious struggle that citizens who are still pioneering other sections of our state are having. If we are to expect them to close their eyes to the glamorous appeal of prosperious centers and remain on their farms and ranches and in their small towns, then, we must adjust many of our state policies. We cannot longer preach equal educational opportunities,

for instance, and at the same time sponsor a system of financing schools which requires those who live under the most difficult conditions to make levies on their property of as high as 18 mills in order to maintain schools held in poor buildings, with little equipment, and conducted by teachers who are paid starvation salaries, while citizens in prosperous areas are taxed as low as 5.6 mills for educational opportunities and surroundings that are of the best in the state. We cannot longer ignore the fact that these same people do most of their traveling on trails of dust and boulders and holes, while in the prosperous areas nearly all roads are hard-surfaced highways. The time has come when we who live in the congested areas and have the balance of power and influence in this body must begin providing more equal educational opportunities, more equal taxation, more equal chances for financial security, and a more uniform road improvement program within our state, or we will discover some day that the population of Utah has all "gathered into the center of Zion," and that the area which we have been relying on for meats, products of the soil, wool and other necessities, and districts in which many of our most balanced and worthy citizens are residing, have been deserted. We must do a lot more for the farmers of this state or we are liable to have no farmers in a few years.

During your session I urge you, therefore, to provide for more equal education in all areas at more equal cost to all citizens, and to create industrial opportunities for the outlying sections. It seems apparent that war industries such as those that have enriched Northern Utah will not be established in the more isolated districts. If those people are to have canning factories to stimulate their agriculture, or packing plants to make livestock-raising attractive, or wool-washing plants to benefit the sheep industry, or small dams for the farmers, or numerous other advantages which will bring enlarged prosperity to certain districts, the state must make them possible. I have a plan for accomplishing these ends which I shall present on some other occasion.

Considerable experimenting along the line of extending state aid to different sections in order to stimulate industry has been made during the past year. Under the direction of the newly created Publicity and Industrial Development Commission and through the cooperation of the engineering and other departments small expenditures of state funds for various purposes have produced splendid results. For instance, the laying of a short road into some sand dunes in Kane County resulted in the filming of several motion pictures in that area, each production leaving an average of $100,000 in the form of salaries, rental of equipment, etc., to the citizens there. The building by the state of a much-needed storage building for war equipment after the war at a cost of $90,000 at Manti and the renting of that building to a parachute company brought a parachute-manufacturing industry to Sanpete County which has a present payroll of

$500,000 per year and a potential annual payroll of a million dollars. The spending of a few thousand dollars in Washington County by the state has brought in a pilots' training school to St. George and has opened up the mineral mountain area for production. Similar state projects have been carried on in Duchesne, Uintah, Emery, Iron, Millard and other counties, all of which have helped the areas greatly at little cost to the state. These experiments have furnished valuable data for future developments.

FEDERAL GRANTS

For many years the State of Utah has received from the Federal Government large sums of money for various purposes, most of which has been in the form of Federal matching of State funds. As everyone knows, the national debt is now in excess of 100 billions of dollars, and will probably amount to several hundreds of billions before the emergency has ended. Every citizen will be heavily taxed in order to retire those obligations. It stands to reason, therefore, that congress will become less and less inclined to appropriate money to maintain Federal Bureaus, and will either reduce or eliminate grants to states for peace time activities. It is not at all improbable that the State of Utah will soon be required to pay all of the costs of public relief of road building and of other activities to which the Federal Government has heretofore made contributions. This probability should greatly influence your spending policies.

CONCLUSION

In conclusion may I state that there is nothing quite so important at this time, ladies and gentlemen of the legislature, to occupy our attention, as is the matter of contributing our full share toward winning the war. The best efforts of both your office and mine should be directed toward that end. Please be assured of my hearty cooperation and friendly assistance whenever I can be helpful to any of you during this session. The heads of all departments of state are likewise ready to be of service to you. We join in hoping that your stay at the capitol will be pleasant and enjoyable.

The Joint Committee then escorted Governor Maw to his chambers.

On motion of Senator Child the Joint Convention dissolved.

In accordance with Senator Richards' previous motion the Senate adjourned.

THIRD DAY

January 13, 1943

The Senate was called to order at 3:00 p. m. President Macfarlane in the chair.

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

Prayer by the Chaplain.

January 13, 1943

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,

ABEL S. RICH,
EMIL K. NIELSEN.

Report adopted and filed.

The President appointed Senators Child, Rich and Melich as the Committee on Revision and Enrolling.

REPORT OF SPECIAL COMMITTEE

January 13, 1943

Mr. President:

Your committee appointed to draft a resolution of condolence to the wife and family of the late Senator Thomas Bailey submit the accompanying resolution.

Respectfully,

STANLEY N. CHILD,
ELISHA WARNER,
WILLIAM A. DAWSON.

Report filed.

PRESENTATION OF MEMORIAL

S. M. No. 1 By Messrs. Child, Warner and Dawson.

BE IT RESOLVED BY THE SENATE OF THE TWENTY-FIFTH LEGISLATURE OF THE STATE OF UTAH:

WHEREAS, since the adjournment of the Twenty-fourth session of the Legislature the Almighty in His infinite wisdom has seen fit to call Senator Thomas Bailey to his eternal reward;

NOW, THEREFOR; BE IT RESOLVED that we, the Senate of the Twenty-fifth Legislature of the State of Utah, are deeply grieved over the death of our esteemed colleague, and do hereby extend to his wife and family this expression of our sympathy.

S. M. No. 1 was read the first time.

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

S. M. No. 1 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, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Huggins.

S. M. No. 1 was transmitted to the Secretary of State.

Senator Hopkin moved that the Committee on Revision and Enrolling be comprised of five members, that this committee be charged with the duties of receiving all bills introduced in the Senate and that before said committee recommend a bill be printed by title only, the consent of the author be obtained.

Motion carried.

On motion of Senator Christensen the President appointed a committee consisting of Senators Hopkin, Farr and Hirschi to meet with a like committee from the House to determine what action shall be taken on the invitation tendered by the Council of State Governments to attend the Sixth General Assembly of the Council of State Governments.

Senator Dawson moved that, at a time to be determined by the President, the Senate resolve itself into a Committee of the Whole to discuss the type of legislation which is to be introduced.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 1 By Mr. Miller

AN ACT AMENDING SECTION 57-3A-32, UTAH CODE ANNOTATED, 1943, TO PERMIT PERSONS IN THE ARMED SERVICES TO REGISTER MOTOR VEHICLES WITHOUT PRESENTING A CERTIFICATE FROM THE COUNTY ASSESSOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 2 By Mr. Hopkin

AN ACT AMENDING SECTIONS 57-3a-43, 57-3a-46, 57-3a-47, 57-3a-48, 57-3a-49, 57-3a-52, 57-3a-55, 57-3a-62, 57-3a-65, 57-3a-67 AND 57-3a-78, UTAH CODE ANNOTATED, 1943, RELATING TO MOTOR VEHICLES, THE REGISTRATION THEREOF AND PERMITTING THE TAX COMMISSION TO DIRECT AND AUTHORIZE THE METHOD OF REGISTRATION, AND REPEALING SECTIONS 47-3a-44 AND 47-3a-45, UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3 By Mr. Miller

AN ACT ESTABLISHING OFFICE OF STATE CONTROL OF WATERS PROVIDING FOR THE APPOINTMENT OF COMMISSION OR OFFICER TO ADMINISTER AND DESIGNATING ITS AUTHORITY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Christensen the following were appointed as employees of the Senate.

Reference Attorney—Joseph S. Jones.

Messenger—Will R. Holmes.

On motion of Senator Richards the Senate adjourned until tomorrow, January 14, 1943 at 11:00 a. m.

FOURTH DAY

January 14, 1943.

The Senate convened at 11:00 a. m. in the House Chamber to meet in Joint Convention. President Macfarlane presiding.

JOINT CONVENTION

Roll Call showed a quorum of both Senate and House members present.

Prayer by the Senate Chaplain.

On motion of Senator Child the Joint Convention resolved itself into a Committee of the Whole to hear an address by Mrs. Mary Agnes Hamilton of Great Britain.

On motion of Senator Christensen the Committee of the Whole was dissolved.

The President declared the Joint Convention dissolved.

The Senate recessed until 3:00 p. m.

AFTERNOON SESSION

The Senate was called to order at 3:00 p. m. President Macfarlane in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

January 14, 1943.

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,

ABEL S. RICH,
EMIL K. NIELSEN.

Report adopted and filed.

STANDING COMMITTEES OF THE SENATE

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

AGRICULTURE AND IRRIGATION

Hopkin, McMurrin, Rich, Christensen, Morrill, Melich, Kelly.

APPROPRIATIONS AND CLAIMS

Huggins, Hopkin, McMurrin, Child, Christensen, Ashton, Richards, Warner, Hirschi, Kelly, Lund.

BANKING AND COMMERCE

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

EDUCATION

McMurrin, Child, Rich, Ericksen, Warner, Morrill, Lund.

FISH AND GAME

Farr, Hopkin, Kendall, Warner, Hirschi, Morrill, Kelly.

HEALTH AND LABOR

Bailey, Kendall, Richards, Romney, Nielsen, Melich, Lund.

HIGHWAYS

Ashton, Miller, Romney, Nielsen, Hirschi, Morrill, Kelly.

JUDICIARY

Richards, Huggins, Farr, Miller, Bailey, Dawson, Melich.

MINING AND SMELTING

Miller, Richards, Warner, Dawson, Melich.

PUBLIC INSTITUTIONS

Ericksen, Miller, McMurrin, Ashton, Warner, Romney, Lund.

REVENUE AND TAXATION

Christensen, Huggins, Hopkin, Farr, McMurrin, Child, Rich, Nielsen, Morrill, Melich, Kelly.

REVISION AND ENROLLING

Child, Rich, Melich, Warner, Richards.

RULES AND CONTINGENT EXPENSES

Warner, Huggins, Hirschi.

SOCIAL RELATIONS AND RELIEF

Kendall, Hopkin, Miller, Ericksen, Romney, Nielsen, Bailey, Dawson, Lund.

STATE AND MUNICIPAL AFFAIRS

Rich, Huggins, Farr, Ericksen, Warner, Hirschi, Dawson.

REPORT OF SPECIAL COMMITTEE

January 14, 1943.

Mr. President:

Your committee appointed to consider and report as to the advisability of sending a member of the Senate to attend a convention of State Governments at Baltimore, begs leave to report that your committee

is of the opinion that we can best serve our state and nation by remaining at our post. Therefore, we recommend that no member of the Senate be sent to the convention at Baltimore.

Respectfully submitted,

ALONZO F. HOPKIN,
DEXTER FARR,
CLAUD HIRSCHI.

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 4 By Mr. Bailey

AN ACT PROVIDING FOR THE EXAMINATION OF WITNESSES IN CRIMINAL CASES BEFORE FILING OF A COMPLAINT OR INFORMATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5 By Mr. Hopkin

AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, REQUIRING REPORTS OF CERTAIN PROPERTY HOLDERS TO FACILITATE THE ENFORCEMENT OF THIS ACT, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, AND REPEALING ALL ACTS OR PARTS OF ACTS INCONSISTENT OR IN CONFLICT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6 By Mr. Child

AN ACT AMENDING SECTION 43-5-3 OF THE UTAH CODE ANNOTATED 1943 RELATING TO THE DEPOSIT OF THE SECURITIES IN THE INSURANCE DEPARTMENT REQUIRING THAT ALL INSURANCE COMPANIES HAVE DEPOSITS IN SOME STATE OF THE UNITED STATES FOR THE PROTECTION OF POLICYHOLDERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7 By Mr. Child

AN ACT AMENDING SECTION 43-2-4 OF THE UTAH CODE ANNOTATED 1943 RELATING TO THE PAPERS AND RECORDS OF THE INSURANCE DEPARTMENT AND THE INSURANCE COM-

MISSIONER'S RIGHT TO DESTROY THE SAME AFTER HAVING BEEN ON FILE FOR TEN YEARS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Lund the Senate adjourned until tomorrow, January 15, 1943 at 3:00 p. m.

FIFTH DAY

January 15, 1943.

The Senate was called to order at 3:00 p. m. President Macfarlane in the chair.

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

Prayer by the Chaplain.

January 15, 1943.

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,

ABEL S. RICH,
EMIL K. NIELSEN.

Report adopted and filed.

January 14, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 1*, 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. 1 was ordered printed and referred to the Committee on Judiciary.

January 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 2,* 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. 2 was ordered printed and referred to the Committee on Judiciary.

January 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 6,* 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. 6 was ordered printed and referred to the Committee on Banking and Commerce.

January 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 7,* 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. 7 was ordered printed and referred to the Committee on Banking and Commerce.

The President appointed Senators Ericksen, Child and Christensen to prepare a resolution of Condolence to Senator Romney and family upon the death of his father, Mr. Walter Romney, and also to represent the Senate at the funeral.

The President announced that Senator Nielsen will replace Senator Warner on the Committee on Education and the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 8 By Mr. Bailey.

AN ACT AMENDING SECTION 103-12-4, UTAH CODE ANNOTATED, 1943, CONCERNING CERTAIN ACTS PROHIBITED BY CORPORATION DIRECTORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Mr. Bailey

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED, 1943, RELATING TO 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. 10 By Mr. Richards

AN ACT AMENDING SECTION 18-5-1, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSOLIDATION OF CORPORATIONS AND PROVIDING FOR THE CONSOLIDATION OF A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF THIS STATE WITH A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF ANY OTHER STATE OR TERRITORY OF THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11 By Mr. Christensen

AN ACT TO AMEND SECTION 43-7-1, THE UTAH CODE ANNOTATED, 1943, RELATING TO RECIPROCAL INSURANCE AND AUTHORIZED EXCEPTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12 By Mr. Warner

AN ACT AMENDING SECTIONS 93-1-5 AND 93-1-10, UTAH CODE ANNOTATED, 1943, RELATING TO STAMPS TO BE AFFIXED TO CIGARETTE AND OLEOMARGARINE PACKAGES; METHOD OF AFFIXING STAMPS; UNSTAMPED CONTAINER AS EVIDENCE; REFUNDING;DEALERS EXEMPT; VIOLATIONS AND PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13 By Mr. Nielsen

AN ACT AMENDING SECTION 7-8-5, UTAH CODE ANNOTATED, 1943 RELATING TO INTEREST RATE, AND CHARGES, RECEIPTS AND RECORDS RELATING TO THE REGULATING OF MAKING OF SMALL LOANS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 14 By Mr. Melich

AN ACT AMENDING SECTIONS 104-5-5 AND 104-5-9 OF THE UTAH CODE ANNOTATED, 1943, RELATING TO THE COMMENCEMENT OF ACTIONS AND TO THE FILING OF SUMMONS AND PROOF OF SERVICE AND THE TIME WITHIN WHICH SUMMONS MUST BE SERVED AND RETURNED INTO COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 15 By Mr. Rich

AN ACT AMENDING SECTION 20-4-2, UTAH CODE, ANNOTATED, 1943, RELATING TO THE NUMBER OF JUDGES, ELECTION AND TERM OF OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16 By Mr. Rich

AN ACT AMENDING SECTION 25-11-1, UTAH CODE, ANNOTATED, 1943, RELATING TO MUNICIPAL ELECTIONS PRIMARIES; PROVIDING FOR NOMINATIONS; ANNOUNCEMENTS BY CANDIDATES; PUBLICATIONS; AND RETURN AND CANVASS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Mr. Melich

AN ACT AMENDING SECTION 42-1-58, UTAH CODE ANNOTATED, 1943, RELATING TO WORKMEN'S COMPENSATION, WRONGFUL ACT OF THIRD PERSONS, AND SUBROGATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18 By Committee on Revision and Enrolling

AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF SIX VOLUMES, UTAH CODE

ANNOTATED 1943, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART.

On motion of Senator Child the rules were suspended and *S. B. No. 18* was ordered printed and referred to the Committee on Judiciary.

INTRODUCTION OF MEMORIAL

S. M. No. 2 By Mrs. Ericksen, Messrs Child and Christensen.

WHEREAS, THE Almighty in His infinite wisdom has seen fit to call to his eternal reward Walter Romney, the father of our esteemed colleague Senator L. C. Romney; and

WHEREAS, we are deeply grieved and shocked to learn of this untimely death;

NOW, THEREFOR, BE IT RESOLVED that we do hereby extend our heart-felt sympathy and condolence to Senator Romney and his family, was read the first time.

On motion of Senator Ericksen the rules were suspended and *S. M. No. 2* was read the second and third times and placed on its final passage.

S. M. No. 2 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, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Huggins, Kendall and Romney.

S. M. No. 2 was transmitted to the Secretary of State.

On motion of Senator Farr the Senate resolved itself into Executive Session.

On motion of Senator Richards the Executive Session dissolved.

Senator Farr moved that the Senate accept the offer of the Governor making available to the Senate the services of the heads of all departments of State and that each department be assigned to a Standing Committee of the Senate for study and report.

Motion carried.

Senator Richards moved that when we do adjourn it be until Monday, January 18, 1943.

Motion carried.

On motion of Senator Bailey the Senate adjourned.

EIGHTH DAY

January 18, 1943.

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

Roll Call—All Senators present, except Senators Hopkin and McMurrin, excused and Senator Dawson.

Prayer by the Chaplain.

January 18, 1943.

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,

ABEL S. RICH,
EMIL K. NIELSEN.

Report adopted and filed.

The President appointed Senators McMurrin and Melich to revise the Journal for the week beginning January 18, 1943.

REPORTS OF STANDING COMMITTEE

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Mr. Bailey, 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 Comittee on Judiciary.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 5*, 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. 5 was ordered printed and referred to the Committee on Judiciary.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8*, by Mr. Bailey, 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 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Mr. Bailey, 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 Judiciary.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 10*, by Mr. Richards, 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. 10 was ordered printed and referred to the Committee on Judiciary.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 11*, 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. 11 was ordered printed and referred to the Committee on Banking and Commerce.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12*, by Mr. Warner, 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. 12 was ordered printed and referred to the Committee on Agriculture.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13*, by Mr. Nielsen, 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 Banking and Commerce.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 14*, by Mr. Melich, 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.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 15*, 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. 15 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No.17*, by Mr. Melich, 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 Health and Labor.

January 18, 1943.

Mr. President:

Your Committee on Rules and Contingent Expenses moves that Rule 84 be amended to read:

Eleven 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.

Respectfully,

ELISHA WARNER,
IRA A. HUGGINS,
CLAUDE HIRSCHI.

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 19 By Mr. Dawson

AN ACT AMENDING SECTION 102-4-3 UTAH CODE ANNOTATED 1943, RELATING TO PREFERRED PERSONS FAILING TO APPEAR AND APPLY FOR LETTERS OF ADMINISTRATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20 By Mr. Dawson

AN ACT AMENDING SECTION 102-7-2 UTAH CODE ANNOTATED 1943, RELATING TO ESTATE APPRAISERS—APPOINTMENT —COMPENSATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21 By Mr. Dawson

AN ACT AMENDING SECTION 100-1-10 UTAH CODE ANNOTATED 1943, RELATING TO CONVEYANCE OF WATER RIGHT—BY DEED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22 By Mr. Dawson

AN ACT AMENDING SECTION 28-2-2 UTAH CODE ANNOTATED 1943, RELATING TO FEES OF COUNTY CLERK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Mr. Christensen

AN ACT TO AMEND SECTION 49-13-2 OF THE UTAH CODE ANNOTATED, 1943, RELATING TO THE REGISTRATION OF LABOR ORGANIZATIONS AND REQUIRING THE FILING OF FINANCIAL STATEMENTS BY LABOR ORGANIZATIONS WITH THE UTAH STATE INDUSTRIAL COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Huggins moved that the chairman of each respective Standing Committee of the Senate meet in the Senate Lounge at the conclusion of today's session to fix times for daily meetings of these committees.

Motion carried.

PRESENTATION OF RESOLUTION

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

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

REPORT OF STANDING COMMITTEE

January 18, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 18*, by Committee on Revision and Enrolling, has carefully examined said bill, and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report adopted and filed.

Senator Richards moved that the rules be suspended and that the Senate do now consider *S. B. No. 18.*

Motion carried.

CONSIDERATION OF S. B. NO. 18

S. B. No. 18 was read the second time.

Committee report read and adopted.

On motion of Senator Richards the rules were suspended and *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, 19; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Huggins. (explained vote).

Absent and not voting: Senators Dawson, Hopkin and McMurrin.

S. B. No. 18 was transmitted to the House.

Senator Farr moved that when we do adjourn it be until tomorrow, January 19, 1943 at 10:00 a. m.

Motion carried.

On motion of Senator Farr the Senate adjourned.

NINTH DAY

January 19, 1943.

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

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

Prayer by the Chaplain.

January 19, 1943.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 8th day and find it correct with minor amendments noted on the final copy.

Respectfully,

J. A. McMURRIN,
MITCHELL MELICH.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 18, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 1*, by Mr. Miller, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,

Report filed Chairman.

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

January 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Mr. Rich, 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. 16 was ordered printed and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 24 By Mr. Bailey

AN ACT AMENDING SECTION 40-3-1, UTAH CODE 1943, RELATING TO DIVORCE, BY CHANGING THE RESIDENCE REQUIREMENT AND ADDING AN ADDITIONAL GROUNDS FOR DIVORCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25 By Committee on Judiciary

AN ACT RECOGNIZING THE POWER OF THE SUPREME COURT OF THE STATE OF UTAH TO PRESCRIBE, ALTER, AND REVISE, BY RULES, FOR ALL COURTS OF THE STATE OF UTAH, THE FORMS OF PROCESS, WRITS, PLEADINGS AND MOTIONS AND THE PRACTICE AND PROCEDURE IN ALL CIVIL ACTIONS AND PROCEEDINGS, INCLUDING DIVORCE, PROBATE AND GUARDIANSHIP PROCEEDINGS, TO BE KNOWN AS SECTION ....., was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26 By Committee on Judiciary

AN ACT AMENDING CHAPTER 3, TITLE 20, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 20-3-21 RELATING TO POWERS OF DISTRICT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-20, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR REVIEW AND SETTLING OF APPRAISEMENTS BY DISTRICT COURTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-21, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR APPEALS TO SUPREME COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29 By Committee on Judiciary

AN ACT AMENDING SECTION 102-3-12 UTAH CODE ANNOTATED 1943, 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. 30 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-5 UTAH CODE ANNOTATED 1943, RELATING TO THE INHERITANCE TAX TO BE IMPOSED UPON TRANSFERS BY RIGHT OF SURVIVORSHIP AND PROVIDING CERTAIN EXCEPTIONS IN REGARD THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-8, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF THE DEBTS

OF AN ESTATE FOR THE PURPOSE OF DETERMINING NET ESTATE FOR INCOME TAX PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 32 By Committee on Judiciary

AN ACT AMENDING SECTION 80-12-7 UTAH CODE ANNOTATED 1943, RELATING TO DETERMINATION OF NET ESTATE FOR INCOME TAX PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 33 By Committee on Judiciary

AN ACT AMENDING SECTION 38-0-10, UTAH CODE ANNOTATED 1943, 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. 34 By Committee on Judiciary

AN ACT AMENDING SECTION 101-4-3 UTAH CODE ANNOTATED 1943, RELATING TO SUCCESSION AND THE SURVIVING WIFE'S INTEREST IN HUSBAND'S REAL PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35 By Committee on Judiciary

AN ACT TO AMEND SECTION 78-4-4, UTAH CODE ANNOTATED 1943, RELATING TO INSTRUMENTS OF WRITING COPIED INTO THE BOOKS OF RECORD OF THE OFFICE OF COUNTY RECORDERS OF THE SEVERAL COUNTIES, was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTION

S. J. R. No. 2 By Committee on Judiciary

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 10 OF ARTICLES 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, JURISDICTION, JUDGES PRO TEMPORE, CHANGE OF

JUDICIAL DISTRICT 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.

Senator Farr moved that the rules be suspended and that the Senate do now consider *S. B. No. 1.*

Motion carried.

CONSIDERATION OF S. B. NO. 1

S. B. No. 1 was read the second time.

Committee report read and adopted.

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

Page 1, line 14 after the word "Sailors" insert the word "Civil".

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

Page 1, line 1 of the title and line 1 of the bill after the word "Annotated" strike the ",".

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

Page 1, line 1 after the word "read" insert ":".

Line 2 strike the words "as follows".

Line 3 preceding the word "The" insert "57-3a-32".

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

Page 1, line 16 following the word "is"; also Line 19 preceding the word "in" insert the words "a private or non-commissioned officer".

On motion of Senator Richards the Senate adjourned.

TENTH DAY

January 20, 1943.

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

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

Prayer by the Chaplain.

January 20, 1943.

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,

J. A. McMURRIN,
MITCHELL MELICH.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 19*, 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. 19 was ordered printed and referred to the Committee on Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 20*, 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. 20 was ordered printed and referred to the Committee on Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 21*, 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. 21 was ordered printed and referred to the Committee on Judiciary.

January 20, 1943.

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 State and Municipal Affairs.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 23*, 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. 23 was ordered printed and referred to the Committee on Health and Labor.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 24*, by Mr. Bailey, 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 Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 31*, by Committee on Judiciary, 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 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 32*, by Committee on Judiciary, 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 Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 33*, by Committee on Judiciary, 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. 33 was ordered printed and referred to the Committee on Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 34*, by Committee on Judiciary, 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 Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35*, by Committee on Judiciary, 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 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 1*, by Mr. Miller, and recommends the bill be referred back to the author to be rewritten in the form of a Senate Concurrent Memorial.

Respectfully,

STANLEY N. CHILD,

Chairman.

Report filed.

S. J. R. No. 1 was returned to its author.

January 20, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 2*, by Mr. Hopkin, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Chairman.

Report filed.

S. B. No. 2 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 36 By Judiciary Committee

AN ACT PROVIDING THAT ANY AGGRIEVED APPLICANT OR PARTY BEFORE ANY BUREAU OR COMMISSION CREATED BY THE LEGISLATURE OF THE STATE OF UTAH OR BY THE CONSTITUTION OF THE STATE OF UTAH MAY APPLY TO THE SUPREME COURT FOR A WRIT OF CERTIORARI AND DEFINING THE SCOPE OF REVIEW BY THE SUPREME COURT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37 By Mr. Richards

AN ACT AMENDING SECTION 104-59-1, UTAH CODE ANNOTATED, 1943, RELATING TO THE PROCEEDINGS BY WHICH THE EFFECT OF THE DEATH OF A PERSON UPON PROPERTY AND THE TITLE THERETO MAY BE ESTABLISHED BY JUDICIAL ACTION AND DECREE, RELATING TO ANY OTHER INTEREST IN PROPERTY OTHER THAN AN ESTATE OF INHERITANCE VESTED IN SUCH PERSON AT THE TIME OF HIS DEATH, AND

PROVIDING FOR A WAIVER AND THE RELEASE OF INHERITANCE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 38 By Mr. Richards

AN ACT TO PROVIDE FOR THE COLLECTION BY THE SURVIVING SPOUSE OR CHILDREN OF A DECEASED EMPLOYEE OF WAGES EARNED BY SUCH DECEASED EMPLOYEE WITHIN 90 DAYS PRECEDING DEATH WITHOUT PROCURING LETTERS OF ADMINISTRATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39 By Judiciary Committee

AN ACT PROVIDING FOR THE ORGANIZATION OF COUNTY COURTS, FIXING THEIR JURISDICTION, BOTH CIVIL AND CRIMINAL, PROVIDING FOR APPOINTMENT, ELECTION, QUALIFICATIONS 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. 40 By Messrs. Richards and Melich

AN ACT AMENDING SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, DEFINING THE TERMS USED IN THE EMPLOYMENT SECURITY ACT BY ADDING A NEW PARAGRAPH PROVIDING THAT THE TERM "EMPLOYMENT" SHALL NOT INCLUDE SERVICE PERFORMED BY LESSEES ENGAGED IN METAL MINING UNDER LEASE AGREEMENTS UNLESS THE INDIVIDUAL LEASE AGREEMENT OR THE PRACTICE IN ACTUAL OPERATION UNDER SUCH AGREEMENT IS SUCH AS WOULD CONSTITUTE THE LESSEES EMPLOYEES OF THE LESSOR AT COMMON LAW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41 By Messrs. Richards and Melich

AN ACT AMENDING SECTION 42-1-41, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE", "WORKMAN" AND "OPERATIVE" AS USED IN SAID TITLE AND PROVIDING

THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR WORKMEN'S COMPENSATION INSURANCE BY THE LESSOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42 By Messrs. Richards and Melich

AN ACT AMENDING SECTION 42-1a-11, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE", "WORKMEN" AND "OPERATIVE", AS USED IN THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR OCCUPATIONAL DISEASE DISABILITY COMPENSATION BY THE LESSOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43 By Messers. Richards, Bailey, Child Dawson and Christensen

AN ACT PROVIDING THAT EARNINGS FOR PERSONAL SERVICES OF HUSBAND OR WIFE SHALL BE COMMUNITY PROPERTY AND PROVIDING FOR THE MANAGEMENT AND CONTROL THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 44 By Mr. Christensen

AN ACT AMENDING SECTION 43-8-17, UTAH CODE ANNOTATED, 1943, RELATING TO THE ANNUAL STATEMENT TO BE FILED WITH THE INSURANCE COMMISSIONER BY COUNTY MUTUAL, FIRE AND LIGHTNING INSURANCE COMPANIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45 By Mr. Farr

AN ACT CREATING A STATE BOND RETIREMENT FUND, MAKING APPROPRIATIONS THERETO, AUTHORIZING THE STATE BOARD OF LOAN COMMISSIONERS TO INVEST AND CONTROL SAID FUND, TO PURCHASE THE OUTSTANDING BONDS OF THE STATE OF UTAH AT PAR OR LESS PLUS ACCRUED INTEREST AND TO SELL UNITED STATES GOVERNMENT BONDS OR ANY OTHER BONDS THAT MAY BE HELD IN SAID BOND RETIREMENT FUND BELOW PAR IF NECESSARY

TO PROTECT THE BEST INTERESTS OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46 By Mr. Farr

AN ACT APPROPRIATING THE SUM OF ONE MILLION, NINE HUNDRED FORTY-THREE THOUSAND, FIVE HUNDRED TWENTY-FIVE DOLLARS ($1,943,525.00) OUT OF THE LIQUOR CONTROL FUND TO THE STATE GENERAL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 47 By Mr. Huggins

AN ACT AMENDING SECTION 105-36-17 UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION OF SENTENCES AND THE SUSPENSION OF THE IMPOSITION OF EXECUTION OF SENTENCES, AND THE PLACING OF DEFENDANTS IN CRIMINAL CASES ON PROBATION, AND PROVIDING FOR THE MANNER OF TERMINATING SUCH SUSPENSION OR PROBATION, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Richards moved that the rules be suspended and that the Senate do now consider *S. B. No. 2.*

Motion carried.

CONSIDERATION OF S. B. NO. 2

S. B. No. 2 was read the second time.

Committee report read and adopted.

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

In the title, after the word "Amending" strike the balance of the title and insert the following:

"TITLE 57, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-79.10, RELATING TO THE USE OF DECALCOMANIA STICKERS OR SUCH OTHER INDICIA OF REGISTRATION AS THE TAX COMMISSION MAY DEEM ADVISABLE IN LIEU OF LICENSE PLATES, AND PROVIDING FOR THE TERMINATION DATE OF SUCH SECTION."

Page 1, strike the whole of lines 1 to 17, inclusive.

Page 2, strike the whole of lines 1 to 33, inclusive.

Page 3, strike the whole of lines 1 to 33, inclusive.

Page 4, strike the whole of lines 1 to 23, inclusive.

Insert in lieu of the striken material the following:

"Section 1. Sec. 57-3a-79.10, Utah Code Annotated 1943, is enacted to read:

"57-3a-79.10. The state tax commission may issue, adopt and require the use of decalcomania stickers or such other indicia of registration as it may deem advisable in lieu of license plates as provided in this title. All provisions of this title relative to license plates shall apply to the decalcomania stickers or such other indicia of registration as the commission may adopt in so far as such provisions are consistent therewith.

"This section is declared to be an emergency measure and shall be liberally construed to effectuate its purpose, and shall expire December 31, 1945."

Page 4, line 24 strike the figure "3" and insert the figure "2".

On motion of Senator Macfarlane the rules were suspended and *S. B. No. 2* was read the third time and placed on its final passage.

S. B. No. 2 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, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Kendall and Warner.

S. B. No. 2 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 1 on Second Reading.

On motion of Senator Miller the Enacting Clause was stricken.

S. B. No. 1 was filed.

On motion of Senator Richards the Senate adjourned.

ELEVENTH DAY

January 21, 1943.

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

Roll Call—All Senators present, except Senator Dawson.

Prayer by the Chaplain.

January 21, 1943.

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,

J. A. McMURRIN,

MITCHELL MELICH.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 26*, by Committee on Judiciary, 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. 26 was ordered printed and referred to the Committee on Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 27*, by Committee on Judiciary, 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. 27 was ordered printed and referred to the Committee on Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 28*, by Committee on Judiciary, 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 Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 29*, by Committee on Judiciary, 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 Judiciary.

January 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 30*, by Committee on Judiciary, 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 Judiciary.

January 21, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 37*, by Mr. Richards, 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 Judiciary.

January 21, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 38*, by Mr. Richards, 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, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 41*, by Messrs. Richards and Melich, 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. 41 was ordered printed and referred to the Committee on Judiciary.

January 21, 1943.

Mr. President:

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

January 21, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 6*, by Mr. Child, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUDE HIRSCHI,
Chairman.

Report filed.

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

January 21, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 11*, by Mr. Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CLAUDE HIRSCHI,
Chairman.

Report filed.

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

January 20, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 5*, by Mr. Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 5 was placed on the Second Reading Calendar.

January 20, 1943.

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 20, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 9*, by Mr. Bailey, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 9 was placed on the Second Reading Calendar.

January 20, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 10*, by Mr. Richards, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,

Chairman.

Report filed.

S. B. No. 10 was placed on the Second Reading Calendar.

January 20, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 16*, by Mr. Rich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Chairman.

Report filed.

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

January 20, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 15*, by Mr. Rich, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ABEL S. RICH,

Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 48 By Committee on Banking and Commerce

AN ACT AMENDING SECTIONS 7-3-27 AND 7-3-28, UTAH CODE ANNOTATED 1943, RELATING TO THE DECLARATION OF DIVIDENDS AND CREDIT AND CHARGES TO THE SURPLUS FUND OF BANKS AND PROVIDING THAT CERTAIN NET PROFITS SHALL BE CARRIED TO A SURPLUS FUND UNTIL SUCH

SURPLUS SHALL AMOUNT TO ONE HUNDRED PER CENT OF THE CAPITAL OF THE BANK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49 By Committee on Banking and Commerce

AN ACT AMENDING SECTION 7-3-41, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMIT OF THE LENDING POWER OF A BANK AND PROVIDING THAT LOANS OR OBLIGATIONS SHALL NOT BE SUBJECT UNDER SUCH SECTION TO ANY LIMITATION BASED UPON CAPITAL AND SURPLUS TO THE EXTENT THAT THEY ARE SECURED OR COVERED BY GUARANTIES, OR BY COMMITMENTS OR AGREEMENTS TO TAKE OVER OR TO PURCHASE THE SAME, MADE BY ANY FEDERAL RESERVE BANK OR BY THE UNITED STATES OR ANY DEPARTMENT, BUREAU, BOARD, COMMISSION, OR ESTABLISHMENT OF THE UNITED STATES, INCLUDING ANY CORPORATION WHOLLY OWNED DIRECTLY OR INDIRECTLY BY THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50 By Messrs. Melich, Hopkin and Morrill

AN ACT AMENDING SECTION 3-5-27, UTAH CODE ANNOTATED, 1943, PERTAINING TO TUBERCULAR AND BANGS DISEASE CONTROL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51 By Mr. Melich

AN ACT AMENDING SECTION 19-13-1, UTAH CODE ANNOTATED 1943, PERTAINING TO QUALIFICATIONS OF COUNTY OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52 By Mr. Melich

AN ACT AMENDING SECTION 6-0-24, UTAH CODE ANNOTATED 1943, PERTAINING TO PRACTICE OF LAW WITHOUT A LICENSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53 By Mrs. Ericksen

AN ACT AMENDING SECTION 86-1-48.12, UTAH CODE ANNOTATED, 1943, RELATING TO THE LEASING OF A PORTION OF

THE STATE CAPITOL GROUNDS TO THE DAUGHTERS OF UTAH PIONEERS FOR THE PURPOSE OF ERECTING A PIONEER MEMORIAL BUILDING, 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 bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Line 1 of the title, strike the comma at the end of the line.

Page 1, line 1 in the second appearing word "Section" strike the letters "tion" and insert a period. Also after the word "Annotated" strike the comma.

S. B. No. 6 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, Child, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Dawson and Ericksen.

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, 21; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards (explained vote), Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson and Morrill.

S. B. No. 5 was read the second time.

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

Page 2, line 29 change the word "acts" to read "act".

Page 3, line 32 strike the words "county jail".

Page 3, line 33 strike the first word "or".

Page 4, line 4 strike the word "people" and insert "legislature".

Line 5 change the word "declare" to read "declares"; also strike the word "they" and insert the word "it".

Senator Huggins moved that *S. B. No. 5* retain its position on the Second Reading Calendar.

Motion carried.

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

Committee report read and adopted.

Senator Christensen moved that *S. B. No. 8* retain its position on the Second Reading Calendar.

Motion carried.

S. B. No. 9 was read the second time.

Committee report read and adopted.

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

Line 13 strike the comma after the word "thereof", insert a period and strike the balance of the line.

Strike the whole of line 14.

S. B. No. 9 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Dawson.

Senator Richards moved that we do now consider *S. B. No. 8*.

Motion carried.

S. B. NO. 8 ON SECOND READING

S. B. No. 8 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Dawson.

COMMUNICATIONS FROM THE HOUSE

January 21, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 2*, by Mr. Hopkin, entitled, "AN ACT AMENDING TITLE 57, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-79.10, RELATING TO THE USE OF DECALCOMANIA STICKERS OR SUCH OTHER INDICIA OF REGISTRATION AS THE TAX COMMISSION MAY DEEM ADVISABLE IN LIEU OF LICENSE PLATES, AND PROVIDING FOR THE TERMINATION DATE OF SUCH SECTION.", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 2 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 21, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 18*, by Committee on Revision and Enrolling, entitled, "AN ACT APPROVING, ADOPTING, AND LEGALIZING THE STATUTE BOOK CONSISTING OF SIX VOLUMES, UTAH CODE ANNOTATED 1943, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART.", and the same is returned herewith for your further 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.

January 21, 1943.

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 Messrs. Mozley and Cannon, entitled, "AN ACT AMENDING SECTION 30-0-7, UTAH CODE ANNOTATED 1943, DESIGNATING THE OPENING DAYS OF THE FISHING AND HUNTING SEASON", 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 Committee on Fish and Game.

On motion of Senator Warner the Senate adjourned.

TWELFTH DAY

January 22, 1943.

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

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

Prayer by the Chaplain.

January 22, 1943.

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,

J. A. McMURRIN,
MITCHELL MELICH.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 22, 1943.

Mr. President:

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

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

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

January 21, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 7,* by Mr. Child, has carefully considered said bill and reports the same out favorably and recommends the following amendment:

After the word "opinion" in the seventh line, insert the words "and on the advise of the attorney general".

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

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

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 40,* by Messrs. Richards and Melich, 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. 40 was ordered printed and referred to the Committee on Health and Labor.

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 44,* 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. 44 was ordered printed and referred to the Committee on Banking and Commerce.

January 22, 1943.

Mr. President:

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

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 46*, 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. 46 was ordered printed and referred to the Committee on Revenue and Taxation.

January 22, 1943.

Mr. President:

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

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 48*, by Committee on Banking and Commerce, 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 Banking and Commerce.

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 49*, by Committee on Banking and Commerce, 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 Banking and Commerce.

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 50*, by Messrs. Melich, Hopkin and Morrill, 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 Agriculture and Irrigation.

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 51*, by Mr. Melich, 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 State and Municipal Affairs.

January 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 52*, by Mr. Melich, 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 Judiciary.

January 22, 1943.

Mr. President:

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 3 By Committee on Rules and Contingent Expense

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

Senator Warner moved that the rules be suspended and that the Senate do now consider *S. J. R. No. 3.*

Motion carried.

S. J. R. No. 3 was read the second time.

On motion of Senator Richards, *S. J. R. No. 3* was made a Special Order of Business for Monday, January 25, 1943 at 2:15 p. m.

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

A CONCURRENT RESOLUTION MEMORIALIZING THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO MODIFY CERTAIN REGULATIONS PURSUANT TO THE MARKING QUOTA ACT SO AS TO PERMIT THE FEEDING OF EXCESS WHEAT TO POULTRY AND LIVESTOCK IN MILLARD COUNTY, UTAH AND SO AS TO ADJUST WHEAT QUOTAS FOR DRY FARMS IN MILLARD COUNTY ON A BASIS OF NORMAL MOISTURE SEASONS, was read the first time.

Senator Kelly moved that the rules be suspended and that the Senate do now consider *S. C. R. No. 1.*

Motion carried.

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

S. C. 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, Farr, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Hirschi and Melich.

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

INTRODUCTION OF BILLS

S. B. No. 54 By Committee on Highways

AN ACT PROVIDING FOR THE DESIGNATION OF STREETS OR HIGHWAYS OR PORTIONS THEREOF AS FREEWAYS; PROVIDING FOR THE SEPARATION AND MARKING OF SEPARATE TRAFFIC LANES THEREON; PROVIDING FOR THE CONTROL OF INTERSECTIONS AND APPROACHES THERETO; PROVIDING FOR THE ESTABLISHMENT OF LOCAL SERVICE ROADS; REGULATING TRAFFIC ON SUCH FREEWAYS AND SUCH LOCAL SERVICE ROADS; PROHIBITING CERTAIN ACTS THEREON AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF ANY SUCH PROHIBITIONS; AND PROVIDING FOR THE PURCHASE OR CONDEMNATION OF NECESSARY LAND OR RIGHTS IN LAND FOR THE DESIGNATION OF SUCH FREEWAYS AND THE CONSTRUCTION OF SUCH LOCAL SERVICE ROADS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55 By Committee on Highways

AN ACT RELATING TO THE ACQUISITION, INCLUDING ACQUISITION BY CONDEMNATION, OF REAL PROPERTY OR INTERESTS THEREIN FOR STATE HIGHWAY PURPOSES, INCLUDING EXCESS ACQUISITIONS, AND TO THE MANAGEMENT, CONTROL, LEASING, SALE, OR EXCHANGE OF SUCH REAL PROPERTY OR INTERESTS THEREIN; AND TO THE ABANDONMENT OF STATE HIGHWAY RIGHT OF WAY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 56 By Messrs. Hopkin, Macfarlane and Huggins

AN ACT EMPOWERING THE DEFENSE COUNCIL TO CARRY OUT PRECAUTIONARY MEASURES AGAINST AIR RAIDS AND

OTHER FORMS OF ATTACK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57 By Messrs. Macfarlane, Huggins and Hopkin

AN ACT TO PROVIDE FOR CERTAIN POWERS OF THE STATE AND LOCAL DEPARTMENT OF PUBLIC WELFARE, IN WAR AND OTHER EMERGENCIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58 By Messrs. Huggins, Hopkin and Macfarlane

AN ACT FOR THE REGULATION AND LICENSING OF DAY NURSERIES, PERSONS AND ORGANIZATIONS PROVIDING DAY CARE FOR CHILDREN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59 By Messers. Macfarlane, Hopkin and Huggins

AN ACT AUTHORIZING STATE DEPARTMENTS TO PROMOTE PROGRAMS OF CARE FOR CHILDREN OF WORKING MOTHERS AND TO RECEIVE AND EXPEND FUNDS FOR THIS PURPOSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60 By Mr. Warner

AN ACT RELATING TO THE STUDY AND IMPROVEMENT OF COUNTY GOVERNMENT AND TO PROVIDE FOR THE PAYMENT OF COSTS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61 By Mr. Huggins

AN ACT AUTHORIZING THE APPOINTMENT BY THE GOVERNOR OF A STATE BARBER BOARD TO APPROVE MINIMUM PRICE AGREEMENTS FOR BARBER SERVICES; DESIGNATING 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; DE-

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

S. B. No. 62 By Messrs. Hopkin, Morrill and Melich

AN ACT TO REPEAL SECTIONS 3-4-1 AND 3-4-2 UTAH CODE ANNOTATED 1943, RELATING TO PREDATORY ANIMAL BOUNTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63 By Committee on Banking and Commerce

AN ACT AMENDING CHAPTER 3 OF TITLE 7, UTAH CODE ANNOTATED 1943 BY ADDING THERETO A NEW SECTION TO BE NUMBERED 7-3-38-a, AUTHORIZING THE STATE BANK COMMISSIONER, WITH THE APPROVAL OF THE STATE DEPOSITORY BOARD, TO CHANGE FROM TIME TO TIME THE REQUIREMENTS AS TO RESERVES AGAINST DEMAND OR TIME DEPOSITS OR BOTH IN BANKING INSTITUTIONS WHICH ARE NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 6 was read the third time and placed on its final passage.

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

Line 3 after the word "company" strike all material up to and including the word "States" on line 5.

S. B. No. 6 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, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Hirschi and Lund.

S. B. No. 6 was transmitted to the House.

S. B. No. 11 was read the third time and placed on its final passage.

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

Line 1 of the title strike the word "TO".

S. B. No. 11 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Those voting in the negative were: Senators Bailey (explained vote), and Miller.

Absent and not voting: Senators Ericksen, Farr and Warner.

S. B. No. 11 was transmitted to the House.

S. B. No. 9 was read the third time and placed on its final passage.

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

Line 8 strike the words "or chapter".

S. B. No. 9 then passed on the following roll call.

Yeas, 17; Nays, 3; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Child (explained vote), McMurrin and Nielsen.

Absent and not voting: Senators Ashton, Ericksen and Farr.

S. B. No. 9 was transmitted to the House.

S. B. No. 8 was read the third time and placed on its final passage.

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

Line 16 after the word "thereof" strike the comma, insert a semicolon and strike the balance of the paragraph with the exception of the word "or", on line 17.

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

Yeas, 16; Nays, 3; Absent, 4.

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Child, McMurrin (explained vote), and Nielsen.

Absent and not voting: Senators Ashton, Ericksen, Farr and Romney.

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

A committee from the House appeared and reported the Governor has requested a joint committee be appointed to investigate the purchase of land for the erection of an hospital for disabled miners.

On motion of Senator Richards the President appointed a committee consisting of Senators Huggins, Farr and Rich to act with a like committee from the House to investigate the purchase of land for the erection of an hospital for disabled miners.

COMMUNICATION FROM THE HOUSE

January 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. R. No. 1*, by Mr. Paxton, entitled, "A CONCURRENT RESOLUTION MEMORIALIZING THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO MODIFY CERTAIN REGULATIONS PURSUANT TO THE MARKING QUOTA ACT SO AS TO PERMIT THE FEEDING OF EXCESS WHEAT TO POULTRY AND LIVESTOCK IN MILLARD COUNTY, UTAH AND SO AS TO ADJUST WHEAT QUOTAS FOR DRY FARMS IN MILLARD COUNTY ON A BASIS OF NORMAL MOISTURE SEASONS.", 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.

Senator Kelly moved that the rules be suspended and that the Senate do now consider *H. C. R. No. 1.*

Motion carried.

CONSIDERATION OF H. C. R. NO. 1

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

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

Line 1 of the title and line 15 of the bill strike the word "Marking" and insert the word "Marketing".

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ericksen, Farr and Warner.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 10 was read the second time.

Committee report read and adopted.

S. B. No. 10 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, Child, Christensen, Farr, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Ericksen and Hopkin.

Senator Rich moved that the rules be suspended and that the Senate consider *S. B. No. 15* ahead of *S. B. No. 16.*

Motion carried.

S. B. No. 15 was read the second time.

Committee report read and adopted.

S. B. No. 15 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Farr and Richards.

On motion of Senator Nielsen the Senate adjourned until Monday, January 25, 1943.

FIFTEENTH DAY

January 25, 1943

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

Roll Call—All Senators present.

Prayer by the Chaplain.

Senator Hopkin moved that due to the illness of Senate Secretary D. Ray Owen, Jr., that J. Lambert Gibson be named Secretary of the Senate to act in the capacity until the return of Mr. Owen.

Motion carried.

January 25, 1943

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,

J. A. McMURRIN,

MITCHELL MELICH.

Report adopted and filed.

The President appointed Senators Ericksen and Romney to revise the Journal for the week beginning January 25, 1943.

REPORTS OF STANDING COMMITTEES

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 18,* by Committee on Revision and Enrolling, entitled, "AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF SIX VOLUMES, UTAH CODE ANNOTATED 1943, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART," 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.

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 2,* by Mr. Hopkin, entitled, "AN ACT AMENDING TITLE 57, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-79.10, RELATING TO THE USE OF DECALCOMANIA STICKERS OR SUCH OTHER INDICIA OF REGISTRATION AS THE TAX COMMISSION MAY DEEM ADVISABLE IN LIEU OF LICENSE PLATES, AND PROVIDING FOR THE TERMINATION DATE OF SUCH 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 is 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.

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by Committee on Judiciary, 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. 25 was ordered printed and referred to the Committee on Judiciary.

January 25, 1943

Mr. President:

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

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 57*, by Messrs, Macfarlane, Huggins 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. 57 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 58* by Messrs. Macfarlane, Huggins 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. 58 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 59*, by Messrs. Macfarlane, Hopkin 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. 59 was ordered printed and referred to the Committee on Social Relations and Relief.

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 62*, by Messrs. Hopkin, Morrill and Melich, 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. 62 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 25, 1943

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 63*, by Banking and Commerce Committee, 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. 63 was ordered printed and referred to the Committee on Banking and Commerce.

January 22, 1943

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 22*, by Mr. Dawson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

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

January 25, 1943

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 53* by Mrs. Ericksen, has carefully considered said bill, and reports the same out favorably.

Respectfully,

MRS. E. E. ERICKSEN,
Chairman.

Report filed.

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

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 4*, by Mr. Bailey, has carefully considered said bill and reports the same out without recommendation, with the following amendment:

Page 3, line 6, after the word "investigated" insert the following: "Provided, however, that said person examined is represented by counsel of his own choosing, or if the person or persons desire, counsel shall be appointed by the court, and if appointed, a fee shall be paid by the political subdivision subpoenaing said witness at the rate of $25. per diem."

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 4 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 19*, by Mr. Dawson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 19 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 20*, by Mr. Dawson, has carefully considered said bill, and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 20 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 21*, by Mr. Dawson, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman

Report filed.

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

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 26*, by Committee on Judiciary, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 26 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 28*, by Committee on Judiciary, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 29*, by Committee on Judiciary, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 29 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 30*, by Committee on Judiciary, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 30 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 24*, by Mr. Bailey, has carefully considered said bill and reports the same out favorably, with the following amendment:

On line 20, Section 8, after the word "apart", add the words, "under decree of separate maintenance."

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 24 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 17*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 17 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 38*, by Mr. Richards, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 38 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 40*, by Mr. Melich and Mr. Richards, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 40 was placed on the Second Reading Calendar.

January 25, 1943

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 23*, by Mr. Christensen, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 64 By Mr. Dawson

AN ACT TO AMEND SECTION 102-14-1 UTAH CODE ANNOTATED 1943 RELATING TO THE TIME AND MANNER OF GIVING NOTICES IN PROBATE PROCEEDINGS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65 By Messrs. McMurrin and Rich

AN ACT PROVIDING FOR THE REFUND OF MOTOR FUEL 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 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.

S. B. No. 66 By Mr. Huggins

AN ACT AMENDING SECTIONS 46-0-138, 46-0-139, 46-0-140, 46-0-144, 46-0-145, 46-0-146, 46-0-147, 46-0-152, UTAH CODE ANNOTATED 1943, RELATING TO THE TAXATION OF BEER MANUFACTURED IN THIS STATE OR IMPORTED INTO THIS STATE AND THE FURNISHING OF BONDS, FILING OF RETURNS, METHOD AND TIME OF PAYMENT BY SUCH MANUFACTURERS AND WHOLESALERS; AND REPEALING SECTIONS 46-0-148, 46-0-149, 46-0-150, 46-0-151, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67 By Mr. Hopkin

AN ACT EXTENDING THE POWERS OF THE DEFENSE COUNCIL OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. J. R. 3 on Second Reading.

On motion of Senator Nielsen the bill was amended as follows: Strike the following: "Chief mailing clerk, $5.00 per day;

"Enrolling and engrossing clerks, $5.00 per day and after the word "employees" in the following line strike the figure "4" and insert the figure "5".

On motion of Senator Richards the rules were suspended and *S. J. R. No. 3* was read the third time and placed on its final passage.

S. J. R. No. 3 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, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner, Mr. President.

Absent and not voting: Senator Lund.

S. J. R. No. 3 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 10 was read the third time and placed on its final passage.

S. B. No. 10 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner, Mr. President.

Absent and not voting: Senators Christensen, Lund.

S. B. No. 10 was transmitted to the House.

S. B. No. 15 was read the third time and placed on its final passage.

On motion of Senator Child the bill was amended as follows: Line 4 change the word "sexenually" to read "sexenially."

S. B. No. 15 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, Hirschi (explained vote), Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner, Mr. President.

Absent and not voting: Senator Farr.

S. B. No. 15 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

Senator Ericksen moved that the rules be suspended and that we do now consider *S. B. No. 53*.

Motion carried.

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

Committee report read and adopted.

On motion of Senator Richards the rules were suspended and *S. B. No. 53* was read the third time and placed on its final passage.

On motion of Senator Huggins the bill was amended as follows: Line 12 after the figures "1947" strike the comma, insert a period, and strike the balance of the paragraph.

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, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner, Mr. President.

Absent and not voting: Senator Farr.

S. B. No. 53 was transmitted to the House.

S. B. No. 16 was read the second time.

Committee report read and adopted.

On motion of Senator Rich the bill was amended as follows: Page 1 line 3 preceding the word "Candidates" insert "25-11-1".

On motion of Senator Huggins the bill was amended as follows: Page 3 line 19 preceding the word "of" insert the words "likewise arranged in alphabetical order."

Line 22 beginning with the semi-colon strike all material up to and including the word "order" on line 25.

On motion of Senator Dawson the bill was amended as follows: Page 3 line 25 beginning with the semi-colon strike the balance of the paragraph.

On motion of Senator Warner the bill was amended as follows: Page 4 line 3 change the word "filed" to read "filled".

Page 5 line 32 strike the word "consistent" and insert the word "inconsistent."

S. B. No. 16 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner, Mr. President.

January 25, 1943

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. 2,* by Messrs. Durham, Larsen and Sorensen, entitled, "RESOLUTION OF CONDOLENCE TO THE FAMILY OF GEORGE D. PYPER", and the same is transmitted herewith for your action.

Respectfully,

J. Waldo Parry
Chief Clerk

Communication field.

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

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

H. J. R. No. 2 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner, Mr. President.

H. J. R. No. 2 was returned to the House.

On motion of Senator Dawson the Senate adjourned.

SIXTEENTH DAY

January 26, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 26, 1943.

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,
L. C. ROMNEY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 56*, by Messrs. Hopkin, 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. 56 was ordered printed and referred to the Committee on Judiciary.

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 60*, by Mr. Warner, 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. 60 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 61*, 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. 61 was ordered printed and referred to the Committee on Health and Labor.

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 64*, 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. 64 was ordered printed and referred to the Committee on Judiciary.

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 66*, 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. 66 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 67*, 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. 67 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 25, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 44*, by Mr. Christensen, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 44 was placed on the Second Reading Calendar.

January 25, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 48*, by the Committee on Banking and Commerce, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 48 was placed on the Second Reading Calendar.

January 25, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 49*, by Committee on Banking and Commerce, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 49 was placed on the Second Reading Calendar.

January 26, 1943.

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 31*, by Committee on Judiciary, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 31 was placed on the Second Reading Calendar.

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 32*, by Committee on Judiciary, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 32 was placed on the Second Reading Calendar.

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 33*, by Committee on Judiciary, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 26, 1943.

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 35*, by Committee on Judiciary, has carefully considered said bill and reports the same out favorably, with the following amendment:

"On line 4, underscore figures 1943."

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 35 was placed on the Second Reading Calendar.

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 37*, by Mr. Richards, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 41*, by Messrs. Richards and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 41 was placed on the Second Reading Calendar.

January 26, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 42*, by Messrs. Richards and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 42 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

January 25, 1943.

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. 6*, by the Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-1-25 UTAH CODE ANNOTATED, 1943, RELATING TO THE DEPARTMENT OF AGRICULTURE ADVISORY COUNCIL AND AUTHORIZING AGRICULTURAL ADVISORY SERVICES TO SAID DEPARTMENT AND REPEALING SECTIONS 3-1-26 AND 3-1-27 UTAH CODE ANNOTATED, 1943.", 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 Agriculture and Irrigation.

January 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 4*, by the Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-3-32 UTAH CODE ANNOTATED, 1943, RELATING TO THE NOXIOUS WEED ERADICATION PROGRAM", 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 Agriculture and Irrigation.

January 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. C. R. No. 1.*

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

January 25, 1943.

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. 7,* by the Agricultural Committee, entitled, "AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO RENT ROAD EQUIPMENT.", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 7 was read the first time and referred to the Committee on Agriculture and Irrigation.

January 26, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. J. R. No. 3,* by the Committee on Rules and Contingent Expense, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-FIFTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH.", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 3 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 26, 1943.

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. Hopkin, entitled, "AN ACT AMENDING TITLE 57, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-79.10, RELATING TO THE USE OF DECALCOMANIA STICKERS OR SUCH OTHER INDICIA OF REGISTRATION AS THE TAX COMMISSION MAY DEEM ADVISABLE IN LIEU OF LICENSE PLATES, AND PROVIDING FOR THE TERMINATION DATE OF SUCH SECTION.", 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.

January 26, 1943.

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 Committee on Revision and Enrolling, entitled, "AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF SIX VOLUMES, UTAH CODE ANNOTATED 1943, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART.", 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.

January 26, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 53*, by Mrs. Ericksen, entitled, "AN ACT AMENDING SECTION 86-1-48.12, UTAH CODE ANNOTATED 1943, RELATING TO THE LEASING OF A PORTION OF THE STATE CAPITOL GROUNDS TO THE DAUGHTERS OF UTAH PIONEERS, INCOR-

PORATED, FOR THE PURPOSE OF ERECTING A PIONEER MEMORIAL BUILDING.", 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.

PRESENTATION OF MEMORIAL

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

A JOINT RESOLUTION MEMORIALIZING CONGRESS RESPECTING THE POLICY OF THE STATE OF UTAH RELATING TO ITS WATERS AND THE USE THEREOF, THE ADJOINING STATES AND THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 68 By Mr. Huggins

AN ACT AMENDING SECTION 105-36-17 UTAH CODE ANNOTATED 1943 PROVIDING FOR THE SUSPENSION OF SENTENCES AND THE SUSPENSION OF THE IMPOSITION OF EXECUTION OF SENTENCES, AND THE PLACING OF DEFENDANTS IN CRIMINAL CASES ON PROBATION, AND PROVIDING FOR THE MANNER OF TERMINATING SUCH SUSPENSION OR PROBATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 69 By Mr. Morrill

AN ACT RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE OF THE STATE OF UTAH TO APPOINTMENT TO AND HOLDING OF PUBLIC OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 70 By Messrs. Hirschi and Morrill

AN ACT REPEALING CHAPTER 3, TITLE 25, UTAH CODE ANNOTATED, 1943, RELATING TO PRIMARY ELECTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 71 By Mr. Bailey

AN ACT AMENDING SECTIONS 15-9-12, 15-9-13, 15-9-14, 15-9-17, 15-9-18, AND 15-9-21, TITLE 15, CHAPTER 9, ARTICLE 3 OF THE UTAH CODE ANNOTATED 1943, AND PROVIDING FOR THE APPOINTMENT OF OFFICERS AND EMPLOYEES BY THE COMMISSION, AND PROVIDING FUNDS FOR ADDITIONAL EQUIPMENT, AND PROBATIONARY TRIAL FOR PROMOTIONS, AND FOR DEMOTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 72 By Messrs. Nielsen and Warner

AN ACT AUTHORIZING PLANNING OF MUNICIPALITIES; PROVIDING FOR THE APPOINTMENT OF PLANNING COMMISSIONS IN CONNECTION THEREWITH; PROVIDING FOR THE REGULATION OF THE SUBDIVISION OF LAND; PROVIDING FOR THE REGULATION OF BUILDINGS IN MAPPED STREETS; AND PROVIDING PENALTIES FOR VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73 By Mr. Dawson

AN ACT PROVIDING FOR A SHORT TERM STATUTE OF LIMITATION IN CONNECTION WITH ACTIONS BROUGHT FOR THE PURPOSE OF SETTING ASIDE TAX DEEDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 74 By Mr. Bailey

AN ACT PROVIDING FOR THE RETIREMENT OF EMPLOYEES OF STATE INSTITUTIONS; CREATING A RETIREMENT BOARD, DEFINING TERMS USED, PRESCRIBING THE SOURCE AND METHOD OF ACQUIRING FUNDS AND THE MANNER OF INVESTING AND DISBURSING SUCH FUNDS, MAKING THE STATE TREASURER CUSTODIAN OF SUCH FUNDS, AND REQUIRING AUDITS AND REPORTS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 16 was read the third time and placed on its final passage.

S. B. No. 16 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey,

Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall (explained vote), Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Huggins.

S. B. No. 16 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 4 strike the whole of lines 11 to 14, inclusive.

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

Page 2, line 25 after the word "be" insert the words "guilty of a misdemeanor" and strike the balance of the line. Also strike the whole of lines 26, 27 and 28.

S. B. No. 12 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, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Miller, Nielsen, Rich, Richards, Romney and Warner.

Those voting in the negative were: Senators Dawson, Melich and Morrill.

Absent and not voting: Senators Farr and Mr. President.

S. B. No. 7 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 and line 1 of the bill strike the comma after the word "Annotated". Also on line 1 preceding the figures 43 change the word "Section" to read "Sec."

Line 3 strike the word "Section".

Line 6 after the word "papers" insert the words "except examination reports".

S. B. No. 7 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, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Farr, Morrill and Mr. President.

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

Committee report read and adopted.

S. B. No. 22 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, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Farr.

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

Committee report read and adopted.

S. B. No. 4 failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Ericksen, Miller, Richards, Romney and Warner.

Those voting in the negative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich and Mr. President.

S. B. No. 4 was filed.

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

Committee report read and adopted.

S. B. No. 14 failed of passage on the following roll call:

Yeas, 9; Nays, 12; Absent, 2.

Those voting in the affirmative were: Senators Bailey, Dawson, Farr, Kelly, Lund, McMurrin, Melich, Morrill and Romney.

Those voting in the negative were: Senators Ashton, Child (explained vote), Ericksen, Hopkin, Huggins, Kendall, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Christensen and Hirschi.

S. B. No. 14 was filed.

On motion of Senator Child, the Senate adjourned.

SEVENTEENTH DAY

January 27, 1943.

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

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

Prayer by the Chaplain.

January 27, 1943.

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,

L. C. ROMNEY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. M. No. 1*, 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. C. M. No. 1 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1943.

Mr. President:

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

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

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

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 3*, by Mr. Miller, and recommends the bill be not printed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

On motion of Senator Miller the Enacting Clause of *S. B. No. 3* was stricken.

S. B. No. 3 was filed.

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 54*, by Committee on Highways, 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. 54 was ordered printed and referred to the Committee on Highways.

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 65*, by Messrs. McMurrin and Rich, 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. 65 was ordered printed and referred to the Committee on Revenue and Taxation.

January 27, 1943.

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 Judiciary.

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 69*, 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. 69 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 70*, by Messrs. Hirschi and Morrill, 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. 70 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 27, 1943.

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

January 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 50*, by Messrs. Melich, Hopkin and Morrill, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 50 was placed on the Second Reading Calendar.

January 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 62*, by Messrs. Hopkin, Morrill and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,

Chairman.

Report filed.

S. B. No. 62 was placed on the Second Reading Calendar.

January 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 4*, by Agricultural Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,

Chairman.

Report filed.

H. B. No. 4 was placed on the Second Reading Calendar.

January 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 6*, by Agricultural Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,

Chairman.

Report filed.

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

January 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 7*, by Agricultural Committee, has carefully considered said bill and reports the same out favorably with the following amendments:

On line 3 after the word "operation" insert the words "including maintenance and depreciation".

On line 4 after the word "operation" insert the words "including maintenance and depreciation".

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 75 By Mr. Huggins

AN ACT PROVIDING FOR ANNULMENT OF MARRIAGES; GROUNDS OF ANNULMENT; ACTION TO ANNUL PARTIES AND LIMITATIONS; LEGITIMACY OF CHILDREN OF PARTIES WHOSE MARRIAGE HAS BEEN ANNULLED, PROVIDING FOR CUSTODY OF CHILDREN AND PROVIDING FOR CONCLUSIVENESS OF JUDGMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 76 By Mr. Huggins

AN ACT AMENDING SECTION 19-18-15, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY RECORDERS WITH RESPECT TO SEARCHES AND ABSTRACTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 77 By Mr. Huggins

AN ACT AMENDING SECTION 19-18-22, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY RECORDERS WITH RESPECT TO THE ANNUAL REVISION OF MAPS AND PLATS AND COSTS—HOW BORNE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 78 By Messrs. Huggins, Rich, Nielsen and Child

AN ACT AMENDING SECTION 1, CHAPTER 105, LAWS OF UTAH, 1941, RELATING TO STATE OFFICERS AND EMPLOYEES IN MILITARY SERVICE 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 ARMED FORCES OF THE UNITED STATES MAY BE ABSENT FROM THEIR PLACES OF EMPLOYMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 79 By Mr. Melich

AN ACT AMENDING SECTION 21-0-3, UTAH CODE ANNOTATED 1943, RELATING TO COMPENSATION OF COURT REPORTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80 By Mrs. Ericksen

AN ACT RELATING TO THE PARKING OF MOTOR VEHICLES AND DEFINING THE QUANTUM OF EVIDENCE SUFFICIENT TO CONSTITUTE A PRIMA FACIE PRESUMPTION OF ILLEGAL PARKING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81 By Mr. Dawson

AN ACT AMENDING SEC. 104-2-5 UTAH CODE ANNOTATED 1943 RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 82 By Mr. Dawson

AN ACT AMENDING SEC. 104-2-6 UTAH CODE ANNOTATED 1943 RELATING TO ACTIONS OR DEFENSES FOUNDED UPON TITLE TO REAL ESTATE AND THE TIME WITHIN WHICH SUCH ACTIONS MAY BE COMMENCED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83 By Mr. Christensen

AN ACT AMENDING SECTION 43-3-7 OF THE UTAH CODE ANNOTATED, 1943, RELATING TO THE METHOD OF TAXING INSURANCE BUSINESS WRITTEN IN UTAH BY PROVIDING FOR A FIVE (5) PER CENT UNDERWRITING PROFIT TAX ON OCEAN MARINE BUSINESS; HOW SUCH UNDERWRITING PROFIT SHALL BE CALCULATED; AND HOW TO DETERMINE THE UNDERWRITING PROFIT TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 84 By Committee on Agriculture and Irrigation

AN ACT PROVIDING FOR THE CONTROL OF NOXIOUS WEEDS; PROVIDING FOR THE ENFORCEMENT OF THE ACT BY THE STATE BOARD OF AGRICULTURE AND REPEALING 3-3-33, 3-3-34, 3-3-35, 3-3-36, 3-3-37, UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85 By Messrs. Hopkin and Macfarlane

AN ACT AMENDING SECTION 57-11-8, UTAH CODE, ANNOTATED, 1943, RELATING TO THE DEFINITION OF "GUEST" AS USED IN CONNECTION WITH THE RESPONSIBILITY OF A DRIVER OF A VEHICLE TO A GUEST, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Mr. Melich

AN ACT AMENDING SECTION 19-5-65, UTAH CODE ANNOTATED, 1943, RELATING TO THE ADMISSION OF PATIENTS TO COUNTY HOSPITALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 87 By Mr. Huggins

AN ACT AMENDING TITLE 42, CHAPTER 4, SECTION 7, UTAH CODE ANNOTATED, 1943, RELATING TO THE PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE SURVIVING WIFE AND CHILDREN OF FIREMEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88 By Mr. Huggins

AN ACT AMENDING TITLE 43, CHAPTER 4, SECTION 4, UTAH CODE ANNOTATED, 1943, RELATING TO THE PAYMENT OF FIREMEN'S BENEFITS, THE AMOUNT THEREOF, TOTAL AND PARTIAL DISABILITY PAYMENTS, KEEPING OF RECORDS OF INJURIES AND OUTLINING PROCEDURE FOR DETERMINING DEGREE OF DISABILITY, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

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

Senator Warner moved to amend the bill by reinstating lines 11 to 14, inclusive, on page 4.

On motion of Senator Miller *S. B. No. 12* was tabled.

Senator Christensen moved that *S. B. No. 7* retain its position on the Third Reading Calendar.

Motion carried.

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

Senator Richards moved that *S. B. No. 22* retain its position on the Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

Senator Dawson moved that *S. B. No. 19* retain its position on the Second Reading Calendar.

Motion carried.

S. B. No. 20 was read the second time.

Committee report read and adopted.

S. B. No. 20 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Farr, Huggins, Nielsen and Rich.

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

Committee Report read and adopted.

H. B. No. 4 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, Ericksen, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Richards, Romney, Warner and Mr. President.

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

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:

Lines 1 and 5 of the title and lines 1 and 14 of the bill strike the comma after the word "Annotated".

Line 1 strike the word "That".

Line 2 strike the words "as follows".

Line 3 strike the word "Section".

Line 14 strike the word "That".

Line 15 strike the word "hereby".

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 Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Richards, Warner and Mr. President.

Voting in the negative: Senator Morrill.

Absent and not voting: Senators Farr, Huggins, Rich and Romney.

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

Committee report read and adopted.

H. B. No. 7 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 Bailey, Child, Christensen, Dawson, Ericksen, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Nielsen, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Miller and Morrill.

Absent and not voting: Senators Ashton, Farr, Huggins and Rich.

S. B. No. 21 was read the second time.

Committee report read and adopted.

On motion of Senator Richards, *S. B. No. 21* retains its position on the Second Reading Calendar.

S. B. No. 26 was read the second time.

Committee report read and adopted.

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

S. B. No. 26 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ericksen, Hirschi, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Farr, Hopkin, Huggins and Rich.

S. B. No. 26 was transmitted to the House.

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

Committee report read and adopted.

S. B. No. 27 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, Ericksen, Hirschi, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Farr, Hopkin, Huggins, Nielsen and Rich.

REPORTS OF STANDING COMMITTEE

January 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 53*, by Mrs. Ericksen, by request, entitled, "AN ACT AMENDING SECTION 86-1-48.12, UTAH CODE ANNOTATED 1943, RELATING TO THE LEASING OF A PORTION OF THE STATE CAPITOL GROUNDS TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE PURPOSE OF ERECTING A PIONEER MEMORIAL BUILDING", 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.

January 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 3*, by Committee on Rules and Contingent Expense, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-FIFTH 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. 3 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

January 27, 1943.

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. 6*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 43-5-3, UTAH CODE ANNOTATED, 1943, RELATING TO THE DEPOSIT OF THE SECURITIES IN THE INSURANCE DEPARTMENT REQUIRING THAT ALL INSURANCE COMPANIES HAVE DEPOSITS IN SOME STATE OF THE UNITED STATES FOR THE PROTECTION OF POLICYHOLDERS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 6 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 27, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 5,* by the Agricultural Committee, entitled, "AN ACT AMENDING SECTIONS 3-1-31, UTAH CODE ANNOTATED, 1943, RELATING TO POWERS OF THE STATE BOARD OF AGRICULTURE", 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 Agriculture and Irrigation.

On motion of Senator Morrill the Senate adjourned.

EIGHTEENTH DAY

January 28, 1943.

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

Roll Call—All Senators present, except Senator Warner.

Prayer by the Chaplain.

January 28, 1943.

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,
L. C. ROMNEY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 36*, by Committee on Judiciary, 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 Judiciary.

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 43*, by Messrs. Richards, Bailey, Child, Dawson and Christensen, 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. 43 was ordered printed and referred to the Committee on Judiciary.

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 71*, by Mr. Bailey, 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 State and Municipal Affairs.

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 72*, by Messrs. Nielsen and Warner, 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. 72 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 28, 1943.

Mr. President:

Your Committe on Revision and Enrolling reports back *S. B. No. 76,* 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. 76 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 79,* by Mr. Melich, 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. 79 was ordered printed and referred to the Committee on Judiciary.

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 84,* by Committee on Agriculture and Irrigation, with the recommendation that the bill be referred back to the author for redrafting.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 84 was referred to its author.

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86,* by Mr. Melich, 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. 86 was ordered printed and referred to the Committee on Public Institutions.

January 28, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 45*, by Mr. Farr, has carefully considered said bill and reports the same out favorably, with the following amendments:

Line 8, after the word Utah, delete the semicolon, insert a period, then strike out the balance of line 8, all of line 9 and all of line 10.

On page 1, line 18, delete the figures $1,943,525.00, and insert the figures $2,014,146.72.

New Section 5, as follows: "All interest earned from bonds held in the State Bond Retirement Fund and all premiums received from the sale of bonds, shall be credited to the State Bond Retirement Fund." Former Section 5 becomes Section 6, and former Section 6 becomes Section 7.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 45 was placed on the Second Reading Calendar.

January 28, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 46*, by Mr. Farr, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 46 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

January 28, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 3*, by Committee on Rules and Contingent Expense, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-FIFTH 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. 3 was transmitted to the Secretary of State.

January 28, 1943.

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 Mrs. Ericksen, entitled, "AN ACT AMENDING SECTION 86-1-48.12, UTAH CODE ANNOTATED, 1943, RELATING TO THE LEASING OF A PORTION OF THE STATE CAPITOL GROUNDS TO THE DAUGHTERS OF UTAH PIONEERS FOR THE PURPOSE OF ERECTING A PIONEER MEMORIAL BUILDING", 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.

January 28, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 15*, by the Agricultural Committee, entitled, "AN ACT AMENDING SECTION 87-7-5, UTAH CODE ANNOTATED 1943, RELATING TO DUTIES OF THE STATE CHEMIST, AND SETTING FORTH HIS RIGHTS OF ACCESS TO OBTAIN FOOD SAMPLES FOR ANALYSIS FROM PROCESSING PLANTS AND OTHER ESTABLISHMENTS AND TO INSPECT LABORATORY EQUIPMENT OF SUCH PLANTS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 15 was read the first time and referred to the Committee on Agriculture and Irrigation.

January 28, 1943.

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. Durham, Larsen and Sorenson, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF GEORGE D. PYPER", 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.

January 28, 1943.

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 Mr. Paxton, entitled, "A CONCURRENT RESOLUTION MEMORIALIZING THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO MODIFY CERTAIN REGULATIONS PURSUANT TO THE MARKETING QUOTA ACT SO AS TO PERMIT THE FEEDING OF EXCESS WHEAT TO POULTRY AND LIVESTOCK IN MILLARD COUNTY, UTAH AND SO AS TO ADJUST WHEAT QUOTAS FOR DRY FARMS IN MILLARD COUNTY ON A BASIS OF NORMAL MOISTURE SEASONS", 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.

INTRODUCTION OF BILLS

S. B. No. 89 By Mr. Miller

AN ACT AMENDING SECTIONS 80-5-56, 80-5-66 AND 80-5-81, UTAH CODE ANNOTATED 1943, RELATING TO THE ASSESSMENT OF MINES, THE IMPOSITION OF AN OCCUPATION TAX AND THE DISPOSITION OF THE AMOUNTS COLLECTED HEREUNDER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 90 By Mr. Macfarlane

AN ACT AMENDING SECTIONS 80-10-1 AND 80-10-2 UTAH CODE ANNOTATED, 1943, RELATING TO TAXATION AND PROVIDING THAT A TAX UPON PERSONAL PROPERTY SHALL BE A LIEN UPON THE REAL PROPERTY OF THE OWNER OF THE PERSONALITY TAXED, WHEN SUCH TAX IS LISTED WITH SUCH REAL PROPERTY UPON THE ASSESSMENT ROLLS, AND PROVIDING THAT SUCH LIEN SHALL BE SUBJECT TO OTHER RECORDED LIENS OR INTEREST, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 91 By Mr. Macfarlane

AN ACT AMENDING SECTION 104-30-14, UTAH CODE ANNOTATED, 1943, RELATING TO THE JUDGMENT ROLL AND ELIMINATING THE AFFIDAVIT FOR PUBLICATION OF SUMMONS THEREFROM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 92 By Committee on Revenue and Taxation

AN ACT AMENDING SECTIONS 80-14-21, 80-14-23, 80-14-34, 80-14-37, 80-14-65, UTAH CODE ANNOTATED, 1943, RELATING TO THE PENALTY FOR FAILURE TO FILE AN INCOME TAX RETURN; ADDITION TO BE ASSESSED TO INCOME TAX WHEN A DEFICIENCY IS DUE TO NEGLIGENCE OR INTENTIONAL DISREGARD OF PRESCRIBED RULES AND REGULATIONS; PERIOD OF LIMITATIONS FOR MAKING ASSESSMENTS AND FOR THE ALLOWANCE OF CREDITS AND REFUNDS; FOR THE DIVULGING OF INFORMATION CONTAINED ON INCOME TAX RETURNS IN A COURT ACTION IN WHICH THE STATE TAX COMMISSION IS A PARTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93 By Committee on Revenue and Taxation

AN ACT AMENDING SECTION 80-5-56, UTAH CODE ANNOTATED, 1943, RELATING TO THE METHOD TO BE USED IN THE ASSESSMENT OF MINES FOR TAX PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94 By Committee on Revenue and Taxation

AN ACT AMENDING SECTION 80-13-41 AND SECTION 80-13-44, UTAH CODE ANNOTATED, 1943, RELATING TO THE PERIOD OF LIMITATION FOR MAKING ASSESSMENTS AND OVERPAYMENTS UNDER THE CORPORATE FRANCHISE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 95 By Committee on Revenue and Taxation

AN ACT AMENDING SECTION 80-13-21, UTAH CODE ANNOTATED, 1943, RELATING TO THE ALLOCATION OF FINANCIAL INCOME FOR CORPORATION FRANCHISE TAX PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Christensen, *H. B. No. 4* retains its position on the calendar.

H. B. No. 6 was read the third time and placed on its final passage.

H. B. No. 6 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Morrill, Romney and Warner.

H. B. No 6 was returned to the House.

H. B. No. 7 was read the third time and placed on its final passage.

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

At the end of line 2, insert "who are political or quasi political bodies, irrigation districts, school districts, non-profit associations or non-profit corporations."

H. B. No. 7 failed of passage on the following roll call:

Yeas, 9; Nays, 13; Absent, 1.

Those voting in the affirmative were: Senators Bailey, Christensen (explained vote), Dawson, Ericksen (explained vote), Hirschi, Hopkin, Kelly, Richards (explained vote) and Romney.

Those voting in the negative were: Senators Ashton, Child, Farr, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich and Mr. President.

Absent and not voting: Senator Warner.

H. B. No. 7 was returned to the House.

On motion of Senator Child the Senate resolved itself into Executive Session.

On motion of Senator Huggins the Executive Session dissolved.

On motion of Senator Miller the Senate adjourned.

NINETEENTH DAY

January 29, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 29, 1943.

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,

L. C. ROMNEY.

Report adopted and filed.

COMMUNICATIONS

January 27, 1943.

TO THE SENATE

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Mr. Paul Capron of Nassau, New York, no amount stated, against the State of Utah because of an injury alleged to have been sustained by him during the year 1920 as a private in Troop B, 1st Cavalry, Utah National Guard.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943.

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.

January 27, 1943.

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, 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 Piute Project during the years 1928 and 1929.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943.

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.

REPORTS OF STANDING COMMITTEES

January 28, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 6*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 43-5-3, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPOSIT OF THE SECURITIES IN THE INSURANCE DEPARTMENT REQUIRING THAT ALL INSURANCE COMPANIES HAVE DEPOSITS IN SOME STATE OF THE UNITED STATES FOR THE PROTECTION OF POLICYHOLDERS", 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. 6 was signed 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, 1943.

Mr. President:

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

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 75*, 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. 75 was ordered printed and referred to the Committee on Judiciary.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 78*, by Messrs. Huggins, Rich, Nielsen 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. 78 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 80*, 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. 80 was ordered printed and referred to the Committee on Judiciary.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 83*, 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. 83 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 87*, 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. 87 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1943.

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 Revenue and Taxation.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 91*, 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. 91 was ordered printed and referred to the Committee on Judiciary.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, by Committee on Revenue and Taxation, 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. 93 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 94*, by Committee on Revenue and Taxation, 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. 94 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 95*, by Committee on Revenue and Taxation, 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 Revenue and Taxation.

January 29, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 63*, by Banking and Commerce Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 63 was placed on the Second Reading Calendar.

January 29, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 13*, by Mr. Nielsen, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 13 was placed on the Second Reading Calendar.

January 29, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 59*, by Messrs. Macfarlane, Hopkin and Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 96 By Mr. Bailey

AN ACT PROVIDING FOR THE IMPUTING OF A BAILEE'S NEGLIGENCE TO THE BAILOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 97 By Mr. Dawson

AN ACT AMENDING SECTION 102-4-2 UTAH CODE ANNOTATED 1943, TO PROVIDE THAT WHERE NONE OF THE RELATIVES APPLY FOR LETTERS OF ADMINISTRATION ON DECEDENTS' ESTATES THAT ANY PERSON HAVING A CLAIM IN OR ADVERSE TO THE ESTATE SHALL BE ENTITLED TO ADMINISTER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 98 By Messrs. Morrill, Kendall and Bailey

AN ACT TO ENCOURAGE THE BREEDING OF HORSES AND THE DEVELOPMENT OF AGRICULTURAL AND LIVESTOCK IN-

DUSTRY THROUGHOUT THE STATE OF UTAH; TO PROVIDE FOR THE LICENSING OF HORSE RACE MEETINGS, PERMITTING AND REGULATING WAGERING UPON THE RESULTS THEREOF; TO ESTABLISH A RACE BOARD FOR THE CONTROL AND REGULATION THEREOF, AND PRESCRIBING THE QUALIFICATIONS OF ITS MEMBERS AND ITS POWERS AND DUTIES; TO PROVIDE FOR THE DISTRIBUTION OF RACING MEETINGS, AND FOR THE DISTRIBUTION OF THE PROCEEDS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99 By Health and Labor Committee

AN ACT PROVIDING FOR STATE BOARD OF HEALTH REGULATION OF CAMPS AND WORK AREAS AND DEFINING CAMPS AND WORK AREAS; REQUIRING PERMITS FOR MAINTENANCE OF CAMPS; PROVIDING FOR REVOCATION OF PERMITS; PROVIDING FOR SAFE CULINARY WATER SUPPLIES AND SANITARY METHODS OF DISPOSAL OF WASTES IN WORK AREAS; EMPOWERING THE STATE BOARD OF HEALTH TO MAKE AND ENFORCE RULES AND REGULATIONS; PROVIDING PENALTY AND REPEALING SECTION 35-4-4 UTAH CODE ANNOTATED, 1943, RELATING TO THE ERECTION OF CAMPS AND THEIR REGULATION BY THE STATE BOARD OF HEALTH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100 By Health and Labor Committee

AN ACT PROVIDING FOR THE LICENSING OF MATERNITY HOSPITALS, INSTITUTIONS AND HOMES; PROVIDING FOR SUPERVISION AND INSPECTION THEREOF BY THE UTAH STATE BOARD OF HEALTH; PROVIDING FOR REVOCATION OF LICENSE AND PROVIDING PENALTY FOR VIOLATION OF ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 101 By Health and Labor Committee

AN ACT PROVIDING FOR THE CREATION AND MAINTENANCE OF FULL-TIME COUNTY AND/OR DISTRICT HEALTH DEPARTMENTS; PROVIDING FOR THE APPOINTMENT OF A BOARD OF HEALTH THEREIN; DEFINING THE POWERS AND DUTIES OF SAID BOARD; AUTHORIZING THE EMPLOYMENT OF A COUNTY OR DISTRICT HEALTH OFFICER AND OTHER NECESSARY PERSONNEL; AND MAKING PROVISION FOR FINANCING SAID DEPARTMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102 By Messrs. Huggins, Dawson and Richards

AN ACT AMENDING SECTION 28-2-3, UTAH CODE ANNOTATED 1943, RELATING TO THE FEES OF COUNTY RECORDER, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *S. B. No's. 45* and *46*.

Motion carried.

S. B. No. 45 was read the second time.

Committee report read and adopted and on motion of Senator Christensen the bill was amended accordingly.

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

Page 1, lines 4 and 13, strike the word "hereby".

Senator Huggins moved that the rules be suspended and that the Senate consider *S. B. No. 46* ahead of *S. B. No. 45*.

Motion carried.

S. B. No. 46 was read the second time.

Committee Report read and adopted.

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

Line 1 of the title and line 2 of the bill, strike the figures "1,943,-525.00" and insert the figures "2,014,146.72".

On motion of Senator Huggins *S. B. No's. 45* and *46* were referred to the Committee on Appropriations and Claims.

On motion of Senator Huggins the Senate recessed.

The Senate reconvened at 3:40 p. m.

On motion of Senator Child the Secretary of the Senate was ordered to have printed 550 copies of all future Senate Bills.

REPORTS OF STANDING COMMITTEE

January 29, 1943

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 46*, by Mr. Farr, begs leave to report that we have carefully considered the same and report the same out favorably with the following amendment:

On line 1 of the title, and line 2 of the bill, delete the figures "$2,014,146.72".

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

January 29, 1943.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 45*, by Mr. Farr, begs leave to report that we have carefully considered the same and report the same out favorably with the following amendment:

On line 18, page 1, delete the figure "$2,014,146.72".

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.'s 46* and *45*.

Motion carried.

S. B. NO. 46 ON SECOND READING

Appropriations and Claims Committee report read and adopted and on motion of Senator Huggins the bill was amended accordingly.

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

Line 1 of the title, and line 2 of the bill in the blank space, insert "$2,014,146.72".

On motion of Senator Huggins the rules were suspended and *S. B. No. 46* was read the third time and placed on its final passage.

S. B. No. 46 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Christensen, Kendall and Warner.

S. B. No. 46 was transmitted to the House.

S. B. NO. 45 ON SECOND READING

Appropriations and Claim Committee report read and adopted and on motion of Senator Huggins the bill was amended accordingly.

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

Page 1, line 18 in the blank space insert "$2,014,146.72".

On motion of Senator Farr the rules were suspended and *S. B. No. 45* was read the third time and placed on its final passage.

S. B. No. 45 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Christensen, Kendall and Warner.

S. B. No. 45 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Kendall and Romney.

S. B. No. 7 was transmitted to the House.

S. B. No. 22 on final passage.

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

Page 2, line 30, strike the figures "13" and insert the figure "2".

Line 32, after the word "guardianship" strike the period and insert the following " , and $10 which shall be paid at the time of filing the inventory and appraisement or affidafit in lieu thereof; provided, however, in any estates in which no inventory and appraisement or affidavit in lieu thereof is filed, said fee of $10 shall not be required."

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

Yeas, 15; Nays, 6; Absent, 2.

Those voting in the affirmative were: Senators Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Rich and Richards.

Those voting in the negative were: Senators Ashton, Bailey, Nielsen, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen and Kendall.

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

On motion of Senator Ashton the Senate adjourned until Monday, February 1, 1943.

TWENTY-SECOND DAY

February 1, 1943.

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

Roll Call—All Senators present, except Senators Hopkin and Kelly, excused.

Prayer by the Chaplain.

February 1, 1943.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 19th day and find it correct, with minor amendments noted on the final copy.

Respectfully,

MRS. E. E. ERICKSEN,
L. C. ROMNEY.

Report adopted and filed.

The President appointed Senators Bailey and Warner to revise the Journal for the week beginning February 1, 1943.

Upon the return of Mr. D. Ray Owen, Jr., he resumed the duties of Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

January 29, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 55*, by Committee on Highways, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNNE ASHTON,
Chairman.

Report filed.

S. B. No. 55 was placed on the Second Reading Calendar.

January 29, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 54*, by Committee on Highways, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNNE ASHTON,
Chairman.

Report filed.

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

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 71*, by Mr. Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
.Chairman.

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 76*, by Mr. Huggins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 70*, by Messrs. Hirschi and Morrill, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 69*, by Mr. Morrill, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 60*, by Mr. Warner, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 57*, by Messrs. Macfarlane, Huggins and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 58*, by Messrs. Huggins, Hopkin and Macfarlane, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 51*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

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

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 2*, by Committee on Judiciary, has carefully considered said bill, and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 43*, by Messrs. Richards, Bailey, Child, Dawson and Christensen, has carefully considered said bill and reports the same out favorably with the following amendment:

"Section 3. This act shall take effect upon approval."

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 43 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 47*, by Mr. Huggins, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 56*, by Messrs. Hopkin, Macfarlane and Huggins, has carefully considered said bill and reports the same out without recomendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 56 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 64*, by Mr. Dawson, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 64 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 68*, by Mr. Huggins, has carefully considered said bill and finds it to be identical with *S. B. No. 47*, and recommends that the enacting clause on *S. B. No. 68* be stricken.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report adopted and filed.

S. B. No. 68 was filed.

February 1, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 79*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 77*, 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. 77 was ordered printed and referred to the Committee on Judiciary.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 90*, 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. 90 was ordered printed and referred to the Committee on Judiciary.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 92*, by Committee on Revenue and Taxation, 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. 92 was ordered printed and referred to the Committee on Revenue and Taxation.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 96*, by Mr. Bailey, 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 Judiciary.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, 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. 97 was ordered printed and referred to the Committee on Judiciary.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98,* by Messrs. Morrill, Kendall and Bailey, 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. 98 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 101,* by Health and Labor Committee, 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. 101 was ordered printed and referred to the Committee on Health and Labor.

February 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 102,* by Messrs. Huggins, Dawson and Richards, 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. 102 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE

January 29, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 6,* by Agricultural Committee.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

January 29, 1943.

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. 21,* by Mr. Midgley, entitled, "AN ACT AMENDING SECTION 102-4-2 UTAH CODE ANNOTATED 1943, RELATING TO LETTERS OF ADMINISTRATION OF DECEDENTS' ESTATES; TO WHOM ENTITLED; AND PROVIDING THAT WHERE RELATIVES FAIL TO ACCEPT, ANY PERSON HAVING A CLAIM IN OR ADVERSE TO THE ESTATE SHALL BE ENTITLED TO ADMINISTER", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 21 was read the first time and referred to the Committee on Judiciary.

January 29, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 24,* by Messrs. Milliman and Joseph E. Rees, entitled, "AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED 1943, RELATING TO THE SALARIES OF THE GOVERNOR, SECRETARY OF STATE, STATE TREASURER, STATE AUDITOR, ATTORNEY GENERAL AND SUPERINTENDENT OF PUBLIC INSTRUCTION", 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 State and Municipal Affairs.

January 29, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 29,* by Mr. Stringham, entitled, "AN ACT AMENDING SECTION 79-9-3, UTAH CODE ANNOTATED 1943, RELATING TO THE CLASSES OF LICENSES THAT MAY BE ISSUED FOR TREATING HUMAN AILMENTS AND

EXTENDING LICENSE TO NATUROPATHIC PHYSICIANS AND SURGEONS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 29 was read the first time and referred to the Committee on Health and Labor.

January 29, 1943.

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. 15*, by Mr. Rich, entitled, "AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF JUDGES, ELECTION AND TERM OF OFFICE", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 15 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 29, 1943.

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. 16*, by Mr. Rich, entitled, "AN ACT AMENDING SECTION 25-11-1, UTAH CODE ANNOTATED 1943, RELATING TO MUNICIPAL ELECTIONS PRIMARIES; PROVIDING FOR NOMINATIONS; ANNOUNCEMENTS BY CANDIDATES; PUBLICATIONS; AND RETURN AND CANVASS THEREOF", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 16 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTION OF BILLS

S. B. No. 103 By Mr. Farr

AN ACT TO AMEND SECTION 75-7-24, UTAH CODE ANNOTATED, 1943, AUTHORIZING THE STATE BOARD OF EDUCATION, FOR THE DURATION OF THE PRESENT NATIONAL WAR EMERGENCY TO SHORTEN THE MINIMUM SCHOOL TERM OF 9 MONTHS IN ANY SCHOOL DISTRICT WHERE THE LABOR OF STUDENTS IS INDISPENSABLE TO HARVESTING AND PROCESSING OF AGRICULTURAL PRODUCTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104 By Health and Labor Committee

AN ACT AUTHORIZING THE STATE BOARD OF HEALTH TO MAKE AND ENFORCE RULES AND REGULATIONS PROVIDING FOR THE REPORTING OF OCCUPATIONAL DISEASES AND PROVIDING A PENALTY FOR VIOLATION OF SAID RULES AND REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105 By Health and Labor Committee

AN ACT AMENDING 35-2-3, UTAH CODE ANNOTATED 1943, BY MAKING PROVISION FOR THE COMBINING OF REGISTRATION DISTRICTS FOR BIRTHS AND DEATHS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106 By Health and Labor Committee

AN ACT PROVIDING FOR THE REGULATION OF THE USE OF FUMIGATION AND SUBSEQUENT VENTILATION OF BUILDINGS; AUTHORIZING THE STATE BOARD OF HEALTH TO MAKE RULES AND REGULATIONS PURSUANT THERETO; PROVIDING FOR THE EXAMINATION OF PERSONS ACTING AS FUMIGATORS AND ISSUING OF CERTIFICATES TO SAME; DEFINING FUMIGATOR; PROVIDING FOR FOREWARNING GAS AND REGULATING THE SALE OF CYANIDES; PROVIDING PENALTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 107 By Health and Labor Committee

AN ACT AMENDING 35-2-15, UTAH CODE ANNOTATED 1943, RELATING TO THE REGISTRATION OF CHILDREN'S NAMES BY MAKING PROVISION FOR NAMING OF CHILD BEFORE BIRTH CERTIFICATE IS FILED WITH THE STATE DEPARTMENT OF

HEALTH; AND PROVIDING A FEE FOR FAILURE SO TO DO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108 By Health and Labor Committee

AN ACT PROVIDING FOR SUPERVISION OF CULINARY WATER SUPPLIES AND SYSTEMS BY THE STATE BOARD OF HEALTH; PROVIDING FOR RULES AND REGULATIONS; DEFINING CULINARY WATER; PROVIDING FOR SUBMISSION AND APPROVAL OF PLANS AND SPECIFICATIONS; PROVIDING FOR STANDARDS OF WATER PURITY; PROVIDING FOR ORDERS REQUIRING IMPROVEMENTS; PROHIBITING BEFOULING OF CULINARY WATER; PROVIDING FOR RIGHT OF ENTRY ON PREMISES, FOR ALTERATION OF PLANS, FOR CONSTRUCTION ACCORDING TO APPROVED PLANS AND PROVIDING FOR PENALTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109 By Health and Labor Committee

AN ACT PROVIDING FOR STATE BOARD OF HEALTH SUPERVISION OVER THE DISPOSITION OF WASTE; PROVIDING FOR RULES AND REGULATIONS; DEFINING WASTE; PROVIDING FOR DISPOSITION OF WASTE, FOR SUBMISSION AND APPROVAL OF PLANS, FOR ORDERS TO CORRECT IMPROPER CONDITIONS, FOR RIGHT OF ENTRY, AND FOR ALTERATION OF PLANS; PROVIDING FOR CERTIFICATION OF SCAVENGERS AND PROVIDING PENALTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110 By Health and Labor Committee

AN ACT TO AMEND SECTION 35-1-16, UTAH CODE ANNOTATED 1943, RELATING TO A SANITARY CODE FOR PUBLIC BUILDINGS AND RAILWAY CARS BY DEFINING A PUBLIC BUILDING; ALSO REPEALING CHAPTER 12, TITLE 3, UTAH CODE ANNOTATED 1943, RELATING TO SUPERVISION OF HOTELS AND LODGING HOUSES BY THE STATE BOARD OF HEALTH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 111 By Health and Labor Committee

AN ACT PROVIDING FOR THE SANITARY SUPERVISION OF RESTAURANTS BY THE STATE BOARD OF HEALTH; EMPOWERING THE STATE BOARD OF HEALTH TO MAKE AND ENFORCE RULES AND REGULATIONS; DEFINING RESTAURANT;

PROVIDING FOR PERMITS; PROVIDING FOR RIGHT OF ENTRY ON PREMISES; PROVIDING FOR SUSPENSION AND REVOCATION OF PERMITS; PROVIDING FOR PENALTY AND REPEALING SECTIONS 35-1-22, 35-1-23, 35-1-24, 35-1-25, 35-1-26, UTAH CODE ANNOTATED, 1943, RELATING TO SANITARY REGULATIONS COVERING RESTAURANTS, HOTELS, CONFECTIONERY SHOPS AND TOURIST CAMPS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112 By Mr. Bailey

AN ACT MAKING AN APPROPRIATION TO COMPENSATE HOWARD ROBERTSON FOR INJURY AND DAMAGE SUSTAINED BY HIM WHILE EMPLOYED BY THE STATE ROAD COMMISSION OF UTAH AT PRICE, UTAH, APRIL 16, 1934, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Warner moved that *S. B. No. 12* be lifted from the table and that said bill be considered at this time.

Motion carried.

S. B. NO. 12 ON THIRD READING

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

Page 1, line 16 after the word "saler" insert the word "or"; also strike the words "or retailer".

Page 2, line 17 after the word "jobbers" insert the word "or"; also strike the words "and retail dealers".

Line 25 after the word "chapter" insert the following "or any retailer who shall sell, or keep for sale, the commodities referred to in this chapter without the same first having had a stamp or impression affixed as herein provided".

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

Page 2, line 22 strike the word "person" and insert the words "wholesaler or distributor".

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

Page 2, line 32 after the word "some" insert the words "or any retailer".

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

Yeas, 14; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Ericksen, Huggins, Kendall, Lund, McMurrin, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Those voting in the negative were: Senators Ashton, Farr, Hirschi, Melich (explained vote), Miller and Mr. President.

Absent and not voting: Senators Christensen, Hopkin and Kelly.

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

CONSIDERATION OF BILLS ON THIRD READING

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 Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Hopkin, Kelly and Mr. President.

S. B. No. 20 was transmitted to the House.

H. B. No. 4 was read the third time and placed on its final passage.

H. B. No. 4 then passed on the following roll call:

Yeas, 17, Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Farr, Hirschi, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Ericksen, Hopkin, Kelly, Nielsen and Mr. President.

H. B. No. 4 was returned 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, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Farr, Hirschi, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Ericksen, Hopkin, Kelly, Nielsen and Mr. President.

S. B. No. 27 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 19 was read the second time.

Committee report read and adopted.

On motion of Senator Dawson the rules were suspended and *H. B. No. 21*, being identical with *S. B. No. 19*, was withdrawn from the Com-

mittee on Judiciary and placed at the head of the Second Reading Calendar.

Senator Dawson moved that the rules be suspended and that the Senate do now consider *H. B. No. 21.*

Motion carried.

H. B. No. 21 was read the second time.

On motion of Senator Dawson the rules were suspended and *H. B. No. 21* was read the third time and placed on its final passage.

H. B. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Dawson, Farr, Hirschi, Huggins (explained vote), Kendall, Lund, Melich, Miller, Morrill, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Child, Christensen, Ericksen, Hopkin, Kelly, McMurrin, Nielsen and Mr. President.

H. B. No. 21 was returned to the House.

On motion of Senator Dawson the Enacting Clause was stricken on *S. B. No. 19.*

S. B. No. 19 was filed.

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Dawson, Farr, Hirschi, Huggins, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Child, Christensen, Ericksen, Hopkin, Kelly, Kendall, Lund and McMurrin.

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

S. B. No. 29 was read the second time.

Committee report read and adopted.

On motion of Senator Richards the rules were suspended and *S. B. No. 29* was read the third time and placed on its final passage.

S. B. No. 29 then passed on the following roll call:

Yeas, 12; Nays, 3; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Bailey, Dawson, Farr, Hirschi, Melich, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Huggins, Lund and Morrill.

Absent and not voting: Senators Child, Christensen, Ericksen, Hopkin, Kelly, Kendall, McMurrin and Romney.

S. B. No. 29 was transmitted to the House.

S. B. No. 30 was read the second time.

Committee report read and adopted.

On motion of Senator Mcfarlane 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, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Dawson, Farr, Hirschi, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Bailey.

Absent and not voting: Senators Christensen, Ericksen, Hopkin, Kelly and Morrill.

S. B. No. 30 was transmitted to the House.

S. B. No. 24 was read the second time.

Committee report read and adopted and on motion of Senator Richards the bill was amended accordingly.

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

Page 1, line 20 in the committee amendment after the word "under" insert the word "a"; also after the word "maintenance" insert the words "of any state".

Line 22 strike "( )".

S. B. No. 24 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, Dawson, Ericksen, Farr, Hirschi, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Hopkin, Kelly and Romney.

On motion of Senator Warner the Senate adjourned.

TWENTY-THIRD DAY

February 2, 1943.

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

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

Prayer by the Chaplain.

February 2, 1943.

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.

J. ARTHUR BAILEY,
ELISHA WARNER.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 15,* by Mr. Rich, entitled, "AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF JUDGES, ELECTION AND TERM OF OFFICE", 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. 15 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 89,* 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. 89 was ordered printed and referred to the Committee on Mining and Smelting.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, by Revenue and Taxation Committee, 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. 93 was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 103*, 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. 103 was ordered printed and referred to the Committee on Education.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 104*, by Health and Labor Committee, 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 Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 105*, by Health and Labor Committee, 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. 105 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 106,* by Health and Labor Committee, 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. 106 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 108,* by Health and Labor Committee, 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. 108 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 109,* by Health and Labor Committee, 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. 109 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 110,* by Health and Labor Committee, 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. 110 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 111*, by Health and Labor Committee, 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. 111 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 112*, by Mr. Bailey, 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. 112 was referred to the Committee on Appropriations and Claims.

On motion of Senator Huggins the President appointed a committee consisting of Senators Huggins, Hopkin, Richards, Kelly and Dawson with power to subpoena and swear witnesses, take testimony and make recommendations to the Legislature concerning the Japanese problem existing in the State of Utah.

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 Warner the bill was amended as follows:

Page 1, line 22, change the word "effect" to read "affect".

On motion of Senator Richards *S. B. No. 24* was made a Special Order of Business for Thursday, February 4, 1943 at 2:15 p. m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 21 on second reading.

On motion of Senator Bailey the rules were suspended and *S. B. No. 21* was read the third time and placed on its final passage.

S. B. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Miller and Rich.

S. B. No. 21 was transmitted to the House.

S. B. No. 17 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, after the figure "2" strike the figure "1".

Line 15, strike the word "a".

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

Page 2, line 19, strike "cent." and insert in lieu thereof the word "centum".

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

Page 2, line 27, strike the word "from".

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

Page 1, line 3, preceding the word "Whenever" insert "( )".

S. B. No. 17 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 4; Absent, 7.

Those voting in the affirmative were: Senators Dawson, Farr, Hirschi, Huggins (explained vote), Kelly, Lund, McMurrin (explained vote), Melich, Richards (explained vote), Romney, Warner and Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Child and Ericksen.

Absent and not voting: Senators Christensen, Hopkin, Kendall, Miller, Morrill, Nielsen and Rich.

COMMUNICATIONS FROM THE HOUSE

February 1, 1943.

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. Cowles, entitled, "AN ACT RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE OF THE STATE OF UTAH TO APPOINTMENT TO AND HOLDING OF PUBLIC OFFICE", 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 Education.

February 1, 1943.

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 the Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-1-25 UTAH CODE ANNOTATED 1943, RELATING TO THE DEPARTMENT OF AGRICULTURE ADVISORY COUNCIL AND AUTHORIZING AGRICULTURAL ADVISORY SERVICES TO SAID DEPARTMENT AND REPEALING SECTIONS 3-1-26 AND 3-1-27 UTAH CODE ANNOTATED", 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 1, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 3,* by the Resolutions Committee, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE

JOHN H. SCHENK UPON THE DEATH OF HIS SISTER, ANNIE BARBARA SCHENK", 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 McMurrin the rules were suspended and the Senate proceeded to consider *H. J. R. No. 3.*

On motion of Senator McMurrin 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, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Child, Dawson, Ericksen, Hirschi, Huggins, Kelly, Lund, McMurrin, Melich, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Farr, Hopkin, Kendall, Miller, Morrill and Nielsen.

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

February 1, 1943.

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 Representatives Wm. C. Jensen, Jack, Bell, Sabin and Roberts, entitled, "AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, RELATING TO THE TIME EMPLOYER MUST PAY EMPLOYEES IN PRIVATE INDUSTRY", 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 Health and Labor.

February 1, 1943.

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. 8*, by the Agricultural Committee, entitled, "AN ACT AMENDING SECTIONS 3-9-7, 3-9-9, 3-9-13, AND 3-9-26, UTAH CODE ANNOTATED 1943, RELATING TO THE PRODUCE DEALERS' ACT—DEFINITIONS, EXCEPTIONS FROM, BONDS OF COMMISSION MERCHANTS, PROCESSIONS AND DEALERS, AND VIOLATIONS OF ACT AND PENALTIES", 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 Agriculture and Irrigation.

February 1, 1943.

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. 6*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 43-5-3, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPOSIT OF THE SECURITIES IN THE INSURANCE DEPARTMENT REQUIRING THAT ALL INSURANCE COMPANIES HAVE DEPOSITS IN SOME STATE OF THE UNITED STATES FOR THE PROTECTION OF POLICYHOLDERS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 6 was transmitted to the Governor.

On motion of Senator Romney the Senate adjourned.

TWENTY-FOURTH DAY

February 3, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 3, 1943.

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,

J. ARTHUR BAILEY,

ELISHA WARNER.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 3, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 77*, by Mr. Huggins, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 77 was placed on the Second Reading Calendar.

February 3, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 75*, by Mr. Huggins, has carefully considered said bill and reports the same out favorably, with the following amendments:

On page 2, line 10, change the "d" in the word "made" to "l", changing the word to male.

On line 13, change the "s" to "h" in the word husband.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 75 was placed on the Second Reading Calendar.

February 2, 1943.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 86*, by Mr. Melich, has carefully considered said bill, and reports the same out favorably.

Respectfully,

MRS. E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 86 was placed on the Second Reading Calendar.

February 2, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 16*, by Mr. Rich, entitled, "AN ACT AMENDING SECTION 25-11-1, UTAH CODE ANNOTATED 1943, RELATING TO MUNICIPAL ELECTIONS PRIMARIES; PROVIDING FOR NOMINATIONS; ANNOUNCEMENTS BY CANDIDATES; PUBLICATIONS; AND RETURN AND CANVASS THEREOF", examined by this committee and a like committee from the House, has carefully compared the bill 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. 16 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 3, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 73*, 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. 73 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 81*, 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. 81 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 82*, 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. 82 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 99*, by Health and Labor Committee, 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. 99 was ordered printed and referred to the Committee on Health and Labor.

COMMUNICATIONS FROM THE HOUSE

February 2, 1943.

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 Messrs. Stringham, Staples and Brinkerhoff, entitled, "AN ACT AMENDING SECTION 3-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE PREDATORY ANIMAL CONTROL FUND, HOW EXPENDED", 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 Agriculture and Irrigation.

February 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 25,* by Mr. Stringham, entitled, "AN ACT AMENDING SECTION 3-5-73, UTAH CODE ANNOTATED 1943, RELATING TO THE RIGHT OF POUNDKEEPERS TO IMPOUND ALL ESTRAYS", 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.

February 3, 1943.

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. 4,* by the Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-3-32 UTAH CODE ANNOTATED 1943, RELATING TO THE NOXIOUS WEED ERADICATION PROGRAM", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 3, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 15,* by Mr. Rich, entitled, "AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF JUDGES, ELECTION AND TERM OF OFFICE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 15 was transmitted to the Governor.

INTRODUCTION OF BILLS

S. B. No. 113 By Committee on Highways

AN ACT RELATING TO DIVISION AND USE OF HIGHWAY SPACE, THE RESPECTIVE JURISDICTIONS OF HIGHWAY AUTHORITIES OVER CITY STREETS WHICH ARE ALSO STATE OR COUNTY HIGHWAYS, AND THE GRANTING OF PERMITS FOR AND REGULATION OF DITCHES, CANALS, PIPE LINES, POLE LINES, AND LIKE FACILITIES CONSTRUCTED WITHIN HIGHWAYS, AND REPEALING CHAPTER 3 OF TITLE 36, UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 114 By Committee on Highways

AN ACT AMENDING SECTION 36-6-30, UTAH CODE ANNOTATED, 1943, RELATING TO CLASS B AND CLASS C ROADS AND PROVIDING FOR AN APPROPRIATION FROM THE MOTOR VEHICLE REGISTRATION FUND FOR COSTS OF ADMINISTRATION BY THE STATE ROAD COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 115 By Committee on Highways

AN ACT AUTHORIZING THE STATE ROAD COMMISSION TO COOPERATE WITH THE PUBLIC ROADS ADMINISTRATION OF THE UNITED STATES IN THE CONSTRUCTION AND MAINTENANCE OF FLIGHT STRIPS AND OF CERTAIN CLASSES OF HIGHWAYS, IN ORDER TO FACILITATE THE WAR EFFORT, AND DECLARING AN EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 116 By Committee on Highways

AN ACT RELATING TO THE INSPECTION OF MOTOR FUELS OFFERED FOR SALE IN THE STATE OF UTAH, THE ESTABLISHMENT OF SPECIFICATIONS THEREFOR, THE REGISTRATION AND LABELING OF MOTOR FUEL PUMPS OR OTHER DISPENSING DEVICES; AMENDING SECTIONS 57-12-21, 57-12-24, 57-12-25, 57-12-30, 57-12-31, AND 57-12-32, UTAH CODE ANNOTATED, 1943; ENACTING NEW SECTIONS TO BE KNOWN AS 57-12-22a, 57-12-24a, 57-12-29a, AND 57-12-32a, UTAH CODE ANNOTATED, 1943; AND REPEALING SECTIONS 57-12-33 AND 57-12-34,

UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 117 By Committee on Highways

AN ACT AMENDING SECTION 36-2-11, UTAH CODE ANNOTATED, 1943, RELATING TO ADVERTISEMENT FOR BIDS AND AWARD OF CONTRACT ON STATE ROAD WORK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 118 By Mr. Hopkin

AN ACT PERTAINING TO AGRICULTURE, RELATING TO LIVESTOCK, PROVIDING A FUND FOR THE UTAH CATTLE AND HORSE GROWERS ASSOCIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 119 By Committee on Fish and Game

AN ACT AMENDING SECTIONS 30-0-2, 30-0-2B, 30-0-2D, 30-0-2E, 30-0-3, 30-0-5, 30-0-6, 30-0-9, 30-0-11, 30-0-13, 30-0-14, 30-0-15A and B, 30-0-16, 30-0-18, 30-0-19, 30-0-25, 30-0-48, AND 30-0-50 OF CHAPTER 0, TITLE 30, UTAH CODE ANNOTATED, 1943, RELATING TO FISH AND GAME DEPARTMENT, COMMISSIONERS, NUMBER, QUALIFICATIONS, APPOINTMENT, TERMS, SALARY, DIRECTOR OF FISH AND GAME, APPOINTMENT, SALARY, TERM, QUALIFICATIONS: RELATING TO THE MEETINGS OF THE COMMISSION, NON-RESIDENT PERMITS TO HUNT AND FISH, ISSUANCE OF LICENSES TO GUIDES, LICENSES TO TRAP FUR-BEARING ANIMALS, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTION 30-0-2A CREATING DISTRICTS FROM WHICH FISH AND GAME COMMISSIONERS ARE TO BE APPOINTED; SECTION 30-0-2G, PROVIDING FOR THE TERMINATION OF EXISTING OFFICES: AND SECTION 30-0-3B, THE POWERS AND DUTIES OF THE FISH AND GAME DIRECTOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 120 By Mr. Hirschi

AN ACT PROHIBITING INSURANCE COMPANIES, ORDERS OR ASSOCIATIONS FROM ISSUING POLICIES OR CERTIFICATES WHICH PROVIDE FOR DIVISION OF MEMBERS INTO GROUPS AND THE PAYMENT OF BENEFITS TO THE OLDEST MEMBERS OF SAID GROUPS ON THE DEATH OF ONE OF THE MEMBERS OF THAT GROUP, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Melich, *S. B. No. 17* retains its position on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 38 was read the second time.

Committee report read and adopted.

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

Page 2, line 3, after the word "the" insert the words "surviving parent or the".

S. B. No. 38 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, Ericksen, Farr, Hirschi, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Hopkin, Kendall and Morrill.

S. B. No. 40 was read the second time.

Committee report read and adopted.

S. B. No. 40 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Ericksen.

Senator Richards moved that the rules be suspended and that the Senate do now consider *S. B. No. 41* and *S. B. No. 42*.

Motion carried.

S. B. No. 41 was read the second time.

Committee report read and adopted.

S. B. No. 41 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Farr, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Bailey (explained vote).

Absent and not voting: Senators Ericksen, Hirschi and Kendall.

S. B. No. 42 was read the second time.

Committee report read and adopted.

On motion of Senator Richards, *S. B. No. 42* retains its position on the Calendar.

On motion of Senator Warner the Senate resolved itself into Executive Session.

On motion of Senator Christensen the Executive Session was dissolved.

On motion of Senator Miller the Senate adjourned.

TWENTY-FIFTH DAY

February 4, 1943.

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

Roll Call—All Senators present, except Senator Dawson.

Prayer by the Chaplain.

February 4, 1943.

Mr. President:

We, your Committee or 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,

J. ARTHUR BAILEY,

ELISHA WARNER.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 3, 1943.

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. 40*, by Messrs. Hatch and Cannon, entitled, "AN ACT AMENDING SECTION 82C-2-33, UTAH CODE ANNOTATED 1943, RELATING TO THE INVESTMENT OF FUNDS BY THE COMMISSION OF FINANCE", 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 Revenue and Taxation.

February 4, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 16*, by Mr. Rich, entitled, "AN ACT AMENDING SECTION 25-11-1, UTAH CODE ANNOTATED 1943, RELATING TO MUNICIPAL ELECTIONS PRIMARIES; PROVIDING FOR NOMINATIONS; ANNOUNCEMENTS BY CANDIDATES; PUBLICATIONS; AND RETURN AND CANVASS THEREOF", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 16 was transmitted to the Governor.

February 4, 1943.

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. 21*, by Mr. Midgley, entitled, "AN ACT AMENDING SECTION 102-4-2 UTAH CODE ANNOTATED 1943, RELATING TO LETTERS OF ADMINISTRATION OF DECEDENTS ESTATES; TO WHOM ENTITLED; AND PROVIDING THAT WHERE RELATIVES

FAIL TO ACCEPT, ANY PERSON HAVING A CLAIM IN OR ADVERSE TO THE ESTATE SHALL BE ENTITLED TO ADMINISTER", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 21 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 4, 1943.

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. 46*, by Mr. Farr, entitled, "AN ACT APPROPRIATING THE SUM OF $2,014,146.72 OUT OF THE LIQUOR CONTROL FUND TO THE STATE GENERAL FUND", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 46 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 113*, by Committee on Highways, 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. 113 was ordered printed and referred to the Committee on Highways.

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 114*, by Committee on Highways, 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. 114 was ordered printed and referred to the Committee on Highways.

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 115*, by Committee on Highways, 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. 115 was ordered printed and referred to the Committee on Highways.

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 117*, by Committee on Highways, 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. 117 was ordered printed and referred to the Committee on Highways.

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 118*, 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. 118 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 120*, 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. 120 was ordered printed and referred to the Committee on Banking and Commerce.

February 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 85*, by Messrs. Hopkin 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. 85 was ordered printed and referred to the Committee on Judiciary.

February 4, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 78*, by Messrs. Huggins, Rich, Nielsen and Child, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 78 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 36*, by Committee on Judiciary, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 36 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 96*, by Mr. Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Chairman.

Report filed.

S. B. No. 96 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 83*, by Mr. Christensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 66*, by Mr. Huggins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 66 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 94*, by Revenue and Taxation Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 94 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 98*, by Messrs. Morrill, Kendall and Bailey, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,

Chairman.

Report filed.

S. B. No. 98 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 2*, by Messrs. Mozley and Cannon, has carefully considered said bill, and reports the same out favorably with the following amendments:

Line 7, after the fourth word "angling" insert "or to open or close the hunting or killing of game birds or animals."

Delete the balance of line 7, all of line 8, part of line 9 and the sixth word "bird".

After the last word "such" on line 9, insert the following: "fishing or hunting seasons at such a time or places as they deem advisable except that such opening days shall commence on any day except Sunday."

Delete all of line 10 and insert "they may" before the word "impose" on line 11.

Respectfully,

DEXTER FARR,

Chairman.

Report filed.

H. B. No. 2 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 93*, by Revenue and Taxation Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 93 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. 92,* by Committee on Revenue and Taxation, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 95,* by Revenue and Taxation Committee, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 87,* by Mr. Huggins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 88,* by Mr. Huggins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,

Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 121 By Mr. Hirschi

AN ACT AMENDING SECTION 80-9-5, UTAH CODE ANNOTATED 1943, PROVIDING MAXIMUM LEVIES THAT MAY BE MADE IN COUNTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 122 By Mr. Huggins

AN ACT AMENDING SECTIONS 40-3-3 AND 40-3-5, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 40-3-5-A, RELATIVE TO TEMPORARY ALIMONY AND SUIT MONEY; DISPOSITION OF PROPERTY; AND CUSTODY OF CHILDREN; ALSO RESTORATION OF WIFE'S MAIDEN NAME; PERMANENT ALIMONY; AND MAKING CHILDREN OF DIVORCED PARENTS WARDS OF THE COURT IN DIVORCE ACTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 123 By Mr. Huggins

AN ACT AMENDING SECTIONS 104-25-1 AND 104-25-2, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 104-25-6, PROVIDING FOR A GENERAL AND SPECIAL VERDICT AND A GENERAL VERDICT ACCOMPANIED BY ANSWERS TO INTERROGATORIES—PROVIDING FOR A MOTION FOR A DIRECTED VERDICT AND THE EFFECT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 124 By Mr. Huggins

AN ACT AMENDING SECTION 104-24-15, UTAH CODE ANNOTATED 1943, PROVIDING THAT ANY PARTY TO A JURY TRIAL MAY REQUEST THE COURT TO GIVE INSTRUCTIONS, TO DIRECT THE JURY TO ANSWER INTERROGATORIES, OR TO DIRECT THE JURY TO RETURN A SPECIAL VERDICT, AND FIXING THE TIME WHEN SUCH REQUESTS MAY BE MADE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 125 By Mr. Child

AN ACT RELATING TO THE GUARDIANSHIP OF INCOMPETENT VETERANS AND OTHER INCOMPETENT AND MINOR BENEFICIARIES OF THE VETERANS ADMINISTRATION, AND

TO COMMITMENT TO THE VETERANS ADMINISTRATION OR OTHER AGENCY OF THE UNITED STATES OF PERSONS ELIGIBLE FOR CARE OR TREATMENT, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, BEING PART OF TITLE 98, UTAH CODE ANNOTATED 1943, AND REPEALING CHAPTER 5, TITLE 98, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 126 By Committee on Social Relations and Relief

AN ACT AMENDING SECTIONS 76A-3-1, 76A-3-5, 76A-3-6, 76A-3-12, 76A-3-13, 76A-3-20, 76A-3-33, 76A-3-35, 76A-3-36, 76A-3-39, 76A-3-41, AND 76A-3-44, UTAH CODE ANNOTATED 1943 RELATING TO ADMINISTRATION OF PUBLIC ASSISTANCE TO THE AGED BY STATE DEPARTMENT OF PUBLIC WELFARE, DEFINITIONS OF TERMS, APPLICANTS FOR ASSISTANCE, ELIGIBILITY REQUIREMENTS, METHOD OF DETERMINING AMOUNTS OF GRANTS, OLD AGE ASSISTANCE FUND, ASSISTANCE TO DEPENDENT CHILDREN AND NEEDY BLIND, CONTENTS OF APPLICATIONS, DETERMINING ELIGIBILITY, EDUCATIONAL OPPORTUNITIES FOR BLIND AND REPEALING 76A-3-24 UTAH CODE ANNOTATED 1943, RELATING TO FEES FOR REPRESENTING CLIENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 127 By Committee on Social Relations and Relief

AN ACT AMENDING SECTIONS 76A-1-7; 76A-1-8; 76A-1-12; 76A-1-17; 76A-1-22; 76A-1-31; UTAH CODE ANNOTATED, 1943, RELATING TO COUNTY DEPARTMENTS OF PUBLIC WELFARE; CHANGING THE PERSONNEL THEREOF: DEFINING THE POWERS OF STATE AND COUNTY BOARDS; MAKING MEETINGS OF STATE BOARDS PUBLIC; PROVIDING FOR THE SELECTION OF EMPLOYEES; DEFINING TERMS AND CREATING A NEW SECTION TO BE KNOWN AS 76A-1-7A, WHICH TERMINATES THE OFFICES OF PRESENT COUNTY BOARDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 128 By Mr. Huggins

AN ACT AMENDING SECTION 57-12-6, UTAH CODE ANNOTATED, 1943, RELATING TO MONTHLY REPORTS OF SALES OF MOTOR FUEL; AMENDING SECTION 57-12-8 UTAH CODE ANNOTATED, 1943, RELATING TO REPORTS OF CARRIERS OF MOTOR FUEL DELIVERED WITHIN THIS STATE; AMENDING SECTION 57-12-9, UTAH CODE ANNOTATED, 1943, RELATING TO PAY-

MENT OF TAX ON MOTOR FUEL, DISTRIBUTION OF RECEIPTS AND ALLOCATION OF AERONAUTICAL FUND; AMENDING SECTION 57-12-10, UTAH CODE ANNOTATED, 1943, RELATING TO IMPOSITION OF PENALTY AND REVOCATION OF LICENSE FOR DELAY IN PAYMENT OF MOTOR FUEL TAX; AND ENACTING A NEW SECTION TO BE KNOWN AS 57-12-9.10 UTAH CODE ANNOTATED, 1943, RELATING TO TRANSMITTAL OF REPORTS OF SALES OF MOTOR FUEL AND REMITTANCE OF TAX ON SALES OF MOTOR FUEL BY UNITED STATES MAIL, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 24 on Third Reading.

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

Page 1, line 21, strike the word "three" and insert the word "five".

Line 21, after the word "cohabitation" insert the words "and each of said spouse have grounds for divorce other than this ground".

S. B. No. 24 failed of passage on the following roll call:

Yeas, 3; Nays, 18; Absent, 2.

Those voting in the affirmative were: Senators Farr, Melich and Warner.

Those voting in the negative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Dawson and Huggins.

S. B. No. 24 was filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 38 was read the third time and placed on its final passage.

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

Line 2 of the title, after the word "WAGES" insert "WORKMEN'S AND OCCUPATIONAL DISEASE COMPENSATION NOT EXCEEDING $300.".

Page 1, line 6, after the word "employer" insert "or insurance carrier"; also strike the word "and", and after the word "earnings" insert ", workmen's and occupational disease compensation".

Line 7, after the word "employer" insert "or insurance carrier".

Line 8, strike the word "and" and insert a comma.

Line 9, after the word "earnings" insert ", workmen's and occupational disease compensation".

Line 15, strike the word "and" and insert a comma.

Line 16, after the word "earnings" insert ", workmen's and occupational disease compensation".

Line 18, after the word "employer" insert "or insurance carrier".

Page 2, line 1, place a comma after the word "wages".

Line 2, strike the word "or"; also after the word "earnings" insert ", workmen's and occupational disease compensation".

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

Page 2, line 3, strike the words "surviving parent or the".

On motion of Senator Richards, *S. B. No. 38* retains its position on the Calendar.

S. B. No. 40 was read the third time and placed on its final passage.

S. B. No. 40 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Dawson, Hopkin and Mr. President.

S. B. No. 40 was transmitted to the House.

S. B. No. 41 was read the third time and placed on its final passage.

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

On page 2, line 3, beginning with the word "may" strike the underscored matter down to and including the word "insurance" on line 4 and insert the following: "shall, unless the lessee provides coverage as an employer under this chapter, be covered for compensation".

S. B. No. 41 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Kelly, Kendall, Lund, Mc-

Murrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

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

S. B. No. 41 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 42 on Second Reading.

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

On page 2, line 3, beginning with the word "may" strike out the underscored matter down to and including the word "insurance" on line 4 and insert the following: "shall, unless the lessee provides coverage as an employer under this chapter, be covered for compensation".

On motion of Senator Richards the rules were suspended and *S. B. No. 42* was read the third time and placed on its final passage.

S. B. No. 42 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

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

S. B. No. 42 was transmitted to the House.

S. B. No. 44 was read the second time.

Committee report read and adopted.

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

In the title, line 3, strike the comma; line 4, strike the comma after the word "Mutual".

On motion of Senator Christensen the rules were suspended and *S. B. No. 44* was read the third time and placed on its final passage.

S. B. No. 44 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Farr, Hirschi, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Hopkin, Huggins and Kendall.

S. B. No. 44 was transmitted to the House.

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

Committee report read and adopted.

On motion of Senator McMurrin the Senate adjourned.

TWENTY-SIXTH DAY

February 5, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 5, 1943.

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,

J. ARTHUR BAILEY,
ELISHA WARNER.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 4, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 67*, by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 67 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. C. M. No. 1*, by Mr. Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed

S. C. M. No. 1 was placed on the Second Reading Calendar.

February 4, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 65*, by Messrs. McMurrin and Rich, has carefully considered said bill and reports the same out favorably with the following amendments:

(1) Delete Section 3, page 2, and insert in lieu thereof:

"Every claim shall be filed quarterly on or before the 15th day of the month following the calendar quarter for purchases made during such calendar quarter and if not so filed it shall be disallowed. Not more than one such claim shall be filed or allowed for each calendar quarter."

(2) Delete Section 4, page 2, and insert in lieu thereof:

"Upon approval by the state tax commission of such claim for refund the tax commission shall certify to the state auditor the amount found to be justly due as a refund to the claimant. The state auditor shall make payment of such claim from revenue received from the motor fuel tax."

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 65 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 113*, by Committee on Highways, has carefully considered said bill, and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 115*, by Committee on Highways, has carefully considered said bill, and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 117*, by Committee on Highways, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 114*, by Committee on Highways, has carefully considered said bill, and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 114 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 111*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 111 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 110*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed

S. B. No. 110 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 109*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 109 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 108*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 108 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 106*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 106 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 105*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 104*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 101*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 101 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 99*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 61*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 61 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 29*, by Mr. Stringham, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

H. B. No. 29 was placed on the Second Reading Calendar.

February 5, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 22*, by Mrs. Jack, Messrs. Wm. C. Jensen, Bell, Sabin and Roberts, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

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

February 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 116*, by Committee on Highways, 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. 116 was ordered printed and referred to the Committee on Highways.

February 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 119*, by Committee on Fish and Game, 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. 119 was ordered printed and referred to the Committee on Fish and Game.

February 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 121*, 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. 121 was ordered printed and referred to the Committee on Revenue and Taxation.

February 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 125*, 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. 125 was ordered printed and referred to the Committee on Health and Labor.

February 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 128*, 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. 128 was ordered printed and referred to the Committee on Revenue and Taxation.

COMMUNICATIONS FROM THE HOUSE

February 4, 1943.

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. 7*, by Mr. Child,

entitled, "AN ACT AMENDING SECTION 43-2-4, UTAH CODE ANNOTATED 1943, RELATING TO THE PAPERS AND RECORDS OF THE INSURANCE DEPARTMENT AND THE INSURANCE COMMISSIONER'S RIGHT TO DESTROY THE SAME AFTER HAVING BEEN ON FILE FOR TEN YEARS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 7 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 4, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 9*, by Mr. Ward, entitled, "AN ACT AMENDING SECTION 3-8a-21, UTAH CODE ANNOTATED 1943, PERTAINING TO PLANT FOOD CONTENT OF COMMERCIAL FERTILIZERS AND PUBLICATION OF RESULTS OF INFORMATION", 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 Agriculture and Irrigation.

February 5, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, *H. B. No. 30*, by Committee on Traffic Safety and Jean Z. Murdock, entitled, "AN ACT AMENDING SECTIONS 57-4-10 AND 57-4-19, UTAH CODE ANNOTATED 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, NOTIFICATION OF CHANGE OF NAME OR ADDRESS, AND EXTENDING THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 30 was read the first time and referred to the Committee on Highways.

February 4, 1943.

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. 45*, by Mr. Farr, entitled, "AN ACT CREATING A STATE BOND RETIREMENT FUND, MAKING APPROPRIATION THERETO, LIMITING INVESTMENT OF FUND, AUTHORIZING THE PURCHASE AND SALE OF CERTAIN SECURITIES ON A PRESCRIBED BASIS AND PROVIDING FOR DISPOSITION OF THE REMAINDER OF THE FUNDS TO BE KNOWN AS CHAPTER 4, TITLE 53, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Farr, *S. B. No. 45* was tabled.

Senator Bailey moved that the Senate reconsider the vote by which *S. B. No. 24* failed of passage.

Motion carried.

Reconsideration of *S. B. No. 24*.

S. B. No. 24 on Third Reading.

S. B. No. 24 then passed on the following roll call:

Yeas, 14; Nays, 4; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Huggins, Kelly, Kendall, McMurrin, Melich, Morrill, Nielsen, Rich, Warner and Mr. President.

Those voting in the negative were: Senators Child, Lund, Miller and Romney.

Absent and not voting: Senators. Ericksen, Farr, Hirschi, Hopkin and Richards.

S. B. No. 24 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 129 By Messrs. Richards and Melich

AN ACT SUSPENDING FOR THE DURATION OF THE PRESENT WAR EMERGENCY THE PROVISIONS OF SECTION 49-3-2

UTAH CODE ANNOTATED 1943, RELATING TO THE PERIOD OF EMPLOYMENT OF WORKING MEN IN UNDERGROUND MINES OR WORKINGS, AND IN SMELTERS AND ALL OTHER INSTITUTIONS FOR THE REDUCTION OR REFINING OF ORES OR METALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130 By Messrs. Richards and Melich

AN ACT AMENDING SECTION 49-4-1, UTAH CODE ANNOTATED 1943, RELATING TO EMPLOYMENT OF MINORS AND FEMALES IN MINES OR SMELTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 131 By Mr. Kelly

AN ACT TO AMEND SECTIONS 19-7-5 AND 19-7-18, UTAH CODE ANNOTATED, 1943, RELATING TO FIRE DISTRICTS AND CONTROL OF FIRES AND THE BOARD OF FORESTRY AND FIRE CONTROL BY ENLARGING THE MEMBERSHIP OF THE BOARD OF FORESTRY AND FIRE CONTROL; BY AMENDING THE DUTIES OF THE CHIEF FORESTER-FIRE WARDEN; AND BY PROVIDING THAT VENDORS OF POSTS, POLES, MINE PROPS, FUEL WOOD, AND TIES OBTAIN A RETAIL LICENSE THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 23 on Second Reading.

Senator Christensen moved to lay *S. B. No. 23* on the table.

Senator Bailey with the aid of five Senators requested a Call of the Senate.

Senators Kendall, Dawson, Farr and Romney were absent without leave.

On motion of Senator Bailey the call was lifted.

The motion to table *S. B. No. 23* was carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 38 on Third Reading.

S. B. No. 38 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christenen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

S. B. No. 38 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 2 was read the second time.

Committee report read and adopted and on motion of Senator Farr the bill was amended accordingly.

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

Page 1, strike the whole of lines 3 and 4.

Line 5, preceding the word "When" insert "30-0-7".

On motion of Senator Farr, the bill was amended as follows:

Page 1, line 7, strike the period after the word "animals" and insert a comma.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 2* was read the third time and placed on its final passage.

H. B. No. 2 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Nielsen, Rich, Richards (explained vote, Warner and Mr. President.

Those voting in the negative were: Senators Farr (explained vote), Miller and Morrill (explained vote).

Absent and not voting: Senators Kendall and Romney.

H. B. No. 2 was returned to the House.

COMMUNICATION FROM THE HOUSE

February 5, 1943.

Mr. President:

I am directed to request of your Honorable Body the return of *S. B. No. 45* for further consideration by the House.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Farr *S. B. No. 45* was taken from the table and returned to the House for reconsideration.

On motion of Senator Hopkin the rules were suspended and the Senate proceeded to consider *H. B. No. 22.*

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

Committee report read and adopted.

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

Page 1, line 3, strike the word "Section".

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

Line 17, strike the words "on itemized"; also strike the word "complete".

H. B. No. 22 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 (explained vote), Dawson, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Farr and Miller.

On motion of Senator Macfarlane the rules were suspended and the Senate proceeded to consider *H. B. No. 29.*

H. B. No. 29 was read the second time.

Committee report read and adopted.

COMMUNICATION FROM THE HOUSE

February 5, 1943.

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. 45,* by Mr. Farr, entitled, "AN ACT CREATING A STATE BOND RETIREMENT FUND, MAKING APPROPRIATION THERETO, LIMITING INVESTMENT OF FUND, AUTHORIZING THE PURCHASE AND SALE OF CERTAIN SECURITIES ON A PRESCRIBED BASIS AND PROVIDING FOR DISPOSITION OF THE REMAINDER OF

THE FUNDS TO BE KNOWN AS CHAPTER 4, TITLE 53, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Child, *S. B. No. 45* was made a Special Order of Business for Monday, February 8, 1943 at 2:15 p. m.

On motion of Senator Kelly the Senate adjourned until Monday, February 8, 1943.

TWENTY-NINTH DAY

February 8, 1943.

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

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

Prayer by the Chaplain.

February 8, 1943.

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,

J. ARTHUR BAILEY,
ELISHA WARNER.

Report adopted and filed.

The President appointed Senators Kendall and Morrill to revise the Journal for the week beginning February 8, 1943.

REPORTS OF STANDING COMMITTEES

February 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 126*, by Committee on Social Relations and Relief, 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. 126 was ordered printed and referred to the Committee on Social Relations and Relief.

February 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 127*, by Committee on Social Relations and Relief, 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. 127 was ordered printed and referred to the Committee on Social Relations and Relief.

February 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 129*, by Messrs. Richards and Melich, 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. 129 was ordered printed and referred to the Committee on Mining and Smelting.

February 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 130*, by Messrs. Richards and Melich, with a few minor changes assented to by by the authors, 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 Mining and Smelting.

February 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 131*, by Mr. Kelly, 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 Agriculture and Irrigation.

February 8, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 80*, by Mrs. Ericksen, has carefully considered said bill and reports same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed

S. B. No. 80 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 132 By Messrs. Huggins and Richards

AN ACT AMENDING SECTION 80-12-9, UTAH CODE ANNOTATED 1943, RELATING TO THE ASSESSMENT FOR INHERITANCE TAX OF PROPERTY BELONGING TO A FOREIGN ESTATE AND PROVIDING FOR RECIPROCAL EXEMPTION FROM SUCH TAX OF PERSONAL PROPERTY OTHER THAN TANGIBLE PERSONAL PROPERTY HAVING AN ACTUAL SITUS IN UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 133 By Mr. Bailey

AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED, 1943, PERTAINING TO THE EMPLOYMENT OF MINORS, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 45 on final passage.

On motion of Senator Farr the Senate concurred in the House amendments.

S. B. No. 45 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, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Kendall and Morrill.

S. B. No. 45 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

UNFINISHED BUSINESS

H. B. No. 29 on Second Reading.

H. B. No. 29 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 6; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Christensen, Dawson, Hirschi, Hopkin, Kendall, McMurrin, Melich, Nielsen, Rich (explained vote), Richards (explained vote), Warner and Mr. President.

Those voting in the negative were: Senators Child, Ericksen, Huggins (explained vote), Kelly, Lund and Miller.

Absent and not voting: Senators Bailey, Farr, Morrill and Romney.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 17 was read the third time and placed on its final passage.

S. B. No. 17 failed of passage on the following roll call:

Yeas, 8; Nays, 11; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Dawson, Hirschi, Kelly, Lund, McMurrin, Melich and Mr. President.

Those voting in the negative were: Senators Bailey, Child, Christensen, Hopkin, Huggins, Kendall, Miller, Nielsen, Rich, Richards and Warner.

Absent and not voting: Senators Ericksen, Farr, Morrill and Romney.

S. B. No. 17 was filed.

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

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

Line 17, strike the last two words and insert "showing the amount of each deduction made". Also strike the whole of line 18.

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

Line 10, strike the period after the word "holiday" and insert ", whenever possible.".

H. B. No. 22 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, Ericksen, Farr, Hopkin, Huggins (explained vote), Kendall, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Kelly, Lund and McMurrin.

Absent and not voting: Senators Hirschi and Morrill.

H. B. No. 22 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 5 on Second Reading.

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

Page 1, line 9, after the word "State" strike the period, insert a comma, and add: "subject, however, to the provisions of any applicable treaty that may be entered into by the United States and to the paramount authority of Congress pursuant to provisions of the Constitution of the United States."

Page 4, between lines 1 and 2, insert the following new sections:

"78-6a-10. The Attorney General of the State of Utah shall institute in the name of the State injunction proceedings to enjoin and restrain any and all persons from entering into any written or oral agreements in violation of the terms and provisions of this act, and said

Attorney General shall file such injunction proceedings for the purpose of restraining and enjoining any person from operating or conducting farming and agricultural operations in violation of the terms and provisions of this act; all such injunction proceedings shall be instituted in the district court of the county in which the real property involved is situated. Insofar as applicable said injunction proceedings shall be governed by the terms and provisions of Title 104, Chapter 17, Utah Code Annotated, 1943.

"78-6a-11. The Attorney General of the State of Utah shall institute proceedings in the name of the State of Utah under this act, in the district court of the county in which the land involved is located, for the purpose of testing and determining a civil action in a declaratory manner whether or not any agricultural land is being farmed or used under a contract written or oral in violation of the terms and provisions of this act. Such proceedings to be conducted in accordance with the provisions of Title 104, Chapter 64, Utah Code Annotated, 1943."

Page 4, line 2, strike the figures "10" and insert in lieu thereof "12".

Page 3, line 31, after the word "If" insert "any person violates or if".

Line 8 of the title, after the word "Hereof" insert "and Prescribing the Powers and Duties of the Attorney General With Respect to the Enforcement of This Act".

Line 10 of the title and line 2 on page 1, after "78-6a-9" insert "78-6a-10, 78-6a-11, 78-6a-12", and preceding the word "Utah" strike the figures "10" and insert the figures "13".

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

Page 4, following line 8, insert a new sections as follows:

"78-6a-13." "This Act shall take effect upon approval".

On motion of Senator Huggins the rules were suspended and *S. B. No. 5* was read the third time and placed on its final passage.

S. 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Kendall and Morrill.

S. B. No. 5 was transmitted to the House.

On motion of Senator Farr the Senate resolved itself in Executive Session.

On motion of Senator Bailey the Executive Session dissolved.

On motion of Senator Richards the Special Committee of Three, consisting of Senators Richards, Farr and Hirschi, was empowered and directed to employ such technical assistance as may be required.

On motion of Senator Huggins the Special Committee of Three was instructed to report its findings back to the Senate not later than Friday, February 12, 1943.

On motion of Senator Miller the Senate adjourned.

THIRTIETH DAY

February 9, 1943.

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

Roll Call—All Senators present, except Senators Dawson, Hopkin, Huggins, Kelly and Richards, excused.

Prayer by the Chaplain.

February 9, 1943.

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,

JUNE KENDALL,

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 8, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 103*, by Mr. Farr, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 1, strike all of the new material.

Page 2, after line 6, insert a new paragraph as follows: "Provided, that for the duration of the present national war emergency in which the production of ample food supplies is of such vital importance to the

successful prosecution of the war the state board of education may adjust the school program and credit therefor as in said board's judgment may be necessary in any school district for those students whose labor is indispensable to the harvesting or processing of agricultural products. Districts making said adjustment in accordance with the rulings of the state board of education will not be penalized under the equalization fund."

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 103 was placed on the Second Reading Calendar.

February 8, 1943.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 1,* by Mr. Cowles, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

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

February 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 73,* by Mr. Dawson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 81,* by Mr. Dawson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 81 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 82*, by Mr. Dawson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 72*, by Messrs. Nielsen and Warner, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 72 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 74*, by Mr. Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 74 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 24*, by Messrs. Milliman and Joseph E. Rees, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 24 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 121,* by Mr. Hirschi, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 121 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 128,* by Mr. Huggins, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 128 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 40,* by Messrs. Hatch and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

H. B. No. 40 was placed on the Second Reading Calendar.

February 9, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 7,* by Mr. Child, entitled, "AN ACT AMENDING SECTION 43-2-4, UTAH CODE ANNOTATED 1943, RELATING TO THE PAPERS AND RECORDS OF THE INSURANCE DEPARTMENT AND THE INSURANCE COMMISSIONER'S RIGHT TO DESTROY THE SAME AFTER HAVING BEEN ON FILE FOR TEN YEARS", 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 transmitted to the House for the signature of the Speaker.

February 9, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 45*, by Mr. Farr, entitled, "AN ACT CREATING A STATE BOND RETIREMENT FUND, MAKING APPROPRIATION THERETO, LIMITING INVESTMENT OF FUND, AUTHORIZING THE PURCHASE AND SALE OF CERTAIN SECURITIES ON A PRESCRIBED BASIS AND PROVIDING FOR DISPOSITION OF THE REMAINDER OF THE FUNDS TO BE KNOWN AS CHAPTER 4, TITLE 53, UTAH CODE ANNOTATED 1943", 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. 45 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling to which has been referred *S. B. No. 46*, by Mr. Farr, entitled, "AN ACT APPROPRIATING THE SUM OF $2,014,146.72 OUT OF THE LIQUOR CONTROL FUND TO THE STATE GENERAL FUND", 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. 46 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 9, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 39*, by Judiciary Committee, 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 Judiciary.

February 9, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 132*, by Messrs. Huggins and Richards, 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. 132 was ordered printed and referred to the Committee on Judiciary.

February 9, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 133*, by Mr. Bailey, 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 Health and Labor.

INTRODUCTION OF BILLS

S. B. No. 134 By Mr. Rich.

AN ACT AMENDING SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED 1943, RELATING TO THE SALARIES OF JUDGES OF THE SUPREME AND DISTRICT COURTS, AND FIXING THE TERM OF DISTRICT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 135 By Committee on Public Institutions

AN ACT AMENDING SECTIONS 85-7-6, 85-7-11, 85-7-17, 85-7-27, 85-7-32, 85-7-34, 85-7-39, AND 85-7-54, UTAH CODE ANNOTATED, 1943, RELATING TO THE ESTIMATE AND ASSESSMENT OF CARE OF PATIENTS; MEDICAL SUPERINTENDENT—POWERS AND DUTIES; TEMPORARY COMMITMENTS AND DISCHARGE; NONRESIDENT INSANE—RULES FOR ADMISSION; CASES NEEDING IMMEDIATE CARE—PROCEDURE FOR ADMITTANCE; VOLUNTARY ADMISSION OF MENTALLY ILL PERSONS; FEES OF EXAMINING PHYSICIAN— COUNTY TO PAY; PATIENTS PLACED AT BOARD; AND REPEALING SECTION 85-7-31, UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 136 By Committee on Public Institutions

AN ACT AMENDING SECTION 76A-5-22, UTAH CODE ANNOTATED, 1943, RELATING TO THE PERSONS ELIGIBLE FOR ADMITTANCE TO THE TUBERCULOSIS SANITORIUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 137 By Committee on Public Institutions

AN ACT AMENDING SECTIONS 89-0-1, 89-0-2, 89-0-3, 89-0-4, 89-0-5, 89-0-6, 89-0-7, AND 89-0-8, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 89-0-13, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 138 By Committee on Public Institutions

AN ACT AMENDING CHAPTER 5, TITLE 76A, UTAH CODE ANNOTATED, 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS 76A-5-29, RELATING TO THE TUBERCULOSIS SANITORIUM BY PROVIDING FOR THE MEDICAL DIRECTOR TO ACT AS THE SUPERINTENDENT OF THE STATE TUBERCU-

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

S. B. No. 139 By Committee on Public Institutions

AN ACT AMENDING CHAPTER 1, TITLE 76A, UTAH CODE ANNOTATED, 1943, ENACTING A NEW SECTION TO BE KNOWN AS SECTION 35, PROVIDING FOR THE SUPPORT OF POOR BY RELATIVES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 140 By Mr. Warner

AN ACT AMENDING SECTION 28-1A-6 REGARDING THE DISTRIBUTION OF UTAH CODE ANNOTATED 1943 BY THE SECRETARY OF STATE, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 5, 1943

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. Cowles, entitled, "AN ACT AMENDING SECTION 21-0-3, UTAH CODE ANNOTATED 1943, RELATING TO COMPENSATION OF COURT REPORTERS", 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 Health and Labor.

February 8, 1943.

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. 11*, by Representatives Sorenson, Jean Murdock, Jack, Elswood, T. M. Rees, Cowles and Bell, entitled, "AN ACT AMENDING SECTIONS 76A-3-6, 76A-3-13, 76A-3-14, 76A-3-17, 76A-3-20, AND 76A-3-29, CHAPTER 3 UTAH CODE ANNOTATED 1943, RELATING TO OLD AGE ASSISTANCE TO NEEDY PERSONS; APPLICANTS WHO ARE ENTITLED TO ASSISTANCE; ADDITIONAL ASSISTANCE; LIMIT OF AMOUNT

PAID; DETERMINATION OF AMOUNT OF ASSISTANCE; RECONSIDERATION OF ASSISTANCE-DUTY TO REPORT INCREASED INCOME; AND OLD AGE ASSISTANCE FUND-PROPORTIONATE REDUCTION OF PAYMENTS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 11 was read the first time and referred to the Committee on Social Relations and Relief.

January 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 14*, by Agricultural Committee, entitled, "AN ACT AMENDING SECTION 80-15-2, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF RETAIL SALES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 14 was read the first time and referred to the Committee on Agriculture and Irrigation.

January 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. J. M. No. 1*, by Mr. Roberts, entitled, "AN ACT MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO PASS AT THE PRESENT SESSION OF CONGRESS A SOCIAL SECURITY LAW WHICH WILL ALLOW BENEFITS TO EVERY CITIZEN WHO DESIRES THE SAME, INCLUDING MEMBERS OF THE MILITARY FORCES OF OUR COUNTRY", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. M. No. 1 was read the first time and referred to the Committee on Social Relations and Relief.

January 9, 1943.

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. 22*, by Mr. Jensen, Mrs. Jack, Messrs. Bell, Sabin and Roberts, and requests that the Senate recede from their amendments.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Hirschi the President appointed a Conference Committee consisting of Senators Bailey, Melich and Morrill to act with a like committee from the House.

February 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 2*, by Messrs. Mozley and Cannon.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane, *H. B. No. 29* retains its position on the Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 48 was read the second time.

Committee report read and adopted.

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

Line 6, strike the word "twenty" and insert the word "ten".

Line 9, strike the period and insert the following:

": provided, that for the purpose of this section any amounts paid into a fund for the retirement of any debenture capital or preferred stock of the bank out of its net earnings for the period covered by such dividend shall be deemed an addition to its surplus fund if, upon the retirement of such debenture capital or preferred stock, the amount so paid into the retirement fund for such period may then properly be carried to the surplus fund of the bank. In any such case the bank shall be obligated to transfer to the surplus fund the amount so paid into such retirement fund."

On motion of Senator Hirschi, the rules were suspended and *S. B. No. 48* was read the third time and placed on its final passage.

S. B. No. 48 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hirschi, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hopkin, Huggins, Kelly and Richards.

S. B. No. 48 was transmitted to the House.

S. B. No. 49 was read the second time.

Committee report read and adopted.

On motion of Senator Hirschi the rules were suspended and *S. B. No. 49* was read the third time and placed on its final passage.

S. B. No. 49 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hirschi, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hopkin, Huggins, Kelly and Richards.

S. B. No. 49 was transmitted to the House.

Senator Hirschi moved that the rules be suspended and that the Senate do now consider *S. B. No. 63,*

Motion carried.

S. B. No. 63 was read the second time.

Committee report read and adopted.

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

Line 9, change the letters "ths" to read "this".

On motion of Senator Hirschi the rules were suspended and *S. B. No. 63* was read the third time and placed on its final passage.

S. B. No. 63 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Hirschi, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hopkin, Huggins, Kelly, Richards and Romney.

S. B. No. 63 was transmitted to the House.

S. B. No. 25 was read the second time.

Committee report read and adopted.

S. B. No. 25 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 1; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Voting in the negative: Senator Miller.

Absent and not voting: Senators Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly and Richards.

S. B. No. 31 was read the second time.

Committee report read and adopted.

On motion of Senator Melich the rules were suspended and *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, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly and Richards.

S. B. No. 31 was transmitted to the House.

S. B. No. 32 was read the second time.

Committee report read and adopted.

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

Page 1, line 6, strike the word "DEBTS".

On motion of Senator Melich the rules were suspended and *S. B. No. 32* was read the third time and placed on its final passage.

S. B. No. 32 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly and Richards.

S. B. No. 32 was transmitted to the House.

S. B. No. 33 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen *S. B. No's. 33, 34, 35* and *37* retain their positions on the Calendar.

Senator Melich moved that the rules be suspended and that the Senate do now consider *S. B. No. 51.*

Motion carried.

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

Committee report read and adopted.

On motion of Senator Christensen the Senate adjourned.

THIRTY-FIRST DAY

February 10, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 10, 1943.

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,

JUNE KENDALL,
McKINLEY MORRILL.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 10, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 134*, 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. 134 was ordered printed and referred to the Committee on Judiciary.

February 10, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 136*, by Committee on Public Institutions, 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 Public Institutions.

February 10, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 138*, by Committee on Public Institutions, 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 Public Institutions.

February 10, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 140*, by Mr. Warner, 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. 140 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE

February 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 2,* by Messrs. Mozley and Cannon, entitled, "AN ACT AMENDING SECTION 30-0-7, UTAH CODE ANNOTATED 1943, DESIGNATING THE OPENING DAYS OF THE FISHING AND HUNTING SEASONS", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 9, 1943.

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 Resolutions Committee, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO REPRESENTATIVE JOHN H. SCHENK UPON THE DEATH OF HIS SISTER, ANNIE BARBARA SCHENK", 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.

February 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 26,* by Representatives Roberts, Sorenson, Meador, Cowles, Elliott, Sabin and Jack, en-

titled, "AN ACT AMENDING SECTION 36-8-3, UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 36-8-2.10, 36-8-3.01, 36-8-3.02, 36-8-3.03, 36-8-3.04, 36-8-3.05, 36-8-3.06, 36-8-3.07, 36-8-3.08, 36-8-3.09, 36-8-3.10, 36-8-3.11, 36-8-3.12, 36-8-3.13, 36-8-3.14 AND 36-8-9, RELATING TO THE STATE HIGHWAY PATROL AND PROVIDING FOR THE MAINTENANCE AND ORGANIZATION OF THE UTAH STATE HIGHWAY PATROL UNDER A SYSTEM OF CIVIL SERVICE BASED UPON MERIT; GRANTING THE SUPERINTENDENT OF THE UTAH STATE HIGHWAY PATROL CERTAIN AUTHORITY; CREATING A CIVIL SERVICE BOARD PROVIDING FOR RETIREMENT BENEFITS FOR MEMBERS OF THE PATROL", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 26 was read the first time and referred to the Committee on State and Municipal Affairs.

February 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 47*, by Mrs. Jack, entitled. "AN ACT AMENDING SECTIONS 25-2-7 AND 25-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE REGISTRATION OF ABSENT VOTERS", 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 State and Municipal Affairs.

February 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 49*, by Messrs. Sabin and Cowles, entitled, "AN ACT AMENDING SECTION 79-1-24, UTAH CODE ANNOTATED 1943, RELATING TO THE REVOCATION OF LICENSES, CERTIFICATES, PERMITS, STUDENT OR APPRENTICE CARDS ISSUED BY THE DEPARTMENT OF REGISTRATION; THE GIV-

ING OF NOTICE PRIOR TO REVOCATION, AND REINSTATEMENT AFTER REVOCATION BY ADDING THERETO A PROVISION THAT THE LICENSE, CERTIFICATE, PERMIT, STUDENT OR APPRENTICE CARD HELD BY ANY PERSON WHO HAS ENTERED OR ENTERS THE MILITARY SERVICE OF THE UNITED STATES SHALL NOT BE REVOKED AND NEED NOT BE RENEWED FOR THE PERIOD OF SAID MILITARY SERVICE", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 49 was read the first time and referred to the Committee on State and Municipal Affairs.

February 10, 1943.

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. Child, entitled, "AN ACT AMENDING SECTION 43-2-4, UTAH CODE ANNOTATED 1943, RELATING TO THE PAPERS AND RECORDS OF THE INSURANCE DEPARTMENT AND THE INSURANCE COMMISSIONER'S RIGHT TO DESTROY THE SAME AFTER HAVING BEEN ON FILE FOR TEN YEARS", 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 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 45*, by Mr. Farr, entitled, "AN ACT CREATING A STATE BOND RETIREMENT FUND, MAKING APPROPRIATION THERETO, LIMITING INVESTMENT OF FUND, AUTHORIZING THE PURCHASE AND SALE OF CERTAIN SECURITIES ON A PRESCRIBED BASIS AND PROVIDING FOR DISPOSITION OF THE REMAINDER OF THE FUNDS TO BE KNOWN AS CHAPTER 4, TITLE 53, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 45 was transmitted to the Governor.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 46*, by Mr. Farr, entitled, "AN ACT APPROPRIATING THE SUM OF $2,014,146.72 OUT OF THE LIQUOR CONTROL FUND TO THE STATE GENERAL FUND", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 46 was transmitted to the Governor.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 26*, by Committee on Judiciary, entitled, "AN ACT AMENDING CHAPTER 3, TITLE 20, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 20-3-21 RELATING TO POWERS OF DISTRICT JUDGES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 26 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 27*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-20, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR REVIEW AND SETTLING OF APPRAISEMENTS BY DISTRICT COURTS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 27 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 28*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-21, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR APPEALS TO THE SUPREME COURT", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 28 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 29*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 102-3-12, UTAH CODE ANNOTATED 1943, RELATING TO CONTESTS OF WILLS AFTER PROBATE AND LIMITING TIME WITHIN WHICH CONTESTS MAY BE MADE", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 29 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 30*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-5, UTAH CODE ANNOTATED 1943, RELATING TO THE INHERITANCE TAX TO BE IMPOSED UPON TRANSFERS BY RIGHT OF SURVIVORSHIP AND PRO-

VIDING CERTAIN EXCEPTIONS IN RESPECT THERETO", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 30 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Representatives W. C. Jensen, Bell and Sabin to act with a like committee from the Senate to consider *H. B. No. 22*, by Mrs. Jack and Messrs. Jensen, Bell, Sabin and Roberts.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 9, 1943.

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 Mr. Durham, entitled, "RESOLUTION OF CONDOLENCE", 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 Dawson 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, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi, Hopkins and McMurrin.

H. J. R. No. 5 was returned to the House.

INTRODUCTION OF BILLS

S. B. No. 141 By Mr. Lund

AN ACT AMENDING SECTION 80-13-5.10B, UTAH CODE ANNOTATED 1943, RELATING TO CORPORATIONS EXEMPT FROM FRANCHISE AND PRIVILEGE TAXES AND PROVIDING THAT BUSINESS DONE BY COOPERATIVE ASSOCIATIONS FOR THE UNITED STATES OR THE STATE OF UTAH AND THEIR AGENCIES SHALL BE DISREGARDED IN DETERMINING THE RIGHT TO EXEMPTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 142 By Mr. Christensen

AN ACT CREATING A NEW SECTION TO BE KNOWN AS SECTION 43-3-46, PROVIDING FOR MINIMUM DEPOSIT REQUIREMENTS OF CERTAIN INSURANCE COMPANIES ORGANIZED UNDER THE LAWS OF UTAH OR ANY OTHER STATE, TERRITORY OR DISTRICT OF THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 143 By Education Committee

AN ACT AMENDING SECTION 75-22-4, UTAH CODE ANNOTATED 1943, RELATING TO THE USE OF SCHOOL PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 144 By Committee on Highways

TO PREPARE AIRPORT APPROACH PLANS FOR PUBLICLY-OWNED AIRPORTS; TO EMPOWER AND DIRECT MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS TO PROMULGATE, ADMINISTER, AND ENFORCE AIRPORT ZONING REGULATIONS LIMITING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY, IN THE VICINITY OF SUCH AIRPORTS; TO AUTHORIZE THE ACQUISITION, BY PURCHASE, GRANT, OR CONDEMNATION, OF AIR RIGHTS AND OTHER INTERESTS IN LAND; AND TO PROVIDE PENALTIES AND REMEDIES FOR

VIOLATION OF THIS ACT OR OF ANY ORDINANCE OR REGULATION MADE UNDER THE AUTHORITY CONFERRED THEREBY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 145 By Education Committee

AN ACT PROVIDING FOR THE USE OF AUDITORIUM FACILITIES OF STATE EDUCATIONAL INSTITUTIONS FOR THE HOLDING OF CERTAIN MEETINGS AND PRESCRIBING THE CONDITIONS FOR USE OF SUCH FACILITIES, BEING PART OF CHAPTER 1, TITLE 75, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 146 By Mr. Hirschi

AN ACT AMENDING SECTION 8-0-4, UTAH CODE ANNOTATED, 1943, RELATING TO SINKING FUNDS OF CITIES, COUNTIES, SCHOOL DISTRICTS, AND OTHER TAXING UNITS AND TO PERMIT THE INVESTMENT THEREOF IN BONDS ISSUED BY ANY CITY, COUNTY, SCHOOL DISTRICT OR TAXING UNIT IN THE STATE, OR BY THE STATE OF UTAH, OR BONDS ISSUED BY THE GOVERNMENT OF THE UNITED STATES OR ANY OF ITS AGENCIES, OR IN THE INSURED SHARES OR ACCOUNTS OF DOMESTIC SAVINGS AND LOAN OR BUILDING AND LOAN ASSOCIATIONS OR FEDERAL SAVINGS AND LOAN ASSOCIATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 147 By Mr. Bailey

AN ACT AMENDING SECTION 14-6-4, UTAH CODE ANNOTATED, 1943, RELATING TO THE EMPLOYMENT OF MINORS UNDER EIGHTEEN YEARS OF AGE, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 51 on Second Reading.

S. B. No. 51 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 (explained vote), Child, Ericksen, Huggins, Kelly, Lund, McMurrin, Melich,

Miller, Morrill, Nielsen (explained vote), Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi, Hopkin, Kendall and Richards.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 25 was read the third time and placed on its final passage.

S. B. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Huggins, Kelly, Kendall, Lund (explained vote), McMurrin, Melich, Miller, Morrill, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Nelson and Warner.

S. B. No. 25 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 33 on Second Reading.

On motion of Senator Bailey *S. B. No. 33* was tabled.

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

Committee report read and adopted.

S. B. No. 34 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 Bailey, Child, Dawson, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly, Morrill, Nielsen and Warner.

S. B. No. 35 was read the second time.

Committee report read and adopted.

On motion of Senator Macfarlane the rules were suspended and *S. B. No. 35* was read the third time and placed on its final passage.

S. B. No. 35 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards and Mr. President.

Absent and not voting: Senators Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly, Morrill, Romney and Warner.

S. B. No. 35 was transmitted to the House.

S. B. No. 37 was read the second time.

Committee report read and adopted.

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

Page 2, line 14, after the word "release" insert the word "of".

On motion of Senator Richards the rules were suspended and *S. B. No. 37* was read the third time and placed on its final passage.

S. B. No. 37 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards and Mr. President.

Absent and not voting: Senators Christensen, Ericksen, Farr, Hirschi, Morrill, Romney and Warner.

S. B. No. 37 was transmitted to the House.

On motion of Senator Melich, *S. B. No. 52* retains its position on the Calendar.

S. B. No. 50 was read the second time.

Committee report read and adopted.

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

Line 12, after the word "reacting" insert the word "dairy".

On motion of Senator Miller the rules were suspended and *S. B. No. 50* was read the third time and placed on its final passage.

S. B. No. 50 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Dawson, Ericksen, Farr, Hopkin, Kelly, Kendall, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Hirschi, Huggins, Lund, Morrill and Warner.

S. B. No. 50 was transmitted to the House.

On motion of Senator Melich *S. B. No. 62* retains its position on the Calendar.

S. B. No. 13 was read the second time.

Committee report read and adopted.

On motion of Senator Bailey *S. B. No. 13* was tabled.

S. B. No. 59 was read the second time.

Committee report read and adopted.

On motion of Senator Romney *S. B. No. 59* was made a Special Order of Business for Monday, February 15, 1943 at 2:15 p. m.

On motion of Senator Ashton, the Senate adjourned.

THIRTY-SECOND DAY

February 11, 1943.

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

Roll Call—All Senators present, except Senators Christensen and Hirschi, excused.

Prayer by the Chaplain.

February 11, 1943.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 31st day and find it correct, with minor amendments noted on the final copy.

Respectfully,

JUNE KENDALL,

McKINLEY MORRILL.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

February 10, 1943.

Mr. President:

We, your special committee appointed to investigate conditions relative to Japanese in Utah, beg leave to report as follows:

Pursuant to our appointment and direction, your committee went to the Japanese relocation center at Topaz, Utah, leaving Salt Lake City, Tuesday morning and returning Tuesday night. Our investigation revealed the following:

There are approximately 8,500 Japanese living at the center under the direction of a Caucasion staff of Federal employees. Of the 8,500 we were advised approximately 65% are American citizens, having been born in America, and approximately 35% are aliens. Nearly all, if not all of them were evacuated from the San Francisco Bay area, about 7% from agricultural pursuits and the balance from business pursuits in and about that area. The 7% evacuated from agricultural pursuits were mostly land owners rather than laborers. The population ranges in age from birth to 90 years. We attach a graph showing the approximate number in each age group.

We find that all of the food, medicines, drugs, etc., used at the center are requisitioned and purchased from the United States Military Quartermaster's Department and are, therefore, of the same class nature and quality of merchandise used by the military forces of the United States, except meat which is of the same class of quality or one class lower. Food is clean, well prepared, and plentiful. It is prepared and served exclusively by the Japanese themselves in centers feeding approximately 300 each. They receive three meals per day and are given meat five days each week. Meat consists of pork of which they raise most, if not all, mutton and beef ordered quarterly from the Quartermaster's Department. We were shown one day's ration of mutton without hind quarters being approximately one ton, which was marked Swifts Premium. They have a large, up-to-date, well equipped refrigeration plant where the meat is kept under good conditions. A good variety of foods is given. Some little complaint was made concerning an alleged shortage of proteins.

Their living quarters were clean and warm. Physical surroundings are not ideal, due to the location of the center, being approximately 15 miles west of Delta in the center of the Delta valley where there is considerable wind and dust when dry, and with moderately low temperatures during the winter. All streets are oiled and in good condition. Bathing and lavatory service is provided in good, clean, sanitary centers, one center to each block serving between 250 and 300 people. They are furnished hot and cold running water for showers and limited tub bath-

ing facilities. Laundry facilities in good, clean, sanitary laundries are also provided in these centers.

Schools are conducted from the first grade through high school with professionally trained supervisors and resident Japanese teachers. Most, if not all of the Japanese teachers are not trained teachers, but many of them are college and university students and graduates.

Free medical and dental services are provided for all residents. One Japanese physician and surgeon does all surgery, there are three other physicians. They have a fairly well equipped hospital with registered nurses, operating room, clinics, and other standard wards. They claim a shortage of some surgical instruments, particularly those necessary for tonsillectomies and certain female operations. Otherwise, they seem to be adequately equipped. They report some shortage of dental drugs, no gas or gas machine, and are limited to ether and spinal anaesthesia.

Every resident receives an allowance from the Federal Government of from $2.50 to $3.50 per month for clothing, which is supplemented by the private earnings of the residents. Each person who works at the center, and work within the center is provided for most of the adults who desire to work, receives from $12 to $19 per month in cash for their services. All of the citizen residents have access to their own private funds and the funds of aliens are being released to them, not in excess of $500 per month. The residents operate their own canteen, dry goods store and drug store, financed by their own contributions. They retain the profits. Merchandise is sold only to residents of the center at prices conforming to retail prices in that area. They pay a rental to the government for the use of the store building.

There are no privately owned automobiles in the center. Many of the residents own automobiles or did own them before being evacuated, but they have been sold or are being stored, which is also the case with most of the other personal property owned by them.

It is doubtful that much agricultural labor can be obtained from this center since, as above stated, only 7% of the residents have had agricultural experience and most of them as owners rather than laborers. They are free, after obtaining clearance from the United States Government, to accept employment away from the center, this policy is dictated by the government. They may contract with employers for any employment at wages not less than the going wage for the employment accepted in the areas where the employment is accepted and under living conditions suitable to themselves. This is true as to aliens, as well as citizens. They are not required to accept any employment. There are no restrictions as to the employment they accept or their living conditions, but they are restricted to wages not less than the going wage nor more than the maximum hours in the area employed. Since they have no transportation of their own, the employer is required to furnish trans-

portation for them to the place of employment and the residents have the right to require transportation back to the center in case the employment ceases. Upon severing their employment they are required to return to the center until new employment is accepted.

The War Department is now attempting to recruit men between the ages of 18 and 35 for military service. This program is entirely voluntary at the present time. If sufficient of the able bodied men between the ages stated do not volunteer for military service, they may be taken under selective service. This, of course, refers only to citizens. Each of them is to be consulted with relation to his desire in accepting military service, whether the War Department will conscript for military service, defense employment or private employment is not yet determined.

Churches are provided for some 15 protestant denominations Catholics and the Buddhist religion. Recreation consists mainly of picture shows and outside athletics.

Drinking and culinary water is good and obtained from wells at the center. Sewage disposal is good and all controlled by flush toilets.

The educational system is correlated with the State Department of Public Instruction, but all equipment is obtained from the Federal Department of Education. After regular school hours classes in Japanese are taught, since it was reported that many of the older aliens were unable to speak the English language and the residents desired that the younger people be taught Japanese so that they could communicate with the older members.

Their clothing seems to be of good grade and warm.

They operate their own dairy farm and milk is provided for young children, those who are ill, and the aged.

It is estimated that about 700 acres of land will be put under cultivation by these residents for the coming year, where mostly vegetables, grain, hay etc., will be grown for their own consumption and the consumption of their hogs and cattle. There is some question about the quality of the soil.

Your Committee holds in reserve any specific recommendations until the problem throughout the state is given further study.

Respectfully,

IRA A. HUGGINS,
WM. A. DAWSON,
JAMES A. KELLY,
LYNN S. RICHARDS,
ALONZO F. HOPKIN.

Report filed.

REPORTS OF STANDING COMMITTEES

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 137*, by Committee on Public Institutions, 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 Public Institutions.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 139*, by Committee on Public Institutions, 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. 139 was ordered printed and referred to the Committee on Public Institutions.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141*, by Mr. Lund, 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. 141 was ordered printed and refered to the Committee on Revenue and Taxation.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 142*, 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. 142 was ordered printed and referred to the Committee on Banking and Commerce.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 143*, by Education Committee, 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 Education.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 144*, by Committee on Highways, 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 Highways.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 145*, by Education Committee, 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 Education.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146*, 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. 146 was ordered printed and referred to the Committee on Banking and Commerce.

February 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 147*, by Mr. Bailey, 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. 147 was ordered printed and referred to the Committee on Health and Labor.

February 11, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. J. M. No. 1*, by Mr. Roberts, has carefully considered said bill and reports the same out favorably.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

H. J. M. No. 1 was placed on the Second Reading Calendar.

February 11, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 11*, by Messrs. Sorenson, Murdock, Elswood, Rees, Cowles and Mrs. Jack, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

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

February 11, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 126*, by Committee on Social Relations and Relief, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

S. B. No. 126 was placed on the Second Reading Calendar.

February 11, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 127*, by Committee on Social Relations and Relief, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

S. B. No. 127 was placed on the Second Reading Calendar.

February 11, 1943.

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 30*, by Traffic Safety Committee and Jean Z. Murdock, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

H. B. No. 30 was placed on the Second Reading Calendar.

February 11, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 116*, by Committee on Highways, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

February 11, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 50*, by Mr. Cowles, has carefully considered said bill and reports the same out without recomendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

H. B. No. 50 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 10,* by Mr. Richards, entitled, "AN ACT AMENDING SECTION 18-5-1, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSOLIDATION OF CORPORATIONS AND PROVIDING FOR THE CONSOLIDATION OF A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF THIS STATE WITH A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF ANY OTHER STATE OR TERRITORY OF THE UNITED STATES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 10 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 44,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-8-17, UTAH CODE ANNOTATED 1943, RELATING TO THE ANNUAL STATEMENT TO BE FILED WITH THE INSURANCE COMMISSIONER BY COUNTY MUTUAL FIRE AND LIGHTNING INSURANCE COMPANIES, THE ISSUANCE OF A CERTIFICATE OF AUTHORITY TO CONTINUE BUSINESS AND PRESCRIBING FEE TO BE PAID", 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.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 12,* by Mr. Warner, and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 12 was filed.

February 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 52,* by Mrs. Loveridge, Messrs Meador, Walker and Hatch, entitled, "AN ACT AMENDING SECTION 43-5-6, UTAH CODE ANNOTATED 1943, RELATING TO COUNTER SIGNATURE AND APPROVAL REQUIREMENTS ON ALL INSURANCE POLICIES AND THE EXEMPTIONS THERETO BY PROVIDING FOR PAYMENT OF A FEE FOR COUNTERSIGNING OF POLICIES AND PROHIBITING THE COUNTERSIGNING OF POLICIES IN BLANK", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Communication filed. Chief Clerk.

H. B. No. 52 was read the first time and referred to Committee on Banking and Commerce.

February 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 39,* by Mr. Sorenson and Mrs. Jack, entitled, "AN ACT AMENDING SECTION 76A-3-39, UTAH CODE ANNOTATED 1943, RELATING TO APPLICATIONS FOR ASSISTANCE, INFORMATION REQUIRED AND PROVIDING THAT ONLY THE FINANCIAL STATUS OF THE BLIND PERSON, HIS SPOUSE AND DEPENDENTS SHALL BE REQUIRED OR CONSIDERED IN DETERMINING HIS QUALIFICATIONS FOR AID", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Communication filed. Chief Clerk.

H. B. No. 39 was read the first time and referred to the Committee on Social Relations and Relief.

February 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 42,* by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 40-1-7, UTAH CODE ANNOTATED 1943,

RELATING TO MARRIAGE LICENSES", 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.

COMMUNICATIONS FROM THE GOVERNOR

February 9, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 15*, by Mr. Rich, entitled, "AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED, 1943, RELATING TO THE NUMBER OF JUDGES, ELECTION AND TERM OF OFFICE".

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

January 27, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 18*, by Committee on Revision and Enrolling, entitled, "AN ACT APROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF SIX VOLUMES, UTAH CODE ANNOTATED, 1943, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART".

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 11, 1943.

Dear Mr. President:

I hereby ask that your Honorable Body grant me permission to present my budget message at a joint session of both Houses of the Legislature on Monday, February 15th, at 4:30 p. m.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

February 9, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 16,* by Mr. Rich, entitled, "AN ACT AMENDING SECTION 25-11-1, UTAH CODE ANNOTATED 1943, RELATING TO MUNICIPAL ELECTIONS PRIMARIES: PROVIDING FOR NOMINATIONS: ANNOUNCEMENTS BY CANDIDATES: PUBLICATIONS: AND RETURN AND CANVASS THEREOF".

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

January 30, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 53,* by Mrs. Ericksen, entitled, "AN ACT AMENDING SECTION 86-1-48.12, UTAH CODE ANNOTATED 1943, RELATING TO THE LEASING OF A PORTION OF THE STATE CAPITOL GROUNDS TO THE DAUGHTERS OF UTAH PIONEERS, INCORPORATED, FOR THE PURPOSE OF ERECTING A PIONEER MEMORIAL BUILDING."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

January 27, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 2,* by Mr. Hopkin, entitled, "AN ACT AMENDING TITLE 57, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-79.10, RELATING TO THE USE OF DECALCOMANIA STICKERS OR SUCH OTHER INDICIA OF REGISTRATION AS THE TAX COMMISSION MAY DEEM ADVISABLE IN LIEU OF LICENSE PLATES, AND PROVIDING FOR THE TERMINATION DATE OF SUCH SECTION."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 11, 1943.

To the Senate:

S. B. No. 6, entitled, "AN ACT AMENDING SECTION 43-5-3, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPOSIT OF THE SECURITIES IN THE INSURANCE DEPARTMENT REQUIRING THAT ALL INSURANCE COMPANIES HAVE DEPOSITS IN SOME STATE OF THE UNITED STATES FOR THE PROTECTION OF POLICYHOLDERS", is hereby returned to your Honorable Body without my signature. I have vetoed the Act at the request of the author of the bill on being advised by him that another measure was being introduced to correct some of the deficiences which have been discovered in *S. B. No. 6.*

Yours truly,
HERBERT B. MAW,
Governor.

Communication filed.

S. B. No. 6 was filed.

On motion of Senator Bailey *S. B. No. 107* was withdrawn and filed.

INTRODUCTION OF BILLS

S. B. No. 148 By Mr. Kendall

AN ACT AMENDING SECTIONS 79-1-1, 79-1-5, 79-1-10, AND 79-1-22, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPARTMENT OF REGISTRATION, THE DIRECTOR THEREOF, HIS TERM OF OFFICE, SALARY AND BOND, HIS POWERS AND COLLABORATION WITH REPRESENTATIVE COMMITTEES OF PROFESSIONS, TRADES AND OCCUPATIONS, THE OFFICES, EQUIPMENT, PERSONNEL AND RECORDS OF THE DEPARTMENT OF FINANCE, AND THE COLLECTION AND DISPOSITION OF DEPARTMENT OF REGISTRATION FUNDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 149 By Mr. Kendall

AN ACT CREATING A PUBLIC WELFARE SERVICE WITHIN THE STATE DEPARTMENT OF PUBLIC WELFARE FOR REHABILITATION OF INDIGENT ALCOHOLICS, PRESCRIBING TERMS AND CONDITIONS OF ELIGIBILITY FOR THE CARE AND TREATMENT OF INDIGENT ALCOHOLICS AND MAKING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 150 By Committee on Public Institutions

AN ACT AMENDING CHAPTER 1, TITLE 76A, UTAH CODE ANNOTATED, 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 35, RELATING TO THE AUTHORITY OF THE PUBLIC WELFARE COMMISSION TO RECEIVE MONEY FOR THE COMMITTED PATIENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 151 By Committee on Public Institutions

AN ACT AMENDING SECTION 85-7-15, UTAH CODE ANNOTATED, 1943, RELATING TO THE APPLICATION FOR ADMINISTRATION—POWERS AND DUTIES OF DISTRICT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 152 By Mr. Hopkin

AN ACT PROVIDING FOR THE PAYMENT OF BOUNTIES ON SKINS OF CERTAIN PREDATORY ANIMALS, A TAX LEVY ON SHEEP AND TURKEYS FOR THE PAYMENT OF BOUNTIES, AND FOR THE CREATION THEREFROM OF A STATE BOUNTY FUND; ALSO PROVIDING FOR THE CREATION OF CONTROL AREAS AND THE APPOINTMENT OF INSPECTORS AND COUNTY BOARDS TO ASSIST THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THE ACT; FURTHER REQUIRING THE MAKING OF PRESCRIBED AFFIDAVITS BY THE INSPECTORS, COUNTY BOARDS AND THE CLAIMANTS FOR BOUNTY FOR FILING WITH THE COUNTY CLERK BEFORE BOUNTIES CAN BE PAID BY THE STATE AUDITOR'S OFFICE; PROVIDING FURTHER FOR THE MAINTENANCE OF RECORDS, PRESCRIBING THE VIOLATIONS AND PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 153 By Committee on Health and Labor

AN ACT RELATING TO THE REGISTRATION OF CHILDREN'S NAMES BY MAKING PROVISION FOR NAMING OF CHILD BEFORE BIRTH CERTIFICATE IS FILED WITH THE STATE DEPARTMENT OF HEALTH; PROVIDING FOR FILING SUPPLEMENTAL REPORT; AND REPEALING SECTION 35-2-15, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 154 By Committee on Health and Labor

AN ACT AMENDING 35-2-20, UTAH CODE ANNOTATED RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 155 By Mr. Hopkin

AN ACT PROVIDING THAT COMPOUNDING AND DISTRIBUTION OF FEED FOR FUR-BEARING ANIMALS BY FUR FARMERS OR COOPERATIVE ASSOCIATIONS IS AN AGRICULTURAL PURSUIT, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Miller moved that the rules be suspended and that the Senate do now consider *S. C. M. No. 1.*

Motion carried.

S. C. M. No. 1 was read the second time.

Committee report read and adopted.

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

Page 2, line 15, change the word "represnetatives" to read "representatives".

On motion of Senator Huggins the rules were suspended and *S. C. M. No. 1* was read the third time and placed on its final passage.

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

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Hopkin, Huggins, Kelly, Lund, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Farr, Hirschi, Kendall, Melich and Mr. President.

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

On motion of Senator Dawson *H. B. No. 29* retains its position on the Third Readng Calendar.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Morrill *H. B. No. 1* retains its positions on the calendar.

H. B. No. 24 was read the second time.

Committee report read and adopted.

On motion of Senator Dawson the rules were suspended and *H. B. No. 24* was read the third time and placed on its final passage.

H. B. No. 24 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Farr, Hirschi, Kendall and Richards.

H. B. No. 24 was returned to the House.

On motion of Senator Morrill *H. B. No. 40* was made a Special Order of Business for Monday, February 15, 1943, at 3:00 p. m.

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

H. J. M. No. 1 was read the second time.

Committee report read and adopted.

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

Page 2, line 4, after the word "which" insert the following: "will retain the federal-state relationship now provided for in the social security act, but which".

H. J. M. No. 1 was placed on the Third Reading Calendar on the following roll call:

Yeas, 11; Nays, 7; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, McMurrin, Miller, Morrill, Nielsen, Rich, Romney and Warner.

Those voting in the negative were: Senators Dawson, Hopkin, Huggins, Kelly, Lund, Melich and Mr. President.

Absent and not voting: Senators Christensen, Farr, Hirschi, Kendall and Richards.

On motion of Senator Huggins *H. B. No. 11* retains its position on the Second Reading Calendar.

H. B. No. 30 was read the second time.

Committee report read and adopted.

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

Page 3, strike the whole of lines 2 to 8, inclusive.

Line 9, strike "e" and insert "d".

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

Line 5 of the title, strike the first seven words.

Page 1, line 11, strike the words "unless sooner revoked".

H. B. No. 30 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, Ericksen, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Rich, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi, Kendall, Nielsen, Richards and Romney.

On motion of Senator Warner the Senate adjourned.

THIRTY-THIRD DAY

February 12, 1943.

The Senate was caller to order at 2:00 p. m. In the absence of President Macfarlane, Senator Richards presided.

Roll Call—All Senators present, except Senator Christensen, Dawson and Hirschi, and President Macfarlane, excused.

Prayer by the Chaplain.

February 12, 1943.

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,

JUNE KENDALL,

McKINLEY MORRILL.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 12, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 15*, by the Agricultural Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

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

February 12, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 25*, by Mr. Stringham, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

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

February 12, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 13*, by Messrs. Stringham, Staples and Brinkerhoff, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 13 was placed on the Second Reading Calendar.

February 11, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 125*, by Mr. Child, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

February 12, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 49*, by Messrs. Sabin and Cowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 49 was placed on the Second Reading Calendar.

February 12, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 47*, by Mrs. Jack, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 47 was placed on the Second Reading Calendar.

February 12, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 26*, by Messrs. Roberts, Sorenson, Meador, Cowles, Elliott, Sabin and Mrs. Jack, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 26 was placed on the Second Reading Calendar.

COMMUNICATION FROM THE HOUSE

February 11, 1943.

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. 11*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-7-1, UTAH CODE ANNOTATED 1943, RELATING TO RECIPROCAL INSURANCE AND AUTHORIZED EXCEPTIONS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTION OF BILL

S. B. No. 156 By Mr. Huggins

AN ACT AMENDING SECTION 103-51-18, UTAH CODE ANNOTATED 1943, PERTAINING TO THE PENALTY FOR RAPE, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 34 was read the third time and placed on its final passage.

On motion of Senator Miller, *S. B. No. 34* retains its position on the Calendar.

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

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

Yeas, 12; Nays, 6; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Farr, McMurrin, Miller, Nielsen, Rich, Richards, Romney and Warner.

Those voting in the negative were: Senators Hopkin, Kelly, Kendall, Lund, Melich and Morrill.

Absent and not voting: Senators Christensen, Dawson, Hirschi, Huggins and Mr. President.

H. J. M. No. 1 was returned to the House.

S. B. No. 51 was read the third time and placed on its final passage.

S. B. No. 51 failed of passage on the following roll call:

Yeas, 11; Nays, 7; Absent, 5.

Those voting in the affirmative were: Senators Bailey (explained vote), Child, Ericksen, Huggins, Kelly, Kendall, Lund, Melich, Nielsen, Rich and Richards.

Those voting in the negative were: Senators Ashton, Hopkin (explained vote), McMurrin, Miller, Morrill, Romney and Warner.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi and Mr. President.

S. B. No. 51 was filed.

S. B. No. 34 on Third Reading.

S. B. No. 34 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Voting in the negative: Senator Miller.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi and Mr. President.

S. B. No. 34 was transmitted to the House.

H. B. No. 30 was read the third time and placed on its final passage.

H. B. No. 30 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Dawson, Hirschi, Lund and Mr. President.

H. B. No. 30 was returned to the House.

On motion of Senator Farr the Senate resolved itself into Executive Session.

On motion of Senator Warner the Executive Session was dissolved.

INTRODUCTION OF RESOLUTION

S. R. No. 1 By Messrs. Huggins, Farr and Melich

RESOLUTION OF CONDOLENCE

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

WHEREAS the all wise Creator has seen fit to call to the great beyond Mr. James A. Langton, father of Mrs. Gayle Macfarlane, wife of one of our esteemed colleagues and our esteemed President of the Senate and

WHEREAS we, the members of the Legislature do keenly sympathize with our fellow worker and his wife and family in their bereavement

NOW THEREFORE BE IT RESOLVED

That the Legislature of the State of Utah extends to President Macfarlane, his wife and their family our sincere sympathy and condolence in this hour of bereavement.

BE IT FURTHER RESOLVED

That a copy of this resolution be furnished the family of President and Mrs. Macfarlane, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Dawson, Hirschi and Mr. President.

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

Senator Huggins moved that the report of the Committee of Three, consisting of Senators Richards, Farr and Hirschi, be referred to the Committee on Revision and Enrolling who shall, after discussion with a committee from the House, prepare a bill for introduction in the Senate.

Motion carried.

On motion of Senator Ashton the Senate adjourned until Monday, February 15, 1943.

THIRTY-SIXTH DAY

February 15, 1943.

The Senate was called to order at 2:00 p. m. In the absence of President Macfarlane, Senator Huggins presided.

Roll Call—All Senators present, except President Macfarlane, excused.

Prayer by the Chaplain.

February 15, 1943.

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,

JUNE KENDALL,
McKINLEY MORRILL.

Report adopted and filed.

The Chair appointed Senators Miller and Hirschi to revise the Journal for the week beginning February 15, 1943.

REPORTS OF STANDING COMMITTEES

February 15, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 147*, by Mr. Bailey, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 147 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 133*, by Mr. Bailey, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 133 was placed on the Second Reading Calendar.

February 13, 1943.

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 119*, by Fish and Game Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

S. B. No. 119 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 102*, by Messrs. Huggins, Dawson and Richards, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 102 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 132*, by Messrs. Huggins and Richards, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 132 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

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

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

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

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 42*, by Mr. Elswood, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

H. B. No. 42 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 85*, by Messrs. Macfarlane and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 140*, by Mr. Warner, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 140 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 134*, by Mr. Rich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 134 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 90*, by Mr. Macfarlane, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 90 was placed on the Second Reading Calendar.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 97*, by Mr. Dawson, has carefully considered said bill and reports the same out and recommends that the enacting clause be stricken for the reason that the same bill has been enacted into law by the passage of *H. B. No. 21*, by Mr. Midgley.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed

On motion of Senator Richards, the rules were suspended and the enacting clause was stricken on *S. B. No. 97*.

S. B. No. 97 was filed.

February 15, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 91*, by Mr. Macfarlane, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed

S. B. No. 91 was placed on the Second Reading Calendar.

February 12, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 8*, by the Agricultural Committee, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

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

February 12, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 14*, by the Agricultural Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

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

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 135*, by Committee on Public Institutions, 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 Public Institutions.

February 13, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 100*, by Health and Labor Committee, 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. 100 was ordered printed and referred to the Committee on Health and Labor.

February 13, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 151*, by Committee on Public Institutions, 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 Judiciary.

February 13, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 156*, 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. 156 was ordered printed and referred to the Committee on Judiciary.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 150*, by Committee on Public Institutions, 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 Public Institutions.

February 12, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 148*, by Mr. Kendall, 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 State and Municipal Affairs.

February 12, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 149*, by Mr. Kendall, 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 Health and Labor.

February 12, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 153*, by Committee on Health and Labor, 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 Health and Labor.

February 12, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 155*, 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. 155 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 12, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 154*, by Committee on Health and Labor, 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.

Senator Romney moved that the Senate do now reconsider the vote by which *S. B. No. 51* failed of passage.

Motion carried.

Reconsideration of *S. B. No. 51.*

On motion of Senator Melich, *S. B. No 51* was made a Special Order of Business for tomorrow at 2:30 p. m.

INTRODUCTION OF BILLS

S. B. No. 157 By Mr. Richards

AN ACT AMENDING SECTION 52-1-5, UTAH CODE ANNOTATED, 1943, RELATING TO PRIORITY OF LIENS SO AS TO PROVIDE THAT THE DATE OF THE LIEN PRIORITY SHALL RELATE TO THE EARLIEST LIEN PRIORITY DATE WHICH HAS NOT BEEN WAIVED OR RELEASED BY THE PERSON OWNING THE LIEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 158 By Committee on Judiciary

AN ACT CLARIFYING THE RIGHT TO A JURY TRIAL IN LAW AND EQUITY CASES, was read the first time and referred to to the Committee on Revision and Enrolling.

S. B. No. 159 By Committee on State and Municipal Affaris

AN ACT AMENDING SECTIONS 25-3-8, 25-3-10, 25-3-11, 25-3-12, 25-3-14, 25-3-17, 25-3-21, 25-3-27, 25-3-28, 25-3-29, 25-3-31, 25-3-32, 25-3-33, 25-3-35, 25-3-41, 25-3-43, 25-3-44, UTAH CODE ANNOTATED 1943, RELATING TO PRIMARY ELECTIONS: DEFINITIONS, NOMINATION OF CANDIDATES BY POLITICAL PARTIES, CONVENTION AND REGULAR PRIMARY—WHEN HELD, REGULAR ELECTION—NUMBER OF NOMINEES, ELECTION OFFICERS — HOW CHOSEN — DUTIES, DESIGNATING OFFICES TO BE FILLED—PUBLISHING OR POSTING OF NOTICES, TIME FOR FILING, WITHDRAWALS, DEATH OR DISQUALIFICATION—REGULAR PRIMARY CANDIDATES, CERTIFIED LIST OF CANDIDATES TRANSMITTED TO COUNTY CLERKS, NOTICE OF ELECTIONS, OFFICIAL REGULAR PRIMARY BALLOTS — VOTING, VOTING AT THE REGULAR PRIMARY—INSTRUCTIONS, DISTRIBUTION OF SAMPLE AND OFFICIAL BALLOTS, JUDGES OF ELECTIONS — PROCEDURE, QUALIFICATIONS OF VOTERS — OFFICIAL REGISTERS, CHALLENGES—SPOILED BALLOTS—INSTRUCTIONS AS TO MARKING AND FOLDING, CANDIDATES RECEIVING HIGHEST VOTES DECLARED NOMINEES, PARTY CONVENTIONS—ORGANIZATION AND ELECTION OF OFFICERS: AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 25-3-56, 25-3-57, 25-3-58, 25-3-59, 25-3-60, 25-3-61, RELATING TO THE CONVENTION PRIMARY: PRIMARY CONVENTION DATE—NOMINEES FOR REGULAR PRIMARY, CONVENTION PRIMARY BALLOTS, FORM OF BALLOT, METHOD OF VOTING, COUNTING VOTES, DETERMINING CANDIDATES FOR REGULAR PRIMARY ELECTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 160 By Mr. McMurrin

AN ACT TO AID IN THE EFFECTIVE PROSECUTION OF THE WAR AND TO ENFORCE ALLOCATION AND RATIONING ORDERS AND REGULATIONS ISSUED OR CONTINUED IN EFFECT BY THE OFFICE OF PRICE ADMINISTRATION UNDER THE AUTHORITY OF TITLE III OF THE SECOND WAR POWERS ACT OF MARCH 27, 1942, BY DECLARING ANY VIOLATION OF SUCH REGULATIONS OR ORDERS A STATE OFFENSE AND PRESCRIBING PENALTIES THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATION FROM THE HOUSE

February 11, 1943.

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 Education Committee, entitled, "AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND IN THE STATE TREASURY TO THE UNIFORM SCHOOL FUND, PROVIDING FOR THE APPORTIONMENT AND DISTRIBUTION OF SUCH MONEY TO LOCAL BOARDS OF EDUCATION WITHIN THE STATE; FOR THE MAINTENANCE AND OPERATION OF THE COMMON AND HIGH SCHOOLS OF THE STATE; FOR SALARIES AND WAGES OF TEACHERS AND OTHER SCHOOL EMPLOYEES AND THE REQUIREMENTS WHICH MUST BE COMPLIED WITH BEFORE LOCAL BOARDS OF EDUCATION MAY PARTICIPATE IN THE MONEY APPROPRIATED", 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 Appropriations and Claims.

On motion of Senator Romney, *S. B. No. 59* was made a Special Order of Business for Wednesday, February 17, 1943 at 2:15 p. m.

SPECIAL ORDER

H. B. No. 40 was read the second time.

Committee report read and adopted.

H. B. No. 40 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, Christensen, Dawson, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Richards, Romney and Warner.

Absent and not voting: Senators Child, Farr, Rich and Mr. President.

On motion of Senator Miller, *S. B. No. 55* retains its position on the Calendar.

S. B. No. 71 was read the second time.

Committee report read and adopted.

S. B. No. 71 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, Christensen, Dawson, Ericksen, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Romney and Warner.
rill, Richards and Mr. President.

Absent and not voting: Senators Child, Farr, Hirschi, Hopkin, Mor-

Senator Dawson moved that the rules be suspended and that the Senate do now consider *S. B. No's. 73, 81* and *82.*

Motion carried.

S. B. No. 73 was read the second time.

Committee report read and adopted.

S. B. No. 73 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 3; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Christensen, Dawson, Ericksen, Hopkin, Huggins, Kelly, Kendall, McMurrin, Miller, Morrill, Nielsen, Rich and Warner.

Those voting in the negative were: Senators Bailey, Lund and Melich.

Absent and not voting: Senators Child, Farr, Hirschi, Richards, Romney and Mr. President.

S. B. No. 81 was read the second time.

Committee report read and adopted.

S. B. No. 81 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 3; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Christensen, Dawson, Ericksen, Hopkin, Huggins, Kelly, McMurrin, Miller, Morrill, Rich and Warner.

Those voting in the negative were: Senators Bailey, Lund and Melich.

Absent and not voting: Senators Child, Farr, Hirschi, Kendall, Nielsen, Richards, Romney and Mr. President.

S. B. No. 82 was read the second time.

Committee report read and adopted.

S. B. No. 82 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 3; Absent, 8.

Those voting in the affirmative were: Senators Ashton, Christensen, Dawson, Ericksen, Hopkin, Huggins, Kendall, McMurrin, Miller, Morrill, Romney and Warner.

Those voting in the negative were: Senators Bailey, Lund and Melich.

Absent and not voting: Senators Child, Farr, Hirschi, Kelly, Nielsen, Rich, Richards and Mr. President.

On motion of Senator Hopkin the Senate recessed to proceed to the House Chambers, there to meet in Joint Convention to hear a message from the Governor.

JOINT CONVENTION

Speaker W. R. White, presiding.

Roll Call showed a quorum of both House and Senate members present.

Speaker White introduced Governor Herbert B. Maw who proceeded to deliver the following message:

Ladies and Gentlemen of the Twenty-fifth Legislature:

I have been deeply humiliated because circumstances entirely beyond my control have delayed the presentation of this message to the Legislature. Though the members of the Appropriations Committees

of both Houses have been provided with data as to past expenditures and future needs of the several state agencies, the final preparation of the biennial budget has been unavoidably held up. Your patience in the matter, together with your courtesy in permitting me to appear before you at this time to discuss budgetary problems are greatly appreciated.

The presentation of this budget message in person breaks a precedent of long standing in this state. I believe that the step is warranted, never-the-less, because it seems very apparent that both the public and some of the members of this Legislature have become so confused by the rumors and wild charges circulating about the financial picture and the budgetary control set-up in this state, that the time has come for a frank, straightforward friendly discussion of the subject.

At the end of the present biennium the several state services will have been fully financed; a sum in excess of two million dollars will have been transferred to the Board of Loan Commissioners to retire all of the state's outstanding bonds when they come due and to pay all future interest thereon, and an estimated balance of about $1,114,125.00 will be in the general fund on July 1, 1943.

It is difficult at this time to estimate with any degree of accuracy the probable general fund revenues for the next biennium. The uncertainties due to the war makes any such speculations little more than guesses. Assuming that the present income from excise taxes will continue for the next two and one-half years as at present, and taking into consideration a probable one-third reduction in the profits from the sale of liquor due to federal rationing, the sum of about $8,687,750.00 seems to be a fair estimate of probable unobligated general fund income for the next two years. The department requests for that period amount to slightly under $12,000,000.00 or approximately three and one-half million more than the income. As has always been the case this Legislature is confronted with the task of determining how much less than they think they need shall each branch of the state government receive. My recommendations contained herein total about $8,450,000.00 from the general fund plus dedicated credits and the usual transfers from special funds. Those recommendations provide for substantial increases in the salaries of state employees of all departments and institutions, as well as sufficient amounts for travel, maintenance, repairs, equipment, and other requirements. In my opinion the various departments will need the full amounts so recommended if the controls over appropriated expenditures now being exercised by the Finance Commission are discontinued during the next biennium. If on the other hand the present laws relating to such controls are not materially amended, it is my belief

that at least a million dollars of that amout can be saved if conditions continue throughout the next biennium as at present. The cost of government during the biennium will depend largely on the expenditure policies approved by your bodies.

Every other Legislature before you have been faced with about the same problems as are you. The departments have always asked for more than the state could afford to grant. Until the Twenty-fourth Legislature decided to do something about it, the responsibility was placed on the Board of Examiners to control expenditures and to work out ways for halting the continuous increase in the cost of financing state government. The Board of Examiners rendered some services along those lines but little was accomplished. The membership of that board, consisting of the Attorney General, the Secretary of State and the Governor have always been too busy with other duties to efficiently administer a program as exacting as is required if department expenditures are to be really controlled and wastes eliminated therefrom. As an example of the inadequacy of Board of Examiner control, one need consider only the last few years of their supervision. Between 1935 and 1941 the state took over no new functions which placed any major extra burdens on the general fund. Yet during that period of time the general fund expenditures increased at the average rate of $385,000.00 per year. In 1935 the various departments cost the general fund $3,630,-812.25 while in 1941 it amounted to $6,332,491.65, an increase of $2,701,-679.40. Following is a list of the yearly expenditures from that fund for state purposes. These figures were provided by the Auditor's office, and they exclude the grants and investments of the teachers' retirement program and the federal monies spent on national defense training programs, both of which passed through that fund, so that the balances listed represent only the amounts spent for state purposes.

1935	$3,630,812.25
1936	3,841,268.74
1937	4,705,690.14
1938	5,044,073.15
1939	5,996,989.77
1940	5,594,510.84
1941	6,332,491.65

Several years ago three facts became apparent. The first was that Board of Examiner control of appropriated expenditures was in effect no control at all, for each succeeding year saw increased costs even though there were no major increases in the number of, or the scopes

of, services rendered. The next was that some plan must be worked out to stop those annual increases in administrative overhead, and the third was that it is humanly impossible for a legislation or any other group to accurately estimate the budgetary needs of government units two and one-half years in advance.

Utah legislatures were not the only ones who were experiencing such problems for most of the states in the union were having the same difficulties. All sorts of experiments have been tried by many of the states. Finally a plan was discovered that got results. That plan was built on the theory of administrative control of all expenditures of deparement funds, through an agency responsible to the Governor. It was built on the idea that a department could spend no more than was needed for efficient operation, no matter how much money the legislature appropriated to it.

States that adopted this plan found that it worked. Not only did it stop the yearly increases in costs of government but in many cases it reduced them. I had studied these experiments in other states for a number of years so that after my election to the office I now hold it was with the confidence that one gains from seeing others succeed in an adventure that I proposed to the Twenty-fourth Legislature a reorganization program which included the features that had been proved successful in other states. When I made the recommendation I declared that the adoption of it would reduce the administrative costs of our government by at least one million dollars per biennium. That legislature, being willing to benefit by the experience of sister states, enacted the program into law. When it did so, it undoubtedly knew as I knew that there would be opposition to it at first. Every major change in government and the sponsors of such changes must always face stern criticism. This is so because most people object to any change which disturbs existing routine. They groan when they are required to give up the methods they have been used to. Then again it is the most natural thing in the world for heads of departments and institutions, who have enjoyed almost unlimited freedom in expending the money appropriated to them by the legislature, to object to any system that makes it impossible for them to purchase luxuries for their departments which the state cannot afford. The personal element also creeps into such changes as were authorized two years ago. Sometimes people are willing to destroy whole programs in order to get at a single individual. These and other factors have started rumors and complaints that undoubtedly are disturbing the members of the legislature.

Everyone must agree that no new set-up as sweeping as this one could possibly work perfectly from the beginning. A lot of experimenting

and adjusting must be done in order to eliminate the kinks in the procedure. During the last year and a half we have discovered a number of situations which must be adjusted before the plan moves as smoothly as it should. But such things are purely administrative and should not take the attention of the legislature. Your major problems, it seems to me should be to determine whether there are any evidences that this new program has stopped the upward movement of the cost of maintaining the various institutions, departments and agencies of government in this state. If there are, the plan should be left alone; if not, it should be repealed.

I am glad to report to you that conditions have definitely improved. When you examine the biennial report that is now in your hands you will find two very interesting revelations.

The first is that of the sixty-two departments, institutions, agencies and miscellaneous functions for which state revenues were spent during both the fiscal year ending June 30, 1941, (the last year of Board of Examiner control) and the year ending June 30, 1942 (the first year of the new program) forty-eight of the sixty-two operated for less in 1942 than they did in 1941. Only fourteen spent more. When you examine the departments whose expenditures were increased you will find that the increase cost of several of them was due to the fact that the national emergency and other conditions have materially enlarged the amount and the scope of their services. A forty-eight to fourteen relationship is a ratio of about three and one-half to one. The amount of money saved by the forty-eight departments totaled about $550,000.00 while the increased cost of the fourteen was around $70,000.00.

The second interesting revelation referred to above is the fact that the annual $385,000.00 increase in general funds expenditures, characteristic of the state for years past, not only stopped with the exit of the Board of Examiner control but the general fund expenditures decreased in the sum of $330,087.18. On page 100 of this report you will find that the general fund expenditures for state purposes in 1941 were $6,332,-491.65 while in 1942 they were down to $6,002,404.47. Add to the above general fund savings of $330,087.18, the amounts saved for special funds and you have in excess of one-half million dollars reduction in the cost of government due to the changes authorized by the Twenty-fourth Legislature.

Certainly no one will deny that this would be a creditable showing even during normal times. But when you remember that the departments, institutions and other agencies absorbed the extra cost of increases in salaries to their employees and increases in the costs of everything they

purchased during the 1942 fiscal year over prevailing costs in 1941 besides reducing their overhead, and when you realize that the additional cost of reorganizing the government and in maintaining the newly created Finance Department during 1942 are also included, the showing becomes all the more impressive. This was all done without a single department being deprived of anything it needed to maintain its program on its usual level of efficiency.

Because several legislators have asked me to reconcile my showing of reduced administrative costs of government with the Auditor's report, I shall dwell on that subject for a moment. The Auditor's statement of state disbursements shows an increase of money spent by the state in 1942 of about $7,000,000.00 more than in 1941. The figures are $37,961,-502.76 as against $30,328,026.85 for the previous year. These figures are all correct as far as I know, but what do they include? In the 1942 figures are ten or more million dollars of federal money given to the state to be spent for relief, road building, schools, etc. Would anyone suggest that we refuse any of it? I have followed a policy of getting all of such funds as we can as long as the federal government is willing to give it to us. Included are also the several millions of dollars spent to purchase of liquor to sell in our liquor stores. For every dollar we spend for that purpose we clear from 40c to 50c less operating costs. Included also is the amount the state paid for bonds and securities when it invested the surpluses in the land board, the teachers' retirement, the insurance and other funds. The more of these kinds of expenditures that are made the better off is the state financially. When the Board of Loan Commissioners invests in federal securities, the $2,000,000.00 set aside by this legislature to pay off the state bonded debts, that amount will appear as a state expenditure for the year 1943, and when the state sells those securities in future years to retire state bonds, those payments for state bonds will appear as state expenditures. Gasoline tax revenues spent on roads, fish and game monies, sales tax monies spent for public assistance and all other funds are included in the totals. The amount of the state's disbursements indicate in no manner the cost of government. They indicate just as much a higher degree of financial security. It isn't the amount the state spends that indicates economies. The important point is, for what is the money spent. An analysis of what was purchased with the state's money during the year 1942 will convince you that Utah is now enjoying a far greater degree of financial security than at any other period in its history.

There, ladies and gentlemen, you have the picture in a nutshell. You have the evidence that the reorganization plan will do for Utah what it has done for the other states that have tried it. Already the tax-

payers have felt the benefits coming from the new plan, for because of the savings shown herein we were able to eliminate the property tax levy for general fund purposes this year and we can continue to eliminate it during the next biennium if this legislature will not return to the old method of regulating expenditures. If I understand the minds of the people of this state, that is exactly the kind of savings they want.

But the new plan is accomplishing much more than that of making savings of money. It is bringing about equalities in the salaries to all employees for similar services. It is seeing to it that the essential needs of all departments and institutions are being provided, before any of them are permitted to have more than essential needs. When the finances of the state will permit it, additional benefits will be distributed equitably to all of them. The practices so common under the old method wherein the institutions and departments that were able to put up the best lobby with the Appropriations Committee usually received the cream while those that attended to the state's business while the legislature was in session and did not make a fight for funds were often made to suffer, will not occur in the future. Those injustices are now being eliminated, for, under the new set-up, the legislative appropriations are looked upon more as guides rather than as mandates. They are allowed to stand in each case unless by so doing some other agencies are deprived of essential needs. For example, if the legislative appropriations to one department prove to be great enough to not only provide maximum salaries and all essential requirements for it, but also make it also possible to replace old equipment and furnishing with the new and to purchase a lot of department luxuries as has often been the case, while during the same biennium other institutions like the State Prison, or the State Hospital, received so little that the prison guards must be required to work seven day per week the year around with no vacations, and most of the hospital employes receive salaries ranging from $40 to $70 per month as was the case until the new plan came into effect; then an equitable transfer of funds is made to bring about equality. All departments share and share alike in the appropriated revenues. Instead of permitting office help in some departments whose directors are good lobbiests, to be paid average salaries of about one-third higher for the same type of work than the average in the Tax Commission, for example, as was the case previously, the salaries of employees in all departments are made uniform for the same type of work. Instead of permitting building after building in such institutions as the Deaf and Blind School; the Branch Agricultural College and others to be fire traps, as has been the case for decades, state money will cure those evils, when priorities will permit it, before less essential constructions are allowed for institutions with adequate funds. In other words, the state will be operated as a single unit, instead

of as fifty or a hundred independent agencies, as heretofore, and all will be treated alike.

Those are the types of controls which made possible the elimination of the general fund property tax levy this year, and the reduction of the cost of maintaining the various government agencies, and which contributed greatly to the factor that has made possible the transfer of money to pay off the state's bonded debts. Yet most of this benefit to the taxpayers could not be provided even under the extraordinary powers over state expenditures the Governor of this state has had since 1933, without an agency such as the Finance Department that is clothed with authority to investigate and, under the direction of the Governor, discover the facts and make adjustments. In my humble opinion this legislature should be pretty sure that it has a proved and tested program that will produce better results than the present one before it disturbs a set-up that has already done as much as the present one has for this state within the period of one year of its existence, and which has the prospects of not only eliminating all inequalities such as the ones referred to above but of making other tremendous savings in government administrative costs.

I hope that you will forgive me if I now refer to two or three criticisms against the new plan that have come to my attention.

I have heard it said that the head of an institution cannot plan a long range program under the present set-up. Will you please be advised that quite the opposite is true for no monies will be made available for projects that have not been planned and approved. For example a building project must be worked out, submitted to the building commission for study and recommendations and found to be feasible before money will be transferred for it. If such a procedure had been in effect in Utah during the past twenty-five years many of our public buildings would not be in their present condition. Those who object to the program on that ground are really objecting to the fact that they can no longer spend the taxpayer's money without adequate and complete planning.

Some have said that inasmuch as the Constitution requires the Board of Examiners to pass on all claims against the state, the Finance Department should be under its control. I doubt that serious consideration will be given by this legislature to any proposal to transfer a program that is succeeding back to the Board that has failed with the same problems since statehood. However, you should be advised that a committee of fourteen lawyers studied and approved every phase of the reorganization program two years ago as it was being considered by the legislature. Their main responsibility was to test the constitutionality

of every act. That committee studied the constitutional duies of the Board of Examiners and decided that the act defining the powers of the Finance Department was not in conflict with them. You should further know that the Finance Department is handling the mechanics of processing claims for the Board of Examiners and that the Board of Examiners has expressly retained its constitutional authority to finally approve all claims against the state. If the constitutionality of the act becomes an issue let the Supreme Court—not the legislature—decide it. That is one of the things the people created the court to do.

The same constitution that gives the Board of Examiners power to pass on claims gives the legislature authority to regulate the expenditure of public monies. It is your duty and not the duty of the Board of Examiners or the Governor to set up the type of organization that will get the results desired.

To any who might be concerned about the Governors having too much power under the new set-up, may I suggest that he read Section 87-2-8, Utah Code 1943 and he will find that since 1933 the Governor has had far more authority over state expenditures than the present act could possibly contemplate. Yet no Governor has abused his power. Have you ever considered that the responsibilities of the Governor are under the reorganization program? They might be summed up in one sentence. It becomes his primary duty to tell influential leaders who are members of boards or administrative officers of the various departments and institutions of the state, that they cannot spend all of the funds the legislature appropriated to them unless there is definite need for such expenditures. Certainly it is not advantageous for any public official who must depend on good will of the leaders of the state for support during elections to be put in a position where he must refuse to give them what they think they are entitled to. If you believe that this program helps the Governor you are sadly mistaken.

I need not remind you at this time of the imperative need of our public schools for more revenues to permit increases in teachers' salaries. If some relief is not provided by this legislature, many of our schools, particularly in the more sparcely settled areas, will be in danger of closing for the duration. By November 20th of last year four schools had closed, departments in others of them had been eliminated, and hundreds of teachers who cannot meet state certification standards had been employed. On that date there was a total shortage of two hundred and twenty qualified teachers. Since then, I am informed, conditions have become worse. Yearly salaries as low as $650 with maximums in some districts of $1350.00 cannot possibly hold people with the abilities required for teaching during periods like the present.

For the purpose of recommending a method of meeting the present emergency may I call to your attention the fact that Section 7 of Article 13 of the Constitution provides for a state levy on property sufficient to "raise annually an amount which equals $25.00 for each person of school age in the state." ". . . the same to be distributed among the school districts according to the last preceding school census." Prior to 1934 the state levies for such purposes fell short of the full amount of $25.00 per student as required by the Constitution during several years. Below is a year by year record of those deficiencies:

1922	$ 143,949.00
1923	381,543.00
1924	48,440.00
1925	104,593.00
1926	117,326.00
1928	6,941.00
1930	134,804.00
1931	126,721.00
1932	502,015.00
1933	620,028.00
1934	514,285.00
Total	$2,701,645.00

Though these deficiencies do not constitute a legal debt, they could be considered as a moral obligation. Believing that it would be dangerous for the legislature to adopt a policy of appropriating monies from the general fund to school districts, because if such a practice was once started it would probably go on continuously, I recommend the above amounts be considered as a debt and that provisions be made for the payment of it to the uniform school fund to be distributed to the various districts as the legislature may provide. Obviously it will be difficult to meet the financial requests of the state agencies from the general fund revenues and at the same time have enough money to pay into the uniform school fund the sum of $2,701,645.00. After having carefully examined the needs of all state agencies I declare to you advisedly that it is my belief that all of the present services can be maintained, adequate increases in salaries and other costs provided, and at the same time enough money can be saved to transfer to the schools of the state the $2,701,645.00 referred to above during the next three years without making any prop-

erty levy for general fund purposes, if conditions in the state continue about as they now are and provided that this legislature does not disturb the controls of the Finance Department over state expenditures as now set up. I suggest therefore that you authorize the Governor to pay the above amount from the general fund in three annual installments, if and when adequate funds are available.

Previous legislatures appropriated the sum of $250,000.00 for the construction of an armory in Salt Lake City, $75,000.00 for constructions of armories in St. George, Payson, Pleasant Grove, Lehi and Vernal, and $5,000.00 for marking the unmarked graves of veterans throughout the state. All of these expenditures were to be made in a cooperative program with the W.P.A. whereby the federal government was to have furnished, at federal expense, the cost of labor. The present world conflicts resulted in the restriction of W.P.A. building projects some two years ago, and in the recent elimination of the whole program. The sum of $25,665.51 of state money was spent on the Salt Lake Armory and $1,500.00 on the other armories before the W.P.A. withdrew its support. Unless this legislature takes some action all of the remainder of the above sums will revert to the general fund at the end of the present biennium. In order to preserve these monies for the purposes they were appropriated I recommend that they be transferred to the credit of the State Building Commission to be used for the purposes originally designated if and when federal monies are made available to carry on.

My recommendations for the support of our colleges and universities contemplate a continuation of all present departments, services and personnel, regardless of reduced enrollment. If, because of federal training programs carried on through them, the salaries of any of the present teaching personnel or a portion of the maintenance costs of any of the schools are assumed by the national government, provisions should be made for reducing the state appropriations in such amounts. Unless some such federal aid becomes available the great reductions in student tuitions due to lower enrollments will require substantially larger appropriations from the general fund for higher education than have been made by any previous legislature.

In closing may I state that the reorganization plan has been in effect for only a year and one-half. A considerable portion of that time has been consumed in setting it up. In the light of the record made in so short a time, I sincerely urge this body to let it continue undisturbed until more complete data as to what can be accomplished under it becomes available.

On motion of Senator Huggins the Joint Session was dissolved.

On motion of Senator Hopkin the Senate adjourned.

THIRTY-SEVENTH DAY

February 16, 1943.

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

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

Prayer by the Chaplain.

February 16, 1943.

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,

GEORGE M. MILLER,

CLAUD HIRSCHI.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 16, 1943.

Mr. President:

We, your Committee on Appropriations and Claims, to which was referred *S. B. No. 112*, by Mr. Bailey, beg leave to report that we have considered the same and find that the claim represented thereby has not been submitted to the Board of Examiners as required by the Laws of the State of Utah in time that the same can legally be considered by this session of the Legislature.

Respectfully,

IRA A. HUGGINS,

Chairman.

Report filed

S. B. No. 112 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

We, your Committee on Appropriations and Claims, to which was referred *H. B. No. 28*, by the Education Committee, beg leave to report that we have considered the same and report the same out without recommendation, with the suggestion that it be referred to a proper standing committee.

Respectfully,

IRA A. HUGGINS,

Chairman.

Report filed.

H. B. No. 28 was referred to the Committee on Education.

February 15, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 131,* by Mr. Kelly, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 2, line 16 after the word "compensation" add a period and delete brackets and underlined material; on line 17 delete underlined material.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 131 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 141,* by Mr. Lund, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 141 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 89,* 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. 89 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 129,* by Messrs. Richards and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 130,* by Messrs. Richards and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 152,* 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. 152 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 16, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 157,* by Mr. Richards, 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. 157 was ordered printed and referred to the Committee on Judiciary.

February 16, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 158,* by Committee on Judiciary, 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 16, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 160,* 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. 160 was ordered printed and referred to the Committee on Education.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 10,* by Mr. Richards, entitled, "AN ACT AMENDING SECTION 18-5-1, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSOLIDATION OF CORPORATIONS AND PROVIDING FOR THE CONSOLIDATION OF A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF THIS STATE WITH A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF ANY OTHER STATE OR TERRITORY OF THE UNITED STATES", 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,

Report filed Chairman.

S. B. No. 10 was signed 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 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 11,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-7-1, UTAH CODE ANNOTATED 1943, RELATING TO RECIPROCAL INSURANCE AND AUTHORIZED EXCEPTIONS", 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. 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 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 26*, by Committee on Judiciary, entitled, "AN ACT AMENDING CHAPTER 3, TITLE 20, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 20-3-21 RELATING TO POWERS OF DISTRICT JUDGES", 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.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 27*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-20, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR REVIEW AND SETTLING OF APPRAISEMENTS BY DISTRICT COURTS", 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. 27 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 28*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-21, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR APPEALS TO THE SUPREME COURT", 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. 28 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 29*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 102-3-12, UTAH CODE ANNOTATED 1943, RELATING TO CONTESTS OF WILLS AFTER PROBATE AND LIMITING TIME WITHIN WHICH CONTESTS MAY BE MADE", 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. 29 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 30*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-5, UTAH CODE ANNOTATED 1943, RELATING TO THE INHERITANCE TAX TO BE IMPOSED UPON TRANSFERS BY RIGHT OF SURVIVORSHIP AND PROVIDING CERTAIN EXCEPTIONS IN RESPECT THERETO", 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. 30 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 15, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 44*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-8-17, UTAH CODE ANNOTATED 1943, RELATING TO THE ANNUAL STATEMENT TO BE FILED WITH THE INSURANCE COMMISSIONER BY COUNTY MUTUAL FIRE AND LIGHTNING INSURANCE COMPANIES, THE ISSUANCE OF A CERTIFICATE OF AUTHORITY TO CONTINUE BUSINESS AND PRESCRIBING FEE TO BE PAID", 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,

Report filed Chairman.

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.

INTRODUCTION OF MEMORIAL

S. J. M. No. 1 By Mr. Christensen

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING IMMEDIATE PROVISION OF WAYS AND MEANS FOR MANUFACTURING SYNTHETIC RUBBER, was read the first time.

On motion of Senator Christensen 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, 22; Nays, 0; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Kelly.

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

INTRODUCTION OF RESOLUTION

S. J. R. No. 4 By Senate Appropriations Committee

A JOINT RESOLUTION DECLARING A POLICY REGARDING A STANDING LEGISLATIVE BUDGET COMMITTEE, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 161 By Mr. Kendall

AN ACT PROVIDING FOR THE FIXING BY THE BOARD OF COUNTY COMMISSIONERS, FOR A LIMITED PERIOD, OF SALARIES OF CERTAIN COUNTY OFFICERS, TO BE KNOWN AS SECTION 19-13-15.10, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 162 By Senate Appropriations Committee

AN ACT CREATING A STANDING LEGISLATIVE BUDGET COMMITTEE AND PRESCRIBING ITS DUTIES AND POWERS, AND PROVIDING THE EXPENSE THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 163 By Mr. Bailey

AN ACT PROVIDING FOR THE ANNUAL APPROPRIATION OF $100,000.00 OUT OF THE STATE GENERAL FUND TO BE ALLOCATED TO CITIES AND TOWNS FOR RECREATIONAL ACTIVITIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 164 By Committee on Revision and Enrolling

AN ACT AMENDING SECTIONS 82C-2-2, 82C-2-4, 82C-2-12, 82C-2-13, 82C-2-15, 82C-2-17, 82C-2-18, 82C-2-20, 82C-2-21, 82C-2-21a, 82C-2-24, 82C-2-32, AND 82C-2-35, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 82C-2-21b, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPARTMENT OF FINANCE, THE FINANCE COMMISSION AND THE STATE LAND BOARD; THE MEMBERSHIP OF AND THE APPOINTMENT OF CERTAIN MEMBERS TO THE FINANCE COMMISSION, THE POWERS AND DUTIES OF THE FINANCE COMMISSION, THE MEMBERSHIP, POWERS AND DUTIES OF THE STATE LAND BOARD, THE STATE BUDGETARY AND ACCOUNTING SYSTEM AND CONTROL, THE STANDARDIZATION OF STATE PURCHASES AND THE INVESTMENT OF PERMANENT FUNDS OF THE STATE AND PROVIDING FOR THE PREPARATION AND DISBURSEMENT BY THE FINANCE DEPARTMENT OF ALL WARRANTS DRAWN UPON THE STATE TREASURER. AND REPEALING SECTIONS 82C-2-8, 82C-2-9, 82C-2-10, 82C-2-11, AND 82C-2-14, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 165 By Messrs. Richards and Huggins

AN ACT RELATING TO ACKNOWLEDGMENTS BY PERSONS SERVING IN OR WITH THE ARMED FORCES OF THE UNITED STATES WITHIN OR WITHOUT THE UNITED STATES, AMENDING CHAPTER 2, TITLE 78 OF THE UTAH CODE ANNOTATED, 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 78-2-3.10, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 166 By Messrs. Richards and Huggins

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. 167 By Messrs. Child, Huggins and Nielsen

AN ACT AMENDING SECTION 75-29-9, UTAH CODE ANNOTATED, 1943, PERTAINING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS AND PROVIDING THAT A BOARD OF EDUCATION IN ANY CITY OF THE FIRST AND SECOND CLASS MAY MEET DEFICITS IN THE OPERATING FUNDS OF THE LOCAL TEACHER RETIREMENT ASSOCIATION UNDER ITS JURISDICTION, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 51 on final passage.

S. B. No. 51 then passed on the following roll call:

Yeas, 13; Nays, 9; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Farr, Huggins (explained vote), Kendall, Lund, Melich, Nielsen, Rich, Richards and Mr. President.

Those voting in the negative were: Senators Christensen, Ericksen, Hirschi (explained vote), Hopkin, McMurrin, Miller, Morrill, Romney and Warner.

Absent and not voting: Senator Kelly.

S. B. No. 51 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

Senator Macfarlane with the aid of five Senators requested a Call of the Senate.

Senators Farr, Hirschi, Richards and Christensen were absent without leave.

On motion of Senator Macfarlane the Call was lifted.

H. B. No. 29 was read the third time and placed on its final passage.

Senator Ericksen moved to amend the bill as follows:

Page 1, line 18, after the word "surgeons" insert: "Provided, however, that in addition to any other requirements fixed by law, no licenses shall be issued to practice as a naturopathic physician and surgeon,

including obstetrics, to any person who shall not have completed at least one year of successful internship in a hospital accredited by the American Hospital Association in the study of surgery and obstetrics".

Senator Huggins, with the aid of five Senators requested a roll call on the motion to amend.

The motion to amend was carried on the following roll call:

Yeas, 16; Nays, 4; Absent, 3.

Those voting in the affirmative were: Senators Child, Christensen (explained vote), Dawson, Ericksen, Hopkin, Huggins, Kendall, Lund, MacMurrin, Melich, Miller, Morrill, Rich, Richards (explained vote), Romney and Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Hirschi and Warner.

Absent and not voting: Senators Farr, Kelly and Nielsen.

On motion of Senator Macfarlane the Senate adjourned.

THIRTY-EIGHTH DAY

February 17, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 17, 1943.

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,

GEORGE M. MILLER,

CLAUD HIRSCHI.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 17, 1943.

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 144*, by the Committee on Highways, has carefully considered said bill, and reports the same out favorably.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 144 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 136*, by Committee on Public Institutions, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 136 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 137*, by Committee on Public Institutions, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 137 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 138*, by Committee on Public Institutions, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

February 16, 1943.

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 139*, by Committee on Public Institutions, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 139 was placed on the Second Reading Calendar.

February 17, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 142*, by Mr. Christensen, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 142 was placed on the Second Reading Calendar.

February 17, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 145*, by the Committee on Education, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

February 17, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 143*, by the Committee on Education, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 143 was placed on the Second Reading Calendar.

February 17, 1943.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 28*, by the Committee on Education, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,

Chairman.

Report filed.

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

February 17, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 159*, 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. 159 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 16, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 164*, by Committee on Revision and Enrolling, 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.

COMMUNICATIONS FROM THE HOUSE

February 17, 1943.

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 Judiciary, entitled, "AN ACT AMENDING CHAPTER 3, TITLE 20, UTAH CODE ANNOTATED 1943, BY EN-

ACTING A NEW SECTION TO BE KNOWN AS SECTION 20-3-21 RELATING TO POWERS OF DISTRICT JUDGES", 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.

February 17, 1943.

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. 10,* by Mr. Richards, entitled, "AN ACT AMENDING SECTION 18-5-1, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSOLIDATION OF CORPORATIONS AND PROVIDING FOR THE CONSOLIDATION OF A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF THIS STATE WITH A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF ANY OTHER STATE OR TERRITORY OF THE UNITED STATES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 10 was transmitted to the Governor.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 11,* by Mr. Christensen, entitled, "AN ACT TO AMEND SECTION 43-7-1, UTAH CODE ANNOTATED 1943, RELATING TO RECIPROCAL INSURANCE AND AUTHORIZED EXCEPTIONS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 11 was transmitted to the Governor.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 27*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-20, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR REVIEW AND SETTLING OF APPRAISEMENTS BY DISTRICT COURTS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 27 was transmitted to the Governor.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 28*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-21, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR APPEALS TO THE SUPREME COURT", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 29*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 102-3-12, UTAH CODE ANNOTATED 1943, RELATING TO

CONTESTS OF WILLS AFTER PROBATE AND LIMITING TIME WITHIN WHICH CONTESTS MAY BE MADE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 29 was transmitted to the Governor.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 30*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-5, UTAH CODE ANNOTATED 1943, RELATING TO THE INHERITANCE TAX TO BE IMPOSED UPON TRANSFERS BY RIGHT OF SURVIVORSHIP AND PROVIDING CERTAIN EXCEPTIONS IN RESPECT THERETO", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 30 was transmitted to the Governor.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 44*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-8-17, UTAH CODE ANNOTATED 1943, RELATING TO THE ANNUAL STATEMENT TO BE FILED WITH THE INSURANCE COMMISSIONER BY COUNTY, MUTUAL, FIRE AND LIGHTNING INSURANCE COMPANIES, THE ISSUANCE OF A CERTIFICATE OF AUTHORITY TO CONTINUE BUSINESS AND PRESCRIBING FEE TO BE PAID", 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.

February 15, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 24*, by Messrs. Milliman and Joseph E. Rees.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 16, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. J. M. No. 1*, by Mr. Roberts.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 15, 1943

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 5th day of February, 1943, approve and transmit to the Secretary of State, *H. B. No. 4*, by Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-3-32, UTAH CODE ANNOTATED 1943, RELATING TO THE NOXIOUS WEED ERADICATION PROGRAM".

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 15, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of February, 1943, approve and transmit to the Secretary of State, *H. B. No. 6*, by the Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-1-25, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPARTMENT OF AGRICULTURAL ADVISORY COUNCIL AND AUTHORIZING AGRICULTURAL ADVISORY SERVICES TO SAID DEPARTMENT AND REPEALING SECTIONS 3-1-26 AND 3-1-27, UTAH CODE ANNOTATED 1943".

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 15, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of February, 1943, approve and transmit to the Secretary of State, *H. B. No. 21*, by Mr. Midgley, entitled, "AN ACT AMENDING SECTION 102-4-2, UTAH CODE ANNOTATED 1943, RELATING TO LETTERS OF ADMINISTRATION OF DECEDENT'S ESTATES: TO WHOM ENTITLED: AND PROVIDING THAT WHERE RELATIVES FAIL TO ACCEPT, ANY PERSON HAVING A CLAIM IN OR ADVERSE TO THE ESTATE SHALL BE ENTITLED TO ADMINISTER".

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 15, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 28th day of January, 1943, approve and transmit to the Secretary of State, *H. C. R. No. 1*, by Mr. Paxton, entitled, "A CONCURRENT RESOLUTION MEMORIALIZING THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO MODIFY CERTAIN REGULATIONS PURSUANT TO THE MARKETING QUOTA ACT SO AS TO PERMIT THE FEEDING OF EXCESS WHEAT TO POULTRY AND LIVESTOCK IN MILLARD COUNTY, UTAH AND SO AS TO ADJUST WHEAT QUOTAS FOR DRY FARMS IN MILLARD COUNTY ON A BASIS OF NORMAL MOISTURE SEASONS".

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 16, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of February, 1943, approve and transmit to the Secretary of State, *H. B. No. 2*, by Messrs. Mozley and Cannon, entitled, "AN ACT AMENDING SECTION 30-0-7 UTAH CODE ANNOTATED 1943, DESIGNATING THE OPENING DAYS OF THE FISHING AND HUNTING SEASONS".

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 16, 1943.

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 Messrs. Hatch and Cannon, entitled, "AN ACT AUTHORIZING ADMINISTRATORS, EXECUTORS, GUARDIANS, TRUSTEES, AND OTHER FIDUCIARIES OF EVERY KIND AND NATURE, BANKS, SAVINGS BANKS, AND TRUST COMPANIES TO INVEST IN BONDS ISSUED BY THE UNITED STATES: BONDS, THE PAYMENT OF WHOSE PRINCIPAL AND INTEREST IS GUARANTEED BY THE UNITED STATES OR BONDS OR DEBENTURES OF CERTAIN INSTRUMENTALITIES OF THE FEDERAL GOVERNMENT AND INSURED SHARES OF ACCOUNTS OF DOMESTIC SAVINGS AND LOAN OR BUILDING AND LOAN ASSOCIATIONS OR FEDERAL SAVINGS AND LOAN ASSOCIATIONS, BEING A PART OF TITLE 7, CHAPTER 4a, UTAH CODE ANNOTATED 1943", 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 Banking and Commerce.

February 11, 1943.

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 Mr. Durham, entitled, "RESOLUTION OF CONDOLENCE", 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 was returned to the House for transmission to the Secretary of State.

February 15, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted an unfavorable committee report and has rejected *S. B. No. 12*, by Mr. Warner, and the same is returned herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 12 was filed.

February 16, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 69*, by Irrigation Committee, entitled, "AN ACT AMENDING SECTION 100-1-4 UTAH CODE ANNOTATED 1943, RELATING TO THE REVERSION TO PUBLIC BY ABANDONMENT OR FAILURE TO USE WATER WITHIN FIVE YEARS; GROUNDS FOR AND EXTENSION OF TIME, INCLUDING RIGHT TO IRRIGATION COMPANIES AND DISTRICTS WHEN HOLDING SUPPLEMENTAL WATER FOR STORAGE, DROUTH OR OTHER EMERGENCIES", 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 Agriculture and Irrigation.

February 16, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 31*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-8, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF THE DEBTS OF AN ESTATE FOR THE PURPOSE OF DETERMINING NET ESTATE FOR INHERITANCE TAX PURPOSES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 31 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 16, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 46*, by Messrs. Sorenson and Cowles, Mrs. Jack and Mr. Roberts, entitled, "AN ACT RELATING TO ESTABLISHING A CIVIL SERVICE COMMISSION FOR CITIES OF THE FIRST AND SECOND CLASS; CLASSIFYING OFFICES AND PLACES OF EMPLOYMENT; PROVIDING POWERS AND DUTIES OF THE CIVIL SERVICE COMMISSION; MANNER OF APPOINTING UNCLASSIFIED SERVICE; REMOVALS FROM OFFICE OR POSITION; APPEALS TO THE CIVIL SERVICE COMMISSION AND REPORTS OF THE CIVIL SERVICE COMMISSION TO THE MUNICIPAL CORPORATIONS AND DEFINING TERMS, BEING A PART OF TITLE 15, ARTICLE 3", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 46 was read the first time and referred to the Committee on State and Municipal Affairs.

February 17, 1943.

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. 24*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 40-3-1 UTAH CODE ANNOTATED 1943, RELATING TO DIVORCE BY CHANGING THE REQUIREMENTS OF RESIDENCE AND ADDING AN ADDITIONAL GROUND FOR DIVORCE", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Bailey the Senate concurred in the House amendments.

S. B. No. 24 then passed on the following roll call:

Yeas, 15; Nays, 5; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Dawson, Farr, Hirschi, Huggins, Kelly, Kendall, Melich, Miller, Morrill, Nielsen, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Child, Christensen, Ericksen, Lund and Rich.

Absent and not voting: Senators Hopkin, McMurrin and Richards.

S. B. No. 24 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 17, 1943.

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. 43*, by Messrs. Hatch, Kerr, Marsden, Schenk, Meador, Midgley and Jensen, entitled, "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, BEING A PART OF TITLE 57, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 43 was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE GOVERNOR

February 13, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 7*, by Mr. Child, entitled, "AN ACT AMENDING SECTION 43-2-4 UTAH CODE ANNOTATED 1943, RELATING TO THE PAPERS AND RECORDS OF THE INSURANCE DEPARTMENT AND

THE INSURANCE COMMISSIONER'S RIGHT TO DESTROY THE SAME AFTER HAVING BEEN ON FILE FOR TEN YEARS".

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

February 13, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 46*, by Mr. Farr, entitled, "AN ACT APPROPRIATING THE SUM OF $2,014,146.72 OUT OF THE LIQUOR CONTROL FUND TO THE STATE GENERAL FUND".

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

Senator Christensen moved that the rules be suspended and that *S. B. No's. 142* and *83* be made a Special Order of Business for Friday, February 19, 1943 at 2:30 p. m.

Motion carried.

Senator Melich moved that the rules be suspended and that *S. B. No. 103* be placed at the head of the Second Reading Calendar.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 168 By Committee on Highways

AN ACT AMENDING SECTION 57-3a-1, SECTION 57-3a-88, AND SECTION 57-3a-89, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR VEHICLES, DEFINITIONS, REGISTRATION OF NON-RESIDENTS AND VEHICLES IN INTERSTATE COMMERCE, PERMITTING THE GRANTING OF RECIPROCITY, AND REPEALING SECTION 57-3a-90 AND SECTION 57-3a-137, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 169 By Mr. Miller

AN ACT TO AMEND CHAPTER 14, LAWS OF UTAH 1941, SECOND SPECIAL SESSION RELATING TO EXEMPTION FROM PAYMENT OF TUITION FEES FOR VOCATIONAL COURSES: EXTENDING THIS ACT TO JULY 1, 1945, AND APPROPRIATING $40,000.00 TO REIMBURSE INSTITUTIONS FOR FEES NOT COLLECTED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 170 By Mr. Huggins

AN ACT TO AMEND SECTION 15-7-48, ANNOTATED CODE OF UTAH, 1943, RELATING TO LIEN OF SPECIAL ASSESSMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 171 By Mr. Melich

AN ACT AMENDING SECTION 3-5-170, UTAH CODE ANNOTATED 1943, PERTAINING TO INSPECTION TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 172 By Mr. Miller

AN ACT AMENDING TITLE 80-15-4 UTAH CODE ANNOTATED 1943, RELATING TO THE IMPOSITION OF A TAX UPON RETAIL SALES OF TANGIBLE PERSONAL PROPERTY MADE WITHIN THE STATE OF UTAH, ON AMOUNTS PAID TO COMMON CARRIERS OR TELEPHONE OR TELEGRAPH CORPORATIONS, FOR TRANSPORTATION, TELEPHONE SERVICE OR TELEGRAPH SERVICE, TO PERSONS FURNISHING GAS, ELECTRICITY, COAL, FUEL OIL OR OTHER FUELS, UPON THE AMOUNT PAID FOR MEALS, AND UPON THE AMOUNT PAID FOR ADMISSION TO ANY PLACE OF AMUSEMENT; AND PROVIDING FOR THE RATE THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 173 By Mr. Miller

AN ACT AMENDING TITLE 80-16-4, UTAH CODE ANNOTATED 1943, RELATING TO THE EXEMPTIONS UNDER THE USE TAX ACT OF 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 174 By Mr. Miller

AN ACT AUTHORIZING THE STATE ENGINEER TO PLUG, REPAIR, OR OTHERWISE CONTROL WASTING ARTESIAN WELLS AND TO MAKE COOPERATIVE AGREEMENTS WITH WELL OWNERS TO ACCOMPLISH THIS PURPOSE, AND APPROPRIATING $20,000.00 TO CARRY OUT THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 175 By Mr. Child

AN ACT AMENDING CHAPTER 12, TITLE 57, UTAH CODE ANNOTATED, 1943, BY ADDING A NEW SECTION TO BE NUMBERED 57-12-9(a) PROVIDING THAT THE MOTOR FUEL TAX SHALL BE COLLECTED BY THE DISTRIBUTOR OR RETAIL DEALER FROM THE RETAIL PURCHASER, WHICH TAX SHALL BE SEPARATELY STATED IN THE RETAIL PRICE OF MOTOR FUEL AND THAT, UNLESS THE TAX HAS BEEN PREVIOUSLY PAID, MONEY SO COLLECTED SHALL REMAIN PUBLIC MONEY AND BE HELD IN TRUST FOR THE BENEFIT OF THE STATE OF UTAH UNTIL THE TAX SHALL HAVE BEEN PAID TO THE STATE TAX COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 176 By Mr. Bailey

AN ACT AMENDING SECTIONS 42-2a-3, 42-2a-7, 42-2a-8, 42-2a-13, 42-2a-14, 42-2a-19, UTAH CODE ANNOTATED 1943, RELATING TO UNEMPLOYMENT COMPENSATION, TO PROVIDE FOR AN INCREASE IN THE MINIMUM WEEKLY BENEFIT AMOUNT AND MAXIMUM BENEFITS PAYABLE; COOPERATION WITH OTHER FEDERAL AND STATE AGENCIES IN THE PAYMENT OF BENEFITS TO INDIVIDUALS RELEASED FROM MILITARY SERVICE; TO PROVIDE FOR ONE PER CENT CONTRIBUTION BY WORKERS, AND COLLECTION OF SUCH CONTRIBUTION; TERMINATION OF COVERAGE; DESCRIPTION OF ADMINISTRATION FUND AND REIMBURSEMENT OF SUCH FUND; TO PROVIDE FOR A GRADUATED PENALTY ON DELINQUENT REPORTS AND PAYMENTS; AND TO PROVIDE BY DEFINITION THAT THE TERM EMPLOYMENT SHALL NOT INCLUDE SERVICES PERFORMED BY LESSEES IN METAL MINING UNDER LEASE AGREEMENT, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 59 on Second Reading.

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

Line 9, preceding the word "local" insert the words "their respective".

Senator Nielsen moved to amend the bill as follows:

Line 10, strike the words "and such financial assistance as may be provided" and insert in lieu thereof the word "needed".

Senator Romney with the aid of five Senators requested a roll call on the motion to amend.

The motion to amend failed on the following roll call:

Yeas, 9; Nays, 12; Absent, 2.

Those voting in the affirmative were: Senators Dawson, Hirschi, Kelly (explained vote), Kendall, Lund, Melich, Miller, Morrill and Nielsen.

Those voting in the negative were: Senators Ashton, Bailey, Child, Christensen (explained vote), Ericksen, Hopkin, Huggins, McMurrin, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Farr and Richards.

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

Line 12, place a period after the word "mothers", strike the word "and" and insert in lieu thereof, "Such department and local agencies".

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

Following line 13, insert the following: "Section 2. This act shall terminate April 1, 1945 or at the conclusion of the present war emergency, whichever shall first occur.".

S. B. No. 59 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Dawson, Hirschi, Kelly, Kendall, Lund, McMurrin and Melich.

COMMUNICATIONS FROM THE HOUSE

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected the Joint Conference Committee report as of February 16, to *H. B. No. 22*, by Mr. Wm. C. Jensen, Mrs. Jack, Messrs. Bell, Sabin and Roberts, and has this day appointed a new conference committee consisting of Representatives Wm. C. Jensen, Sabin and Cowles, to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Bailey the President appointed a new Conference Committee consisting of Senators Bailey, Melich and Richards to act with a like committee from the House.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. J. M. No. 1*, by Mr. Christensen, entitled, "A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING IMMEDIATE PROVISION OF WAYS AND MEANS FOR MANUFACTURING SYNTHETIC RUBBER", and the same is returned herewith for your further 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 17, 1943.

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. Richards, entitled, "AN ACT PROVIDING FOR THE COLLECTION BY THE SURVIVING SPOUSE OR CHILDREN OF WAGES, WORKMEN'S AND OCCUPATIONAL DISEASE COMPENSATION NOT EXCEEDING $300.00 OF A DECEASED EMPLOYEE EARNED WITHIN 90 DAYS PRECEDING DEATH WITHOUT PROCURING

LETTERS OR TESTAMENTARY ADMINISTRATION, TO BE KNOWN AS SECTION 102-8-3, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Richards the Senate refused to concur in the House amendments and the House was asked to recede from its position.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. M. No. 1*, by Mr. Roberts, entitled, "AN ACT MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO PASS AT THE PRESENT SESSION OF CONGRESS A SOCIAL SECURITY LAW WHICH WILL ALLOW BENEFITS TO EVERY CITIZEN WHO DESIRES THE SAME, INCLUDING MEMBERS OF THE MILITARY FORCES OF OUR COUNTRY", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 24*, by Messrs. Milliman and Joseph E. Rees, entitled, "AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED 1943, RELATING TO THE SALARIES OF THE GOVERNOR, SECRETARY OF STATE, STATE TREASURER, STATE AUDITOR, ATTORNEY GENERAL AND SUPERINTENDENT OF PUBLIC INSTRUCTION", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

February 17, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 5*, by Agricultural Committee, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed

H. B No. 5 was placed on the Second Reading Calendar.

February 17, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 9*, by Mr. Ward, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed

H. B. No. 9 was placed on the Second Reading Calendar.

INTRODUCTION OF BILL

S. B. No. 177 By Mr. Hopkin

AN ACT AMENDING SECTIONS 100-1-4, 100-1-10, 100-3-10, 100-3-21, 100-5-11, 100-5-13 UTAH CODE ANNOTATED, 1943, RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF AND REPEALING SECTION 100-1-14 RELATING TO WATER APPURTENANT TO LAND UNDER FEDERAL PROJECTS' was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Farr the Senate resolved itself in Executive Session.

On motion of Senator Miller the Executive Session was dissolved.

On motion of Senator Kelly the Senate adjourned.

THIRTY-NINTH DAY

February 18, 1943.

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

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

Prayer by the Chaplain.

February 18, 1943.

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,

GEORGE M. MILLER,

CLAUD HIRSCHI.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 161*, by Mr. Kendall, 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. 161 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 163*, by Mr. Bailey, 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. 163 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 165*, by Messrs. Richards 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. 165 was ordered printed and referred to the Committee on Judiciary.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 166*, by Messrs. Richards 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. 166 was ordered printed and referred to the Committee on Judiciary.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 167*, by Messrs. Child, Huggins and Nielsen, 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. 167 was ordered printed and referred to the Committee on Education.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 169*, 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. 169 was ordered printed and referred to the Committee on Education.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 171*, by Mr. Melich, 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. 171 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 172*, 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. 172 was ordered printed and referred to the Committee on Judiciary.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 174*, 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. 174 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 175*, 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. 175 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 39*, by Messrs. Sorenson and Jack, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

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

COMMUNICATIONS

February 17, 1943.

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim of Herbert W. Hinley of Ogden in amount of $1800.00 covering 1800 shares of the capital stock of the Montello Salt Company, a Utah Corporation that sometime during the year 1923 went into the hands of a receiver, which money was escheated to the State of Utah and paid into the school fund. This claim was filed with the Board and acted upon as provided in Section 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943, and was rejected.

Claimant has appealed the decision of the Board of Examiners to the Legislature under the provisions of Section 26-0-17 of the Utah Code 1943, and all papers filed with the Board, together with the notice of appeal, are transmitted herewith to your Honorable Body for your consideration.

Yours very respectfully,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

February 11, 1943.

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body claim of Howard Robertson of Helper, Utah, no amount stated, covering accidental injury sustained by him on April 16, 1934 while working for the State Road Commission at Price, 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 Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

E. E. MONSON,
Secretary, State Board of Examiners.

Communication filed.

Claim referred to the Committee on Appropriations and Claims.

COMMUNICATIONS FROM THE HOUSE

February 17, 1943.

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. 5*, by Mr. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, REQUIRING REPORTS OF CERTAIN PROPERTY HOLDERS TO FACILITATE THE ENFORCEMENT OF THIS ACT, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, AND PRESCRIBING THE POWERS AND DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO THE ENFORCEMENT OF THIS ACT, (TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9, 78-6a-10, 78-6a-11, 78-6a-12 AND 78-6a-13, UTAH CODE ANNOTATED 1943", 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 amendments.

S. B. No. 5 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, Farr, Hirschi, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Hopkin, Huggins, Morrill and Rich.

S. B. No. 5 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 17, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 21*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 100-1-10, UTAH CODE ANNOTATED 1943, RELATING TO CONVEYANCE OF WATER RIGHT BY DEED AND THE EFFECT THEREOF", 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 17, 1943.

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. 35*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 78-4-4, UTAH CODE ANNOTATED 1943, RELATING TO INSTRUMENTS OF WRITING COPIED INTO THE BOOKS OF RECORD IN THE OFFICE OF COUNTY RECORDERS OF THE SEVERAL COUNTIES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 35 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

Senator Christensen moved that when we adjourn on Friday, February 19, 1943 it be until Saturday, February 20, 1943 at 10:00 a. m.

Motion carried.

Senator Farr moved that when we adjourn today it be until tomorrow at 10:00 a. m.

Motion carried.

Senator Hirschi moved that when we adjourn Saturday, February 20, 1943 it be until Monday, February 22, 1943 at 10:00 a. m.

Motion carried.

Senator Richards moved to reconsider the Senate action in refusing to concur in House amendments to *S. B. No. 38.*

Motion carried.

Reconsideration of *S. B. No. 38.*

On motion of Senator Richards the Senate concurred in the House amendments to *S. B. No. 38.*

S. B. No. 38 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, Farr, Hirschi, Hopkin, Kelly, Lund, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Huggins, Kendall, McMurrin and Morrill.

S. B. No. 38 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTION OF BILLS

S. B. No. 178 By Committee on Revision and Enrolling

AN ACT TO AMEND SECTION 35-1-1-14 UTAH CODE ANNOTATED 1943, RELATING TO THE APPOINTMENT OF THE STATE HEALTH COMMISSIONER AND THE FIXING OF THE SALARY OF THE COMMISSIONER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 179 By Committee on Social Relations and Relief

AN ACT AMENDING SECTIONS 76A-1-4, 76A-1-7, 76A-1-8, 76A-1-12, 76A-1-22, 76A-1-23, 76A-1-25, UTAH CODE ANNOTATED, 1943,

RELATING TO PUBLIC WELFARE COMMISSION — POWERS — DUTIES, COUNTY AND DISTRICT DEPARTMENTS OF PUBLIC WELFARE, POWERS AND DUTIES OF STATE, COUNTY AND DISTRICT BOARDS, COUNTY AND DISTRICT BOARDS TO APPOINT STAFFS, MEETINGS — QUORUM — SECRETARY, PLACE OF PRINCIPAL OFFICES—BRANCH OFFICES, PUBLIC WALFARE ADVISORY COUNCIL—PERSONNEL—TERMS—CONFIRMATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 180 By Committee on Social Relations and Relief

AN ACT AMENDING SECTIONS 76A-3-1, 76A-3-5, 76A-3-6, 76A-3-10, 76A-3-12, 76A-3-13, 76A-3-14, 76A-3-20, 76A-3-25, 76A-3-29, 76A-3-33, 76A-3-35, 76A-3-36, 76A-3-38, 76A-3-39, UTAH CODE ANNOTATED, 1943, RELATING TO STATE DEPARTMENT OF PUBLIC WELFARE TO ADMINISTER, DEFINITIONS—WHAT NOT CONSIDERED INCOME, APPLICANTS WHO ARE ENTITLED TO ASSISTANCE, POWERS AND DUTIES OF PUBLIC WELFARE COMMISSION, ELIGIBILITY REQUIREMENTS FOR ASSISTANCE, ADDITIONAL ASSISTANCE, LIMIT OF AMOUNT PAID, RECONSIDERATION OF ASSISTANCE—DUTY TO REPORT INCREASED INCOME, RECORDS CONFIDENTIAL, OLD AGE ASSISTANCE FUND—PROPORTIONATE REDUCTION OF PAYMENTS, DEFINITIONS, ASSISTANCE TO DEPENDENT CHILDREN, ASSISTANCE TO NEEDY BLIND PERSONS, AMOUNT OF ASSISTANCE DETERMINED BY COUNTY DEPARTMENT, APPLICATIONS FOR ASSISTANCE—CONTENTS; ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76A-3-55, RELATING TO EMPLOYMENT AND REHABILITATION; AND REPEALING SECTIONS 76A-3-17 AND 76A-3-34, UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 181 By Mr. Warner

AN ACT AMENDING SECTION 46-0-168, UTAH CODE ANNOTATED 1943, RELATING TO DRINKING AND DRUNKENNESS AND HAVING POSSESSION OF UNSEALED LIQUOR PACKAGE IN PUBLIC PLACES—DEFINING PUBLIC PLACE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 182 By Mr. Macfarlane

AN ACT AMENDING SECTION 57-12-5, UTAH CODE ANNOTATED, 1943, LEVYING AND IMPOSING AN EXCISE TAX UPON THE SALE OR USE OF MOTOR FUELS AND PROVIDING FOR EX-

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

S. B. No. 183 By Mr. Kendall

AN ACT REPEALING SECTIONS 76A-2-24, 76A-2-25, 76A-2-26, 76A-2-27, 76A-2-28, 76A-2-29, 76A-2-30, 76A-2-31, 76A-2-32, 76A-2-33, 76A-2-34, 76A-2-35, UTAH CODE ANNOTATED, 1943, RELATING TO A PUBLIC WORKS PROGRAM DURING THE NATIONAL AND STATE EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 184 By Committee on Revision and Enrolling

AN ACT AMENDING SECTIONS 87-4-1 AND 87-4-9, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE AUDITOR: HIS POWERS, QUALIFICATIONS, DUTIES, AND BOND AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 87-4-4.10, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION BY THE STATE AUDITOR OF CERTAIN PAYMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 185 By Committee on Revision and Enrolling

AN ACT REPEALING SECTIONS 87-2-8, 87-2-9 AND 87-2-10, UTAH CODE ANNOTATED 1943, RELATING TO EMERGENCY POWERS OF THE GOVERNOR, STATE OFFICERS COMPLYING WITH SAID ORDERS AND EFFECTIVE DATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 186 By Committee on Revision and Enrolling

AN ACT AMENDING SECTION 87-2-7, UTAH CODE ANNOTATED, 1943, RELATING TO THE BUDGET, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 187 By Committee on Revision and Enrolling

AN ACT AMENDING SECTIONS 36-8-1, 36-8-2, 36-8-3 AND 36-8-5, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE HIGHWAY PATROL, ITS APPOINTMENT, SUPERVISION, POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 188 By Committee on Revision and Enrolling

AN ACT RELATING TO THE PREPARATION, ISSUANCE AND DRAWING OF WARRANTS UPON THE STATE TREASURER AND TO MAKE UNIFORM THE LAWS WITH RESPECT THERETO, BEING PART OF UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 189 By Committee on Revision and Enrolling

AN ACT PROVIDING THAT ALL LEGAL WORK FOR OFFICERS, DEPARTMENTS, COMMISSION, BOARDS AND AGENCIES OF THE STATE OF UTAH SHALL BE PERFORMED BY THE ATTORNEY GENERAL, PROVIDING FOR THE EMPLOYMENT OF SPECIAL COUNSEL AND REGULATING PAYMENT FOR SERVICES OF ATTORNEYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. 190 By Committee on Revenue and Taxation

AN ACT AMENDING SECTION 80-4-1, UTAH CODE ANNOTATED, 1943, RELATING TO THE TAXATION OF A TANGIBLE PROPERTY IN THE STATE OF UTAH, AND PROVIDING THAT MEMBERS OF THE ARMED FORCES OF THE UNITED STATES SHALL PAY LIKE TAXES OF NON-MEMBERS OF THE ARMED FORCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 191 By Messrs. Bailey and Melich

AN ACT REPEALING SECTIONS 98, 99, 100 OF TITLE 42, UTAH CODE ANNOTATED, was read the first time and referred to the committee on Revision and Enrolling.

S. B. No. 192 By Mr. Warner

AN ACT TO AMEND SECTION 75-11-20, UTAH CODE ANNOTATED, 1943, AUTHORIZING THE BOARD OF EDUCATION IN ANY SCHOOL DISTRICT, FOR THE DURATION OF THE PRESENT NATIONAL WAR EMERGENCY TO PERMIT THE USE OF TRANSPORTATION EQUIPMENT FOR THE TRANSPORTATION OF STUDENT LABOR WHERE THE LABOR OF STUDENTS IS INDISPENSABLE TO THE HARVESTING AND PROCESSING OF AGRICULTURAL PRODUCTS, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Nielsen moved that the rules be suspended and that *H. B. No. 28* be made a Special Order of Business for Friday, February 19, 1943 at 3:00 p. m.

Motion carried.

CONSIDERATION OF BILL ON THIRD READING

H. B. No. 40 was read the third time and placed on its final passage.

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

Page 1, line 9, preceding the words "in shares" insert the words ", to the extent to which they are insured,".

H. B. No. 40 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Farr, Hirschi, Hopkin, Kelly, McMurrin, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Huggins, Kendall, Lund, Melich and Morrill.

H. B. No. 40 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 1 on Second Reading.

Committee report read and adopted.

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

Line 1, after "Section 1" strike the balance of the bill and insert in lieu thereof the following:

"No person who is a member of the Legislature of the State of Utah, and who accepts, holds, or is appointed by the Governor to any appointive State position during the period of time for which he was elected to serve as a member of such Legislature, shall receive from the State of Utah, for such position, any compensation, other than actual and necessary expenses."

H. B. No. 1 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, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Kelly, Lund, McMurrin, Melich, Rich, Richards and Mr. President.

Those voting in the negative were: Senators Ashton, Kendall, Miller, Nielsen, Romney and Warner.

Absent and not voting: Senators Ericksen, Huggins and Morrill.

On motion of Senator Melich *H. B. No. 11* retains its position on the calendar.

H. B. No. 50 was read the second time.

Committee report read and adopted.

On motion of Senator Melich the rules were suspended and *H. B. No. 50* was read the third time and placed on its final passage.

H. B. No. 50 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney Warner and Mr. President.

Absent and not voting: Senators Christensen, Ericksen, Huggins and Morrill.

H. B. No. 50 was returned to the House.

H. B. No. 15 was read the second time.

Committee report read and adopted.

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

Line 1 of the title and line 1 of the bill, strike the comma after the word "Annotated".

Line 1, strike the word "hereby".

Line 2, strike the words "as follows".

Line 3, strike "Id. Duties".

Line 4, change the word "analyse" to read "analyze".

H. B. No. 15 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the negative were: Senators Bailey, Child, Dawson, Farr, Hopkin, Lund, Melich, Miller, Nielsen, Rich, Richards, Romney Warner and Mr. President.

Absent and not voting: Senators Ashton, Christensen, Ericksen, Hirschi, Huggins, Kelly, Kendall, McMurrin and Morrill.

INTRODUCTION OF BILLS

S. B. No. 193 By Committee on Revision and Enrolling

AN ACT AMENDING SECTION 87-3-2 UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF THE SECRETARY OF STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 194 By Mr. Romney and Mrs. Ericksen

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO TAKE OVER EQUIPMENT AND SUPPLIES FROM THE W.P.A. AND TO SUPERVISE SCHOOL LUNCH PROGRAMS THROUGH THE STATE OF UTAH, AND MAKING AN APPROPRIATION THEREFOR, AND AUTHORIZING LOCAL BOARDS OF EDUCATION TO EXPEND FUNDS FOR LUNCH PROGRAMS IN THEIR VARIOUS DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 195 By Mr. Richards

AN ACT AMENDING TITLE 43, UTAH CODE ANNOTATED, 1943, BY ADDING A NEW SECTION THERETO TO BE KNOWN AS SECTION 43-3-38A PROVIDING SPECIFIC PENALTIES FOR VIOLATION OF ORDERS, RULES OR REGULATIONS PROMULGATED BY THE INDUSTRIAL COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

February 18, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 135*, by Committee on Public Institutions, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 135 was placed on the Second Reading Calendar.

February 18, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 150*, by Committee on Public Institutions, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS E. E. ERICKSEN,
Chairman.

Report filed.

S. B. No. 150 was placed on the Second Reading Calendar.

February 18, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 52*, by Della L. Loveridge, Carrol J. Meador, Messrs. Walker and Hatch, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

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

February 18, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 146*, by Mr. Hirschi, has carefully considered said bill and reports the same out favorably with the following amendment:

Beginning with the second word "or" on line 9, the balance of the line, and the words on line 10, up to and including the word "shares" be underscored.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 146 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

February 15, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 30*, by Traffic Safety Committee.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 18, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 51*, by Mr. Melich, and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 51 was filed.

February 18, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 8*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 103-12-4, UTAH CODE ANNOTATED 1943, CONCERNING CERTAIN ACTS PROHIBITED BY CORPORATION DIRECTORS", 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.

February 18, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 9*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, RELATING TO REDEMPTION AND PURCHASE OF PREFERRED STOCK OF CORPORATIONS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 9 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 18, 1943.

Mr. President:

I am directed to infrom your Honorable Body that the House has this day passed *S. C. M. No. 1,* by Mr. Miller, entitled, "A JOINT RESOLUTION MEMORIALIZING CONGRESS RESPECTING THE POLICY OF THE STATE OF UTAH RELATING TO ITS WATERS AND THE USE THEREOF BY THE ADJOINING STATES AND THE UNITED STATES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

On motion of Senator Hopkin the Senate adjourned.

FORTIETH DAY

MORNING SESSION

February 19, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

INTRODUCTION OF BILLS

S. B. No. 196 By Committee on Social Relations and Relief

AN ACT AMENDING SECTIONS 80-15-21 AND 80-15-23, UTAH CODE ANNOTATED, 1943, PROVIDING FOR THE DISPOSITION OF REVENUE, USE BY THE PUBLIC WELFARE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 197 By Mr. Dawson

AN ACT TO AMEND SECTION 27-0-1, UTAH CODE ANNOTATED, 1943, RELATING TO CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 198 By Mr. Hopkin

AN ACT PERTAINING TO POST WAR READJUSTMENT; PROVIDING FOR A POST WAR READJUSTMENT COMMITTEE DEFINING THEIR POWERS AND DUTIES; PERIOD WHEN ACT SHALL BE EFFECTIVE; APPROPRIATIONS FOR ADMINISTRATION, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

H. B. No. 29 on Third Reading.

Senator Ericksen with the aid of five Senators requested a Call of the Senate.

On motion of Senator Ericksen the Call was lifted.

On motion of Senator Macfarlane the enacting clause was stricken on *H. B. No. 29*.

H. B. No. 29 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

February 18, 1943.

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 18, and passed *H. B. No. 22*, by Mr. William C. Jensen, Mrs. Jack, Messrs. Bell, Sabin and Roberts, entitled, "AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, RELATING TO THE

TIME EMPLOYER MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT", and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

February 18, 1943.

Mr. Speaker:
Mr. President:

Your Joint Conference Committee, to which was referred *H. B. No. 22*, by Mr. William C. Jensen, Mrs. Jack, Messrs. Bell, Sabin and Roberts, entitled, "AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, RELATING TO THE TIME EMPLOYER MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT", has carefully considered amendments to the said bill and recommends the adoption of the following amendments.

Page 1, line 10, after the word "holiday" strike the period and add the following: ", except when prevented by unavoidable delay".

Page 1, line 16, strike the last word on line, "at", and insert: "either semi-monthly or monthly".

Line 17, strike the first four words: "the time of payment"; after the word "statement" insert: "showing the amount of each such deduction made during said semi-monthly or monthly period."

Respectfully submitted,

WILLIAM C. JENSEN,
Chairman of House Committee,

J. ARTHUR BAILEY,
Chairman of Senate Committee.

Report filed.

On motion of Senator Bailey the Senate adopted the report of the Joint Conference Committee.

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall,

Lund, McMurrin, Melich, Morrill, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Christensen.

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

CONSIDERATION OF BILLS ON THIRD READING

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

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

Yeas, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Rich, Richards and Mr. President.

Those voting in the negative were: Senators Ashton, Ericksen, Miller, Nielsen, Romney and Warner.

Abesent and not voting: Senator Christensen.

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

H. B. No. 15 was read the third time and placed on its final passage.

H. B. No. 15 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Morrill.

Absent and not voting: Senators Christensen and Lund.

H. B. No. 15 was returned to the House.

CONSIDERATION OF BILL ON SECOND READING

H. B. No. 25 was read the second time.

Committee report read and adopted.

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

Line 10, change the word "resided" to read "resides".

H. B. No. 25 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, Farr, Hopkin, Huggins, Lund, McMurrin, Melich, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Bailey, Hirschi, Kelly, Kendall, Miller and Morrill.

Absent and not voting: Senators Christensen, Dawson and Ericksen.

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

AFTERNOON SESSION

February 19, 1943.

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

Roll Call—All Senators present.

February 19, 1943.

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,

GEORGE M. MILLER,
CLAUD HIRSCHI.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 194*, by Mr. Romney 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. 194 was ordered printed and referred to the Committee on Education.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 189*, by Committee on Revision and Enrolling, 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 Judiciary.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 186*, by Committee on Revision and Enrolling, 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 Revenue and Taxation.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 187*, by Committee on Revision and Enrolling, 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 State and Municipal Affairs.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 188*, by Committee on Revision and Enrolling, 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. 188 was ordered printed and referred to the Committee on Revenue and Taxation.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 185*, by Committee on Revision and Enrolling, 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. 185 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 184*, by Committee on Revision and Enrolling, 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 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 183*, by Mr. Kendall, 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 Judiciary.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 182*, 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. 182 was ordered printed and referred to the Committee on Revenue and Taxation.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 181*, by Mr. Warner, 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. 181 was ordered printed and referred to the Committee on Judiciary.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 173*, 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. 173 was ordered printed and referred to the Committee on Revenue and Taxation.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 176*, by Mr. Bailey, 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 Health and Labor.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 170*, 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. 170 was ordered printed and referred to the Committee on Judiciary.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 168*, by Committee on Highways, 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 Highways.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 192*, by Mr. Warner, 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. 192 was ordered printed and referred to the Committee on Education.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 190*, by Committee on Revenue and Taxation, 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 Revenue and Taxation.

February 18, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 191*, by Messrs. Bailey and Melich, 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 Health and Labor.

February 19, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 195*, by Mr. Richards, 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. 195 was ordered printed and referred to the Committee on Health and Labor.

February 19, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 43*, by Mr. Hatch, et al, has carefully considered said bill and reports the same out favorably, with the following amendments:

Strike out on line 8 of the title, the word "upon", and all of line 9, to and including the word "vehicle" on line 10.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

H. B. No. 43 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 154*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 154 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 153*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 149*, by Mr. Kendall, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 100*, by Committee on Health and Labor, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 46*, by Messrs. Sorenson, Cowles, Jack and Roberts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 46 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 120*, by Mr. Hirschi, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

S. B. No. 120 was placed on the Second Reading Calendar.

February 19, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 41*, by Messrs. Hatch and Cannon, has carefully considered said bill, and reports the same out favorably.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed

H. B. No. 41 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

February 19, 1943.

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 Messrs. Robinson, Merrill, Hale and Elswood, entitled, "AN ACT AMENDING SECTION 87-3-3 UTAH CODE ANNOTATED 1943, RELATING TO AND PRESCRIBING THE DUTIES OF THE SECRETARY OF STATE WITH REFERENCE TO THE DISTRIBUTION OF LAWS, RESOLUTION AND JOURNALS AND ENACTING A NEW SUB-SECTION THERETO, TO BE KNOWN AS SUB-SECTION (10), and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 45 was referred to the Committee on Judiciary.

February 19, 1943.

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. 22*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO FEES OF COUNTY CLERK", 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 amendments.

S. B. No. 22 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, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Lund and Romney.

S. B. No. 22 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTION OF MEMORIAL

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

A JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OR THE APPROPRIATE FEDERAL AGENCY AND IF NECESSARY THE CONGRESS TO INSURE A SUBSTANTIAL INCREASE IN THE PRICE OF STRATEGIC METALS AND PARTICULARLY ZINC, LEAD AND COPPER, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 199 By Committee on State and Municipal Affairs.

AN ACT AUTHORIZING THE BOARD OF EXAMINERS, COUNTY COMMISSIONERS, CITY COMMISSIONERS OF CITIES OF THE FIRST AND SECOND CLASS TO DESIGNATE BY REGULATION THE HOURS OF EMPLOYMENT FOR EMPLOYEES AND THE HOURS DURING WHICH THE STATE, COUNTY AND CITY OFFICES AND DEPARTMENTS SHALL REMAIN OPEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 200 By Mr. Hopkin

AN ACT PROVIDING FOR THE DESTRUCTION OF THE RECORDS AND PAPERS OF THE DEPARTMENT OF AGRICULTURE AFTER A PERIOD OF FIVE YEARS AND AFTER AN AUDIT BY THE STATE AUDITOR WITH EXCEPTIONS THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 201 By Mr. Miller

AN ACT IMPOSING AN EXCISE TAX ON THE PRIVILEGE OF DOING BUSINESS IN THE STATE OF UTAH RELATING TO TAXATION OF 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 TO THE STATE TAX COMMISSION; PROVIDING FOR THE APPOINTMENT OF INCOME DERIVED FROM BUSINESS TRANSACTED AND PROPERTY LOCATED WITHIN THE STATE FROM WHICH DIVIDENDS ARE DECLARED; PROVIDING FOR THE 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 PROFITS OF THE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 202 By Mr. Richards

AN ACT DEFINING AND RELATING TO NARCOTIC DRUGS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO; AND REPEALING CHAPTER 10a, TITLE 79 OF THE UTAH CODE ANNOTATED, 1943, was read the first time and referred to the committee on Revision and Enrolling.

S. B. No. 203 By Mr. Kendall

AN ACT AMENDING SECTIONS 1, 7, 10, 17, 18, 19, 20, 21 AND 25, 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.

S. B. No. 204 By Mr. Miller

AN ACT AMENDING TITLE 49 UTAH CODE ANNOTATED 1943 BY ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 15, PROVIDING FOR THE GIVING OF NOTICE AT THE INDUSTRIAL COMMISSION OF IMPENDING STRIKES REQUIRING MEDIATION AND CONCILIATION PROCEEDINGS, AND REQUIRING THE FILING OF ALL LABOR CONTRACTS WITH THE INDUSTRIAL COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 205 By Mr. Macfarlane

AN ACT PROVIDING FOR THE REFUND OF MOTOR FUEL EXCISE 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.

S. B. No. 206 By Messrs. Child, Nielsen, Hirschi, Macfarlane and Farr

AN ACT CREATING THE OFFICE OF VETERAN'S REHABILITATION COUNCIL; PROVIDING FOR THE APPOINTMENT OF

THE MEMBERS OF SAID COUNCIL AND FOR THE APPOINTMENT OF A VETERANS' STATE SERVICE OFFICER; AND NECESSARY HELP AND THE PROVIDING OF NECESSARY SUPPLIES; DEFINING THE QUALIFICATIONS, AUTHORITY AND DUTIES OF THE COUNCIL AND THE VETERANS' STATE SERVICE OFFICER AND THE AUTHORITY AND DUTIES OF SUCH OFFICERS; FIXING AND PROVIDING FOR THE PAYMENT OF SALARIES AND OTHER EXPENSES AND PROVIDING FOR THE LOCATION OF THE OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 207 By Mr. Huggins

AN ACT AMENDING CHAPTER 5 OF TITLE 76, UTAH CODE ANNOTATED, 1943, AND PARTICULARLY SECTIONS 76-5-13, 76-5-21, 76-5-25, 76-5-26 AND 76-5-29 THEREOF RELATING TO TRANSPORTATION BY MOTOR VEHICLES, PROVIDING A NEW DEFINITION OF THE TERM "COMMISSION" AND PROVIDING A NEW DEFINITION OF "CONTRACT CARRIER OF PASSENGERS," LIMITING THE ISSUANCE OF INTRASTATE COMMERCE CARRIER PERMITS, ALTERING THE EXCEPTIONS FROM THE ACT, AUTHORIZING THE PUBLIC SERVICE COMMISSION TO APPOINT INSPECTORS AND PROVIDING FOR DEPUTIZING THEM AND EMPOWERING THEM TO MAKE ARRESTS; REPEALING SECTION 76-5-14 THEREOF WHICH EXCEPTS ROUTES IN CITIES AND TOWNS FROM THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 208 By Messrs. Hopkin and Christensen

AN ACT PROVIDING FOR THE CLASSIFICATION, RECOGNITION, CONTROL AND ERADICATION OF PULLORUM DISEASE OF POULTRY IN UTAH, PROHIBITING IMPORTATION OF CHICKENS FOR BREEDING PURPOSES FROM FLOCKS NOT UNDER CONTROL OF THE NATIONAL POULTRY IMPROVEMENT PLAN, PROVIDING FOR LABELING CONTAINERS OF EGGS, CHICKS OR BREEDING STOCK WITH RESPECT TO TESTS FOR PULLORUM, PROVIDING FOR REGISTRATION AND LICENSING OF SALESMAN OR SALES AGENCIES OF CHICKS, POULTS OR HATCHING EGGS IN UTAH, AND PROVIDING THAT HATCHERIES SELLING CHICKS, POULTS, OR HATCHING EGGS WITHIN THE STATE SHALL FILE CERTIFIED COPIES OF BLOOD TEST REPORTS WITH THE STATE BOARD OF AGRICULTURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 209 By Mrs. Ericksen

AN ACT CONCERNING MILK AND MILK PRODUCTS REGULATING THE PRODUCTION, HANDLING, SALE AND DISPOSITION THEREOF FOR THE PROTECTION OF PUBLIC HEALTH, AND PRESCRIBING PENALTIES AND PROVIDING FOR THE ENFORCEMENT THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 210 By Committee on Education

AN ACT TO AMEND SECTION 75-29-28, UTAH CODE ANNOTATED, 1943, GIVING THE UTAH STATE TEACHER RETIREMENT BOARD AUTHORITY TO CONTROL AND INVEST SAID FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 211 By Mr. Miller

AN ACT REPEALING SECTION 49-11-8, UTAH CODE ANNOTATED, 1943, RELATING TO MAXIMUM HOURS OF LABOR ON PUBLIC WORKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 212 By Mr. Lund

AN ACT AMENDING SECTIONS 54-4-1, 54-4-2, 54-4-3 AND 54-4-4, UTAH CODE ANNOTATED, 1943, RELATING TO THE STATE GUARD, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 4, line 14, strike the "s" from the word "degrees".

In the House amendment, page 2, line 27, insert the letters "th" in the word "forwith".

Page 5, strike lines 12 to 16.

Page 3, line 19, insert the letter "s" in the word "year".

Page 4, line 25, change the word "last" to read "least".

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

Page 1, strike lines 3 and 4 and the word "possible" in line 5, and capitalize the word "to".

In the title, line 5, strike the words "for the maintenance and operation of the common and high schools of the State;".

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

Section 5 to read Section 6.

Section 5 to be worded: "This act shall expire July 1, 1945.".

H. B. No. 28 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

COMMUNICATION FROM THE HOUSE

February 19, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. M. No. 3*, by Mrs. Loveridge, entitled, "A MEMORIAL RELATING TO FEDERAL RENT CONTROL LEGISLATION", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

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

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

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Kelly and Warner.

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

COMMUNICATION FROM THE GOVERNOR

February 18, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 45*, by Mr. Farr, entitled, "AN ACT CREATING A STATE BOND RETIREMENT FUND, MAKING APPROPRIATION THERETO, LIMITING INVESTMENT OF FUND, AUTHORIZING THE PURCHASE AND SALE OF CERTAIN SECURITIES ON A PRESCRIBED BASIS AND PROVIDING FOR DISPOSITION OF THE REMAINDER OF THE FUNDS TO BE KNOWN AS CHAPTER 4, TITLE 53, UTAH CODE ANNOTATED 1943".

Yours truly,
HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Miller the Senate adjourned until February 20, 1943, at 10 a. m.

FORTY-FIRST DAY

MORNING SESSION

February 20, 1943.

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

Roll Call—All Senators present, except Senators Dawson, Ericksen, and Warner.

Prayer by the Chaplain.

February 20, 1943.

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,
GEORGE M. MILLER,
CLAUD HIRSCHI.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 20, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 160*, by Mr. McMurrin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 160 was placed on the Second Reading Calendar.

February 20, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 169*, by Mr. Miller, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 169 was placed on the Second Reading Calendar.

February 20, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 167*, by Messrs. Child, Huggins and Neilsen, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 167 was placed on the Second Reading Calendar.

SPECIAL ORDER

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

Committee report read and adopted.

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

Page 2, line 31, strike the word "be" and insert the word "by".

On motion of Senator Miller the rules were suspended and *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, 15; Nays, 0; Absent, 8.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Farr, Hopkin, Kelly, Kendall, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Dawson, Ericksen, Hirschi, Huggins, Lund, Melich and Warner.

S. B. No. 54 was transmitted to the House.

S. B. No. 55 was read the second time.

Committee report read and adopted.

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

Page 3, line 1, strike the word "conclusive" and insert the word "presumptive".

S. B. No. 55 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 4; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Hopkin, Huggins, Kelly, McMurrin, Miller, Nielsen, Rich, Richards, Romney and Mr. President.

Those voting in the negative were: Senators Farr, Lund, Melich and Morrill.

Absent and not voting: Senators Christensen, Dawson, Ericksen, Hirschi, Kendall and Warner.

UNFINISHED BUSINESS

H. B. No. 5 was read the second time.

Committee report read and adopted.

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

Page 3, line 7, strike the word "add" and insert the word "and".

H. B. No. 5 failed of passage on the following roll call:

Yeas, 7; Nays, 12; Absent, 4.

Those voting in the affirmative were: Senators Child (explained vote), Christensen, Hopkin, Huggins (explained vote), Lund, McMurrin and Rich.

Those voting in the negative were: Senators Ashton, Farr, Hirschi, Kelly, Kendall, Melich, Miller, Morrill, Nielsen, Richards, Romney and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Ericksen and Warner.

Senator Nielsen served notice that on the next Legislative day he would move to reconsider the vote by which *H. B. No. 5* failed of passage.

COMMUNICATION FROM THE GOVERNOR

February 20, 1943.

To the Senate:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advice and consent:

For State Engineer, to serve for the four year term beginning March 1, 1943 and ending February 28, 1947, Ed H. Watson.

For Commissioner in the Finance Department, for the six year term beginning March 1, 1943 and ending February 28, 1949, Jerrold P. Beesley.

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 19, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 30,* by the Traffic Safety Committee, entitled, "AN ACT AMENDING SECTIONS 57-4-10 AND 57-4-19, UTAH CODE ANNOTATED 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, AND EXTENDING THE LICENSE FEES, DISPOSITION OF REVENUE,

AND EXTENDING THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 30 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 19, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 20*, by Mr. Dawson, and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 20 was filed.

REPORTS OF STANDING COMMITTEE

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 178*, by Committee on Revision and Enrolling, 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. 178 was ordered printed and referred to the Committee on Health and Labor.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 180*, by Committee on Social Relations and Relief, 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. 180 was ordered printed and referred to the Committee on Social Relations and Relief.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 196*, by Committee on Social Relations and Relief, 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. 196 was ordered printed and referred to the Committee on Social Relations and Relief.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 197*, 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. 197 was ordered printed and referred to the Committee on Judiciary.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 198*, 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. 198 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 122*, 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. 122 was ordered printed and referred to the Committee on Judiciary.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 123*, 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. 123 was ordered printed and referred to the Committee on Judiciary.

February 20, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 124*, 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. 124 was ordered printed and referred to the Committee on Judiciary.

On motion of Senator Romney the Senate Adjourned.

FORTY-THIRD DAY

MORNING SESSION

February 22, 1943.

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

Roll Call—All Senators present, except Senators Ericksen, Farr, Hopkin, Huggins, Kendall, Lund and President Macfarlane.

Prayer by the Chaplain.

February 22, 1943.

Mr. President:

We, your Committee on Revision of the Journal, respectfully report that we have read the Journal for the 41st day and find it correct, with minor amendments noted on the final copy.

Respectfully,

GEORGE M. MILLER,
CLAUD HIRSCHI.

Report adopted and filed.

The Chair appointed Senators Child and Kelly to revise the Journal for the week beginning February 22, 1943.

COMMUNICATION FROM THE HOUSE

February 20, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. M. No. 1*, by Mr. Midgley, entitled, "MEMORIALIZING CONGRESS TO ENACT H. R. NO. 997 OR S. B. NO. 216 WHICH WILL ESTABLISH A PHARMACY CORPS IN THE UNITED STATES ARMY", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

SPECIAL ORDER

S. B. No. 142 was read the second time.

Committee report read and adopted.

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

Line 1, strike "Sec. 43-3-46."

Line 5, after the word "addition" insert the word "to".

S. B. No. 142 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, Hirschi, Kelly, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hopkin, Huggins, Kendall, Lund and Mr. President.

S. B. No. 83 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen, the bill was amended as follows:

Page 1, line 9, after the word "marine" insert the words "as specified in subsection 2 hereof".

Line 16, strike the word "tangible" and insert the word "taxable".

Page 2, line 2, strike the last word and insert the word "destination".

Page 4, line 21, underline "3".

S. B. No. 83 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, Child, Christensen, Hirschi, Kelly, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards and Romney.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hopkin, Huggins, Kendall, Lund, Warner and Mr. President.

Senator Bailey moved that *S. B. No. 33* be taken from the table and considered at this time.

Motion carried.

S. B. No. 33 on Second Reading.

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

Line 3, beginning with "( )" strike up to and including the word "provided" on line 12, and insert in lieu thereof the following: "A homestead claimant may make a declaration of homestead in the manner provided in the next two sections, but a failure to make such declaration shall not impair the homestead right; providing, however, if no declaration has previously been made, that if any claimant of a homestead be personally served with a notice of an execution or judicial sale twenty days prior to such sale and fails to serve upon the sheriff or officer presiding at such sale, and prior to said sale, a declaration of homestead substantially in the form provided in section 38-0-11, he shall be forever precluded and estopped from claiming a homestead in the property sold at the execution or judicial sale and described in the notice of sale served upon him as above mentioned."

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present, except Senators Ericksen, Farr, Hopkin, Huggins, Kendall and President Macfarlane.

COMMUNICATIONS FROM THE HOUSE

February 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 65*, by Labor Committee, entitled "AN ACT AMENDING SECTION 82C-3-10, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND FUNCTIONS OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND PROVIDING SAID DEPARTMENT SHALL HAVE NO POWER OR JURISDICTION OVER EMPLOYER-EMPLOYEE CONTROVERSIES", 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 Health and Labor.

February 22, 1943.

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. 79*, by Miss Smith and Mr. Stringham, entitled, "AN ACT AMENDING SECTIONS 19-1-8 AND 19-1-27, UTAH CODE ANNOTATED 1943, RELATING TO AND ESTABLISHING THE BOUNDARY LINES OF DAGGETT AND UINTAH COUNTIES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 79 was read the first time and referred to the Committee on State and Municipal Affairs.

February 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 81*, by Mr. Joseph E. Rees, entitled, "AN ACT AMENDING SECTION 25-6-24, UTAH CODE ANNOTATED 1943, RELATING TO VOTING: ASSISTING DISABLED AND ILLITERATE VOTERS IN CASTING BALLOT AND PROVIDING THAT BLIND PERSONS MAY SELECT ANY QUALIFIED ELECTOR TO ASSIST THEM IN CASTING BALLOT", 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 State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

February 22, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 190*, by Committee on Revenue and Taxation, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 190 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 175*, by Mr. Child, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 175 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 173*, by Mr. Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 173 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 182*, by Mr. Macfarlane, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 182 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 186*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 186 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 188*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

S. B. No. 188 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 157*, by Mr. Richards, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 157 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 151*, by Committee on Public Institutions, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 151 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 165*, by Messrs. Richards and Huggins, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 165 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 183*, by Mr. Kendall, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 183 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 172*, by Mr. Miller, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 172 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 45*, by Messrs. Robinson, Merrill, Hale and Elswood, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

H. B. No. 45 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 164*, by Committee on Revision and Enrolling, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 164 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 181*, by Mr. Warner, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 181 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 189*, by Committee on Revision and Enrolling, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 189 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 166*, by Messrs. Richards and Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 166 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 158*, by Committee on Judiciary, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 158 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 156*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 156 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 123*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 123 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 124*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 170*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 170 was placed on the Second Reading Caelndar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 122*, by Mr. Huggins, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 122 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 197*, by Mr. Dawson, has carefully considered said bill, and reports the same out favorably with the following amendment:

Section 2. "This act shall take effect upon approval."

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

S. B. No. 197 was placed on the Second Reading Calendar.

February 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 177*, 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. 177 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 179*, by Committee on Social Relations and Relief, 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 Social Relations and Relief.

February 22, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 193*, by Committee on Revision and Enrolling, 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. 193 was ordered printed and referred to the Committee on State and Municipal Affairs.

UNFINISHED BUSINESS

S. B. No. 33 on Second Reading.

S. B. No. 33 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 3; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Hirschi, Kelly, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards and Warner.

Those voting in the negative were: Senators Ashton, Miller and Romney.

Absent and not voting: Senators Ericksen, Farr, Hopkin, Huggins, Kendall and Mr. President.

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

Motion carried.

Senator Nielsen moved to reconsider the vote by which *H. B. No. 5* failed of passage.

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

The motion was carried on the following roll call:

Yeas, 12; Nays, 5; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Kelly, Lund, McMurrin, Morrill, Nielsen, Rich, Richards, and Warner.

Those voting in the negative were: Senators Dawson, Hirschi, Melich, Miller and Romney.

Absent and not voting: Senators Ericksen, Farr, Hopkin, Huggins, Kendall and Mr. President.

On motion of Senator Bailey, *H. B. No. 5* was made a Special Order of Business for Wednesday, February 24, 1943 at 2:15 p. m.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Rich, *S. B. No. 103* retains its position on the Calendar.

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

Committee report read and adopted.

On motion of Senator Melich, the Enacting Clause was stricken.

S. B. No. 52 was filed.

On motion of Senator Melich, *S. B. No. 62,* retains its position on the Calendar.

S. B. No. 76 was read the second time.

Committee report read and adopted.

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

Line 16, strike the word "take" and insert the word "make".

S. B. No. 76 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, Hirschi, Kelly, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards and Warner.

Absent and not voting: Senators Ericksen, Farr, Hopkin, Huggins, Kendall, Morrill, Romney and Mr. President.

S. B. No. 70 was read the second time.

Committee report read and adopted.

On motion of Senator Hirschi, *S. B. No. 70* retains its position on the Calendar.

S. B. No. 69 was read the second time.

Committee report read and adopted.

On motion of Senator Morrill the Enacting Clause was stricken

S. B. No. 69 was filed.

S. B. No. 60 was read the second time.

Committee report read and adopted.

On motion of Senator Warner *S. B. No. 60* retains its position on the Calendar.

On motion of Senator Melich *S. B. No's. 57* and *58* retain their positions on the Calendar.

S. J. R. No. 2 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 "gvernor" and insert the word "governor".

S. J. R. No. 2 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 5; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Hirschi (explained vote), McMurrin (explained vote), Melich, Morrill, Nielsen, Rich, Richards and Warner.

Those voting in the negative were: Senators Ashton, Kelly, Lund, Miller and Romney.

Absent and not voting: Senators Ericksen, Farr, Hopkin, Huggins, Kendall and Mr. President.

On motion of Senator Hirschi the Senate adjourned until tomorrow, February 23, 1943 at 10:00 a. m.

FORTY-FOURTH DAY

MORNING SESSION

February 23, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 23, 1943.

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,

STANLEY N. CHILD,
JAMES A. KELLY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 159*, by Committee on State and Municipal Affairs, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 159 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 184*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 184 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 185*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 185 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 187*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 187 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. C. M. No. 1*, by Mr. Midgley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. C. M. No. 1 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 81*, by Mr. Rees, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 81 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 79*, by Miss Smith and Mr. Stringham, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 79 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 148*, by Mr. Kendall, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 23, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 161*, by Mr. Kendall, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 161 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

February 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 1*, by Mr. Cowles.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

February 22, 1943.

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 Education Committee, entitled, "AN ACT AMENDING SECTIONS 79-8-2, 79-8-3, UTAH CODE ANNOTATED 1943, RELATING TO HAIRDRESSERS, COSMETICIANS AND ELECTROLOGISTS: QUALIFICATIONS OF APPLICANTS FOR LICENSE TO PRACTICE WHICH SHALL INCLUDE HAIRSHAPING; AND REPEALING SECTION 79-8-4, UTAH CODE ANNOTATED 1943, RELATING TO LICENSE TO CUT HAIR; REQUIREMENTS", 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 Agriculture and Irrigation.

February 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session in the presence of the House, *H. B. No. 50*, by Mr. Cowles, entitled, "AN ACT AMENDING SECTION 21-0-3, UTAH CODE ANNOTATED 1943, RELATING TO COMPENSATION OF COURT REPORTERS", and the same is forwarded 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.

February 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *H. B. No. 40*, by Messrs. Hatch and Cannon, entitled, "AN ACT AMENDING SECTION 82C-2-33, UTAH CODE ANNOTATED 1943, RELATING TO THE INVESTMENT OF FUNDS BY THE COMMISSION OF FINANCE", and the same is forwarded herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 40 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 22, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 51*, by Mr. Joseph E. Rees, entitled, "AN ACT AMENDING SECTIONS 36-6-3, 36-6-10, 36-6-11, 36-6-17, 36-6-21, AND

36-6-24, UTAH CODE ANNOTATED 1943, RELATING TO THE DESIGNATION OF CERTAIN STATE ROADS", 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 Highways.

The President appointed a Committee on Appointments consisting of Senators Christensen, Rich, Nielsen, Kendall and Dawson.

Senator Richards moved that the President appoint a Sifting Committee consisting of seven members, said committee to begin its functions on the 45th day, and that all bills on the Third Reading and Second Reading Calendars and those laid on the table and bills to be considered under Special Order, be referred to this committee at the conclusion of business on the 44th day.

Motion carried.

Senator Ashton moved that the rules be suspended and that *H. B. No. 79* be placed at the head of the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 71 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 1, strike the word "shall" and insert the word "may".

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

Page 1, line 1, change the second appearing word "Sections" to read "Secs.".

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

Page 2, line 8, strike the word "shall" and insert the word "may".

Line 9, after the word "funds" insert the words "or facilities".

S. B. No. 71 then passed on the following roll call:

Yeas, 15; Nays, 3; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ericksen, Farr, Huggins, Kelly, Kendall, Miller, Morrill, Nielsen, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Hirschi, Hopkin and Melich.

Absent and not voting: Senators Ashton, Dawson, Lund, McMurrin and Rich.

S. B. No. 71 was transmitted to the House.

S. B. No. 73 was read the third time and placed on its final passage.

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

Line 3, following the word "maintained" insert the following: "and no defense or counter-claim to any action involving the recovery of property, or the defense of title to property, sold at such tax sale, or public or private sale, or for possession thereof, shall be set up or maintained,".

Line 4, following the word "brought" insert the words "or set up".

Line 5, following the word "maintained" strike the words "if brought" and insert "or defense set up".

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

Lines 4 and 6, strike the word "two" and insert the word "four".

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

Line 3, after "1943" insert the following: "and struck off to the county auditor as provided in subsection 6 of said section".

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

Strike line 8.

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

AFTERNOON SESSION

February 23, 1943.

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 60*, by Mr. Grotegut, entitled, "AN ACT AMENDING SECTION 13-0-1, UTAH CODE ANNOTATED 1943, RELATING TO CHATTEL MORTGAGES; REQUISITES FOR VA-

LIDITY AND PROVIDING THAT AS AGAINST INTEREST OF THIRD PERSONS, PROPERTY MUST EITHER BE DELIVERED TO OR RETAINED BY MORTGAGEE, OR MORTGAGE PROVIDE OTHERWISE, OR MORTGAGE OR COPY THEREOF BE FILED IN COUNTY RECORDER'S OFFICE", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 60 was read the first time and referred to the Committee on Judiciary.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 63*, by Mr. Robinson, entitled, "ACT PROVIDING FOR RECIPROCAL AGREEMENTS BETWEEN THE STATES OF UTAH AND IDAHO RELATING TO FISHING ON BEAR LAKE; AND FOR COOPERATIVE AGREEMENTS WITH IDAHO AND WYOMING RELATING TO CONSTRUCTION, DEVELOPMENT AND MAINTENANCE OF FISHING RESOURCES, BEING A PART OF TITLE 30, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 63 was read the first time and referred to the Committee on Fish and Game.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 15*, by Agricultural Committee, entitled, "AN ACT AMENDING SECTION 87-7-5, UTAH CODE ANNOTATED 1943, RELATING TO DUTIES OF THE STATE CHEMIST, AND SETTING FORTH HIS RIGHTS OF ACCESS TO OBTAIN FOOD SAMPLES FOR ANALYSIS FROM PROCESSING PLANTS AND OTHER ES-

TABLISHMENTS AND TO INSPECT LABORATORY EQUIPMENT OF SUCH PLANTS", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 15 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 22,* by Representatives Jensen, Jack, Bell, Sabin and Roberts, entitled, "AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, RELATING TO THE TIME EMPLOYER MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 22 was signed by the President in open session in the presence of the Senate and returned to the House for transmission to the Governor.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 59,* by Mr. Grotegut, entitled, "AN ACT REPEALING SECTION 13-0-2, UTAH CODE ANNOTATED 1943, HERETOFORE PROVIDING THAT A CHATTEL MORTGAGE IS VOID AS AGAINST THIRD PARTIES AFTER THREE YEARS FROM FILING THEREOF UNLESS AN AFFIDAVIT EXHIBITING INTEREST OF MORTGAGEE IS FILED AT THE END OF THREE YEARS AND EACH YEAR THEREAFTER; ALSO HERETOFORE PROVIDING THAT NO MORTGAGE SHALL BE VALID AS AGAINST CREDITORS OR MORTGAGOR OR BONAFIDE PUR-

CHASERS AFTER EXPIRATION OF FIVE YEARS FROM DATE OF ORIGINAL FILING", 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 Judiciary.

REPORTS OF STANDING COMMITTEES

February 23, 1943.

Mr. President:

We, your Committee on State and Municipal Affairs, to which was referred *S. B. No. 163*, by Mr. Bailey, report back *S. B. No. 163* and refer you to Senate Rule 101, and recommend that the bill be referred to the Committee on Appropriations and Claims.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 163 was referred to the Committee on Appropriations and Claims.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 204*, 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. 204 was ordered printed and referred to the Committee on Health and Labor.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 205*, 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. 205 was ordered printed and referred to the Committee on Judiciary.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 206*, by Messrs. Child, Nielsen, Hirschi, Farr 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. 206 was ordered printed and referred to the Committee on Judiciary.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 207*, 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. 207 was ordered printed and referred to the Committee on Highways.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 208*, by Messrs. Hopkin and 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. 208 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 210,* by the Committee on Education, 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. 210 was ordered printed and referred to the Committee on Education.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 211,* 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. 211 was ordered printed and referred to the Committee on Health and Labor.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. M. No. 1,* by Mr. Miller, entitled, "A JOINT RESOLUTION MEMORIALIZING CONGRESS RESPECTING THE POLICY OF THE STATE OF UTAH RELATING TO ITS WATERS AND THE USE THEREOF BY THE ADJOINING STATES AND THE UNITED STATES", 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. 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.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 9*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, RELATING TO REDEMPTION AND PURCHASE OF PREFERRED STOCK OF CORPORATIONS", 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. 9 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 21*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 100-1-10, UTAH CODE ANNOTATED 1943, RELATING TO CONVEYANCE OF WATER RIGHT BY DEED AND THE EFFECT 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. 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.

February 23, 1943.

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 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO

FEES OF COUNTY CLERK", 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.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 24*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 40-3-1, UTAH CODE ANNOTATED 1943, RELATING TO DIVORCE, BY CHANGING THE REQUIREMENTS OF RESIDENCE AND ADDING AN ADDITIONAL GROUND FOR DIVORCE", 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. 24 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 31*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-8, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF THE DEBTS OF AN ESTATE FOR THE PURPOSE OF DETERMINING NET ESTATE FOR INHERITANCE TAX PURPOSES", 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. 31 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

UNFINISHED BUSINESS

S. B. No. 73 on final passage.

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

Line 3 of the title, strike the words "Held By" and insert the words "Sold To The County", also strike the word "Another".

Line 1, strike the last three words.

Line 2, strike the first six words and insert in lieu thereof "struck off and sold to the county". Also after the figures "68" insert "subsection 6".

Line 3, strike the amendment inserted after "1943".

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

Lines 4 and 5 of the title, strike "Known As Section 104-2-5.10" and insert in lieu thereof "Part of Title 104, Chapter 2".

S. B. No. 73 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, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Hopkin, Huggins and Morrill.

S. B. No. 59 was read the third time and placed on its final passage.

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

Line 13, following the word "purposes" insert "provided such moneys made available to the state departments shall be deposited with the state treasurer and expended in the same manner as other moneys appropriated to each of the said state departments".

S. B. No. 59 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, McMurrin, Morrill (explained vote), Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Dawson, Hirschi, Kelly, Kendall, Lund, Melich and Miller.

S. B. No. 59 was transmitted to the House.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *H. B. No. 79*.

Motion carried.

H. B. No. 79 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 79* was read the third time and placed on its final passage.

H. B. No. 79 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, Farr, Hirschi, Hopkin, Huggins (explained vote), Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards (explained vote), Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen and Kendall.

H. B. No. 79 was returned to the House.

Senator Child moved that the rules be suspended and that the Senate do now reconsider the vote by which *S. B. No. 73* was passed.

Motion carried.

Reconsideration of *S. B. No. 73*.

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

Lines 4 and 5 of the title, strike the amendment and restore original printed material.

After Enacting Clause insert the following: "Section 1. Section 104-2-5.10 is enacted to read:".

Line 1, strike "Section 1." and insert "104-2-5.10.".

S. B. No. 73 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

S. B. No. 73 was transmitted to the House.

S. B. No. 81 was read the third time and placed on its final passage.

S. B. No. 81 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

S. B. No. 81 was transmitted to the House.

S. B. No. 82 was read the third time and placed on its final passage.

S. B. No. 82 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

S. B. No. 82 was transmitted to the House.

Upon unanimous consent of the Senate the following bills were introduced:

INTRODUCTION OF BILLS

S. B. No. 213 By Mr. Huggins

AN ACT TO PROVIDE FOR A NEW SECTION, TO BE KNOWN AS SECTION 25-6-6A, UTAH CODE ANNOTATED 1943, FOR PRINTING ON BALLOTS THE NAMES OF CANDIDATES FOR NATIONAL, STATE, COUNTY, CITY OR TOWN OFFICES, IN DIRECT-PRIMARY, CITY OR TOWN ELECTIONS, SO THAT THE NAME OF EACH CANDIDATE FOR THE SAME OFFICE SHALL OCCUPY, WITH REFERENCE TO THE NAME OF EVERY OTHER CANDIDATE FOR THE SAME OFFICE, FIRST, SECOND, AND EVERY OTHER POSITION ON THE BALLOTS IN EQUAL NUMBERS; AND PROVIDING FORMULAS FOR DETERMINING THE ORDER OF PRINTING THE NAMES OF ALL CANDIDATES ON THE BALLOTS; AND PROVIDING FOR AN IMPARTIAL DISTRIBUTION OF SUCH BALLOTS; AND REPEALING ALL LAWS IN CONFLICT THEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 214 By Mr. Huggins

AN ACT AMENDING SECTION 75-2-1, UTAH CODE ANNOTATED, 1943, RELATING TO REGISTRATION AND TUITION FEES OF STUDENTS OF THE UNIVERSITY OF UTAH, THE UTAH STATE AGRICULTURAL COLLEGE, THE BRANCH AGRICULTURAL COLLEGE OF CEDAR CITY, AND OTHER JUNIOR COLLEGES OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Morrill moved that the rules be suspended and that the Senate do now consider *S. B. No. 103*.

Motion carried.

S. B. No. 103 was read the second time.

Committee report read and adopted, and on motion of Senator McMurrin the bill was amended accordingly.

Senator Farr moved to amend the bill as follows:

In the committee amendment inserted on Page 2 after the word "may" insert the words "shorten said school term of nine months and".

Senator Child moved to amend the amendment by striking the words "said school term of nine months and".

Senator Huggins with the aid of five Senators requested a roll call on the motion to amend the amendment.

The motion to amend the amendment failed of passage on the following roll call:

Yeas, 7; Nays, 15; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Miller, Nielsen and Rich.

Those voting in the negative were: Senators Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Christensen.

Original motion to amend was carried.

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

At the end of the committee amendment strike the period and insert the following: "or any fund made available by law or grant.".

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

In the committee amendment preceding the word "harvesting" insert the word "production,".

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

In the committee amendment strike the word "rulings" and insert the word "requirements"; also strike the word "will" and insert the word "shall".

After the word "district" insert the words "and in any grade or grades thereof".

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

In the committee amendment strike the word "therefore" and insert the word "therefor".

S. B. No. 103 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senator Warner.

The President appointed a Sifting Committee consisting of Senators Farr, Hopkin, McMurrin, Christensen, Richards, Morrill and Hirschi.

The following bills were referred to the Sifting Committee: S. B. No's. 103, 62, 70, 60, 57, 58, 43, 47, 56, 64, 79, 77, 75, 86, 78, 36, 96, 66, 94, 98, 93, 92, 95, 87, 88, 67, 65, 113, 115, 117, 114, 111, 110, 109, 108, 106, 105, 104, 101, 99, 61, 80, 72, 74, 121, 128, 126, 127, 116, 125, 147, 133, 119, 102, 132, 39, 85, 140, 134, 90, 91, 112, 131, 141, 89, 130, 129, 144, 136, 137, 138, 139, 142, 145, 143, 135, 150, 146, 154, 153, 149, 100, 120, 160, 169, 167, 190, 175, 173, 182, 186, 188, 157, 151, 165, 183, 172, 164, 181, 189, 166, 158, 156, 123, 124, 170, 122, 197, 159, 184, 185, 187, 148, 161, 23, 13, 55, 83 and 33.

S. J. R. No. 2.

H. B. No's. 11, 13, 49, 47, 26, 42, 8, 14, 9, 39, 52, 43, 46, 41, 45, 81, 5, 25 and 28.

H. C. M. No. 1.

COMMUNICATIONS FROM THE GOVERNOR

February 23, 1943.

To the Senate:

Since the last regular session of the Senate I have made the following recess appointments to fill vacancies in the offices designated and I hereby respectfully submit their names for your confirmation.

FOR MEMBERS OF THE ADVISORY COUNCIL OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT:

Pursuant to Section 82C-3-7, Utah Code Annotated, 1943. To serve for the terms as listed:

James W. Wade, Salt Lake, for term ending.....March 1, 1943
E. G. Bennett, Ogden .....March 1, 1944
A. B. Young, Salt Lake .....March 1, 1945
W. R. Wallace, Salt Lake .....March 1, 1946
E. G. Peterson, Logan .....March 1, 1947
Ellis Pickett, St. George .....March 1, 1948

FOR MEMBERS OF THE WATER RESOURCES DEVELOPMENT ADVISORY COUNCIL:

Pursuant to Section 82C-3-15, Utah Code Annotated, 1943. To serve the following terms as listed:

Harold Hemingway, Ogden, for term ending.....March 1, 1943
D. D. Harris, Layton .....March 1, 1944
B. L. Frandsen, Price .....March 1, 1945
Elmer Jacobs, Provo .....March 1, 1946
Phil Purcell, Salt Lake .....March 1, 1947
J. L. Wadsworth, St. George .....March 1, 1948
George D. Clyde, Logan .....March 1, 1949

FOR COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE:

Pursuant to Section 3-1-17, Utah Code Annotated, 1943. To fill the vacancy caused by the resignation of Seth. T. Shaw and to serve the unexpired term ending March 1, 1943:

Vernal A. Bergeson .....Cornish

FOR MEMBER STATE BOARD OF HEALTH:

Pursuant to Section 35-1-1.11, Utah Code Annotated, 1943. To fill the vacancy caused by the resignation of Dr. E. A. Tripp, and to serve the unexpired term ending March 1, 1948.

Dr. A. R. Christopherson .....Salt Lake

FOR COMMISSIONERS OF INDUSTRIAL COMMISSION:

Pursuant to Sections 42-1-1, Utah Code Annotated, 1943. To fill the vacancy caused by the death of Wm. M. Knerr, and to serve the unexpired term ending March 1, 1943:

E. M. Royle ..... Salt Lake

To fill the vacancy occasioned by the expiration of the term of office of O. F. McShane as Industrial Commissioner and the abandonment of the office of Industrial Commissioner by said O. F. McShane. To serve for a term ending March 1, 1947:

Otto A. Wiesley ..... Salt Lake

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

Pursuant to Section 75-4-7, Utah Code Annotated, 1943. To fill the vacancies existing. To serve for a term ending June 30, 1945:

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

Dr. L. E. Viko ..... Salt Lake

Thornton D. Morris ..... Salt Lake

A. H. Reiser ..... Salt Lake

Earl J. Glade ..... Salt Lake

William H. Leigh ..... Cedar City

FOR THE OFFICE OF STATE BANK COMMISSIONER:

Pursuant to Section 7-1-1, Utah Code Annotated, 1943. To serve for a term ending March 31, 1945:

Rulon F. Starley ..... Mt. Pleasant

FOR MEMBERS OF THE UTAH BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION:

Pursuant to Section 97-0-1, Utah Code Annotated, 1943. To serve for a term ending July 1, 1943:

Calvin W. Rawlins ..... Salt Lake

George W. Worthen ..... Salt Lake

Dean, William Leary ..... Salt Lake

FOR MEMBERS OF THE GOVERNING BOARD OF THE UTAH STATE INSTITUTE OF FINE ARTS:

Pursuant to Section 85-2-20, Utah Code Annotated, 1943. To serve for terms as listed:

Miss Maud R. Hardman, Salt Lake, for term ending.....June 30, 1943
Allen Crockett, Salt Lake .....June 30, 1943
Thomas J. Holland, Salt Lake .....June 30, 1943
Fred E. Smith, Salt Lake .....June 30, 1945
Oscar R. Heppley, Salt Lake .....June 30, 1945
Mrs. John M. Wallace, Salt Lake .....June 30, 1945
A. B. Paulson, Salt Lake .....June 30, 1945
Ranch S. Kimball, Salt Lake .....June 30, 1945
Tracy Y. Cannon, Salt Lake .....June 30, 1945
Gail Plummer, Salt Lake .....June 30, 1945

FOR MEMBERS OF THE ADVISORY COUNCIL FOR THE SCHOOL FOR THE DEAF AND BLIND:

Pursuant to Section 85-3-22, Utah Code Annotated, 1943. To serve for terms as listed:

Miss Irene Jones, Salt Lake, for term ending.....March 1, 1943
Stanley Robbins, Ogden .....March 1, 1944
Professor T. Earl Pardoe, Provo .....March 1, 1945
Miss Marian T. Read, Ogden .....March 1, 1946
Rabbi Samuel H. Gordon, Salt Lake .....March 1, 1947

FOR STATE ENGINEER:

Pursuant to Section 100-2-1, Utah Code Annotated, 1943. To fill the vacancy existing in the office of State Engineer. To serve until the next session of the State Legislature:

Edward H. Watson .....Salt Lake

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to Committee on Appointments.

On motion of Senator Ashton the Senate adjourned until Wednesday, February 24, 1943, at 10:00 a. m.

FORTY-FIFTH DAY

MORNING SESSION

February 24, 1943.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 24, 1943.

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,

STANLEY N. CHILD,

JAMES A. KELLY.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

February 23, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report out the following bills on the Third Reading Calendar:

H. B. No's. 25 and 28.

S. B. No's. 55, 142, 83, 33, 76 and 103.

S. J. R. No. 2.

and the following bills on the Second Reading Calendar:

S. B. No's. 164, 186, 184, 188, 185, 183, 119, 178 and 189.

Respectfully,

DEXTER FARR,

Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Morrill *H. B. No. 25* retains its position on the Calendar.

H. B. No. 28 was read the third time and placed on its final passage.

On motion of Senator Huggins *H. B. No. 28* retains its position on the Calendar.

S. B. No. 55 was read the third time and placed on its final passage.

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

Page 2, strike subsection "(b)" and renumber the following subsections accordingly.

Line 27, after the word "acquire" insert the following, "and it may also exchange real property, to which it holds title, for other property to be used for rights of way".

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

Page 2, line 12, strike the word "offices,".

S. B. No. 55 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Richards and Mr. President.

Voting in the negative: Senator Morrill.

Absent and not voting: Senators Nielsen, Rich, Romney and Warner.

S. B. No. 55 was transmitted to the House.

S. B. No. 142 was read the third time and placed on its final passage.

S. B. No. 142 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, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Richards and Mr. President.

Absent and not voting: Senators Morrill, Nielsen, Rich, Romney and Warner.

S. B. No. 142 was transmitted to the House.

S. B. No. 83 was read the third time and placed on its final passage.

S. B. No. 83 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Richards and Mr. President.

Absent and not voting: Senators Bailey, Hopkin, Morrill, Nielsen, Rich, Romney and Warner.

S. B. No. 83 was transmitted to the House.

S. B. No. 33 was read the third time and placed on its final passage.

On motion of Senator Richards *S. B. No. 33* retains its position on the Calendar.

S. B. No. 76 was read the third time and placed on its final passage.

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

Line 15, after the word "payment" insert the words "or tender"

Line 16, after the word "certificate" strike the balance of the line up to and including the word "same" on line 17 and insert in lieu thereof the following: "shall make searches for conveyances, mortgages and all other instruments affecting the title to personal property and certify to the same".

S. B. No. 76 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Ericksen, Farr, Hopkin, Morrill and Rich.

S. B. No. 76 was transmitted to the House.

S. J. R. No. 2 was read the third time and placed on its final passage.

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

AFTERNOON SESSION

February 24, 1943.

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE GOVERNOR

February 20, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 26*, by Committee on Judiciary, entitled, "AN ACT AMENDING CHAPTER 3, TITLE 20, UTAH CODE ANNOTATED 1943, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 20-3-21 RELATING TO POWERS OF DISTRICT JUDGES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 20, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 27*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-20, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR REVIEW AND SETTLING OF APPRAISEMENTS BY DISTRICT COURTS."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 20, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 29*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 102-3-12, UTAH CODE ANNOTATED 1943, RELAT-

ING TO CONTESTS OF WILLS AFTER PROBATE AND LIMITING TIME WITHIN WHICH CONTESTS MAY BE MADE."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 20, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 30*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-5, UTAH CODE ANNOTATED 1943, RELATING TO THE INHERITANCE TAX TO BE IMPOSED UPON TRANSFERS BY RIGHT OF SURVIVORSHIP AND PROVIDING CERTAIN EXCEPTIONS IN RESPECT THERETO."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 20, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 28*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-21, UTAH CODE ANNOTATED 1943, RELATING TO APPRAISEMENT OF ESTATES FOR INHERITANCE TAX PURPOSES AND PROVIDING FOR APPEALS TO THE SUPREME COURT."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 24, 1943.

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 Banking and Commerce Committee, entitled, "AN ACT AMENDING SECTIONS 7-3-27 AND 7-3-28, UTAH CODE ANNOTATED 1943, RELATING TO THE DECLARATION OF DIVIDENDS AND CREDIT AND CHARGES TO THE SURPLUS FUND OF BANKS AND PROVIDING THAT CERTAIN NET PROFITS SHALL BE CARRIED TO A SUR-

PLUS FUND UNTIL SUCH SURPLUS SHALL AMOUNT TO ONE HUNDRED PER CENT OF THE CAPITAL OF THE BANK", 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 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 50*, by Messrs. Melich, Hopkin and Morrill, entitled, "AN ACT AMENDING SECTION 3-5-27, UTAH CODE ANNOTATED 1943, RELATING TO THE TUBERCULAR AND BANGS DISEASE CONTROL FUND", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 50 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 84*, by Mr. Sorenson, entitled, "AN ACT AMENDING SECTION 76A-3-36, UTAH CODE ANNOTATED 1943, RELATING TO ASSISTANCE TO NEEDY BLIND PERSONS; AND PRESCRIBING QUALIFICATIONS OF SUCH PERSONS ENTITLED TO ASSISTANCE", 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 Health and Labor.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 85*, by Mrs. Jack and Mr. Sorenson, entitled, "AN ACT AMENDING SECTIONS 76A-3-33 AND 76A-3-38, UTAH CODE ANNOTATED 1943, RELATING TO ASSISTANCE TO PERSONS IN NECESSITOUS CIRCUMSTANCES: AMOUNT TO BE DETERMINED BY COUNTY DEPARTMENT; DEFINITION OF TERMS AND PROVIDING FOR BLIND ALLOTMENT", 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 Social Relations and Relief.

February 23, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. R. No. 2*, by Messrs. Mabey and Cannon, entitled, "RELATING TO LEGISLATIVE BUDGET COMMITTEE TO ASCERTAIN FACTS OF FUNCTION, ECONOMY AND FINANCE OF STATE GOVERNMENT", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 23, 1943.

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. 73*, by Mr. Bell, entitled, "AN ACT AMENDING SECTION 49-4-3, UTAH CODE ANNOTATED 1943, RELATING TO MAXIMUM HOURS OF FEMALE EMPLOYEES AND PROVIDING FEMALE EMPLOYEES SHALL NOT BE EMPLOYED IN EXECUTIVE POSITIONS MORE THAN SIXTY HOURS PER WEEK", 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 Health and Labor.

February 24, 1943.

Mr. President:

I am driected to infrom your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *H. B. No. 1*, by Mr. Cowles, entitled, "AN ACT RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE OF THE STATE OF UTAH TO APPOINTMENT TO AND HOLDING OF PUBLIC OFFICE", and the same is forwarded herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 49*, by Banking and Commerce Committee, entitled, "AN ACT AMENDING SECTION 7-3-41, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMIT OF THE LENDING POWER OF A BANK AND PROVIDING THAT LOANS OR OBLIGATIONS SHALL NOT BE SUBJECT UNDER SUCH SECTION TO ANY LIMITATION BASED UPON CAPITAL AND SURPLUS TO THE EXTENT THAT THEY ARE SECURED OR COVERED BY GUARANTIES, OR BY COMMITMENTS OR AGREEMENTS TO TAKE OVER OR TO PURCHASE THE SAME, MADE BY ANY FEDERAL RESERVE BANK OR BY THE UNITED STATES OR ANY DEPARTMENT, BUREAU, BOARD, COMMISSION, OR ESTABLISHMENT OF THE UNITED STATES, INCLUDING ANY CORPORATION WHOLLY OWNED DIRECTLY OR INDIRECTLY BY THE UNITED STATES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 49 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 63*, by Banking and Commerce Committee, entitled, "AN ACT AUTHORIZING THE STATE BANK COMMISSIONER, WITH THE APPROVAL OF THE STATE DEPOSITORY BOARD, TO CHANGE FROM TIME TO TIME THE REQUIREMENTS AS TO RESERVES AGAINST DEMAND OR TIME DEPOSITS OR BOTH IN BANKING INSTITUTIONS WHICH ARE NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM TO BE KNOWN AS SECTION 7-3-38.10, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 63 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1943.

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. Miller, entitled, "A JOINT RESOLUTION MEMORIALIZING CONGRESS RESPECTING THE POLICY OF THE STATE OF UTAH RELATING TO ITS WATERS AND THE USE THEREOF BY THE ADJOINING STATES AND THE UNITED STATES", 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.

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 9*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, RELATING TO

REDEMPTION AND PURCHASE OF PREFERRED STOCK OF CORPORATIONS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 9 was transmitted to the Governor.

February 24, 1943.

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. Dawson, entitled, "AN ACT AMENDING SECTION 100-1-10, UTAH CODE ANNOTATED 1943, RELATING TO CONVEYANCE OF WATER RIGHT BY DEED AND THE EFFECT THEREOF", 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.

February 24, 1943.

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 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO FEES OF COUNTY CLERK", 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.

February 24, 1943.

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. 24*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION

40-3-1, UTAH CODE ANNOTATED 1943, RELATING TO DIVORCE, BY CHANGING THE REQUIREMENTS OF RESIDENCE AND ADDING AN ADDITIONAL GROUND FOR DIVORCE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 24 was transmitted to the Governor.

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 31*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-8, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF THE DEBTS OF AN ESTATE FOR THE PURPOSE OF DETERMINING NET ESTATE FOR INHERITANCE TAX PURPOSES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 31 was transmitted to the Governor.

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. M. No. 3*, by Della Loveridge, entitled, "AN ACT MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO INVESTIGATE ALL ACTIVITIES AND PRACTICES OF THE RENT SECTION OF THE OFFICE OF PRICE ADMINISTRATION", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. M. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 4*, by Senate Appropriations Committee, 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. R. No. 4 was ordered printed and referred to the Committee on Judiciary.

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 162*, by Senate Appropriations Committee, 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. 162 was ordered printed and referred to the Committee on Judiciary.

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 199*, 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. 199 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 212*, by Mr. Lund, 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. 212 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 200*, 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. 200 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 214*, 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. 214 was ordered printed and referred to the Committee on Education.

February 24, 1943.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 163*, by Mr. Bailey, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 163 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 179*, by Committee on Social Relations and Relief, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

S. B. No. 179 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 180*, by Social Relations and Relief Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

S. B. No. 180 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *S. B. No. 196*, by Committee on Social Relations and Relief, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,
Chairman.

Report filed.

S. B. No. 196 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. J. R. No. 2 on Third Reading.

S. J. R. No. 2 then passed on the following roll call:

Yeas, 17; Nays, 6; Absent, 0.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Melich, Nielsen, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Ashton, Lund, McMurrin, Miller, Morrill and Romney.

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

S. B. No. 103 was read the third time and placed on its final passage.

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

Line 1 of the title, after the word "Act" strike up to and including the word "Products" on line 7 and insert in lieu thereof the following:

"AUTHORIZING THE STATE BOARD OF EDUCATION FOR THE DURATION OF THE PRESENT WAR EMERGENCY TO SHORTEN THE MINIMUM SCHOOL TERM, ADJUST THE SCHOOL PROGRAM AND CREDIT THEREFOR IN ANY SCHOOL DISTRICT AND IN ANY GRADE OR GRADES THEREOF WHERE THE LABOR OF STUDENTS IS NECESSARY TO PRODUCTION, HARVESTING OR PROCESSING OF AGRICULTURAL PRODUCTS".

Page 1, line 1, after the figures "24" insert ".10". Also strike the word "amended" and insert the word "enacted".

Page 1, strike lines 3 to 17, inclusive.

Page 2, strike lines 1 to 7, inclusive, and insert in lieu thereof the following: "75-7-24.10. The production of ample food supplies being of vital importance in the successful prosecution of the war, the State Board of Education is authorized to shorten the minimum school term of nine months and/or to adjust the school program and credit therefor as in the judgment of the State Board of Education may be necessary in any school district or in any grade or grades thereof for those students whose labor is deemed to be necessary to the production, harvesting or processing of agricultural products. Districts so shortening the school term or making adjustments in the school program and credit therefor in accordance with the requirements of the State Board of Education shall not be penalized under the equalization fund or any other fund made available by law or grant.

Section 2. This act shall terminate on April 1, 1945 or at the conclusion of the present war emergency whichever shall first occur.

Section 3. This act shall take effect upon approval".

S. B. No. 103 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Bailey.

S. B. No. 103 was transmitted to the House.

S. B. No. 33 on final passage.

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

In the Senate amendment after the first appearing word "sale" insert the words "not less than", and after the second appearing word

"sale" insert the following: "which said notice shall clearly inform him of the date, time, place, nature of said sale, and that unless a declaration of homestead is made substantially in the form provided by Section 38-0-11, Utah Code Annotated 1943, said premises will be sold", and preceding the word "fails" insert the words "if he".

S. B. No. 33 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Nielsen, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Ashton, Ericksen, Miller and Romney.

Absent and not voting: Senator Morrill.

S. B. No. 33 was transmitted to the House.

On motion of Senator Christensen the Senate resolved itself into Executive Session.

On motion of Senator Melich the Executive Session dissolved.

REPORT OF SPECIAL COMMITTEE

February 24, 1943.

Mr. President:

Your Committee of three appointed and directed to investigate the appointments and confirmation of commissioners to the various boards, commissions and departments which were created by the 1941 legislature and the two special sessions thereof beg leave to report:

That since its appointment it has received from the office of the Attorney General a supplmenetary opinion as to the validity of the appointment of Gordon Taylor Hyde. That the substance of the supplementary opinion is to the effect that regardless of the fact that Mr. Hyde was confirmed before the approval of the act which created the department to which he was appointed nevertheless since July 1, 1941, when the act became effective which created the Finance Commission Mr. Hyde has held office de facto. The opinion suggests that the Governor should under the circumstances now submit the appointment of Mr. Hyde for the confirmation of the Senate.

Your committee finds that all of the appointments and confirmations to the various boards and commissions created by the 1941 legislature and its special sessions fall in three groups as follows:

1. Appointments which were confirmed by the Senate prior to the date of the approval of the act which created the department. Your committee has found no instances except the instance of appointement of Gordon Taylor Hyde which fall in this group.

2. Appointments which were made and confirmed subsequent to the date of the approval of the act which created the department to which the appointments were made but which were made and confirmed prior to the effective date of the act. Substantially all of the appointments to the present boards and commissions fall within this group. The expression of the attorney general in his recent opinion to President Macfarlane concerning Mr. Beesley and Mr. Pingree would control this group.

3. Appointments which were made or confirmed subsequent to the effective date of the act which created the department in which the appointment was made but which have never been submitted to the Senate for confirmation although rquired by law to be confirmed by the Senate.

The committee recommends that the State Senate address a communication to his Excellency, Governor Maw, advising and suggesting that in view of the attorney general's opinion and because of the requirement of article 7, section 10 of the constitution of Utah and section 87-2-2, Utah Code Annotated, 1943, that:

1. The Governor should immediately submit to the Senate, for the Senate's approval, the name of a person for appointment to the office of commissioner of finance, whose term shall expire March 1, 1947.

2. The Governor should immediately submit to the Senate for the Senate's approval a list of all persons heretofore appointed by him to offices, the confirmation of which is required by the Senate and which have heretofore not been confirmed by the Senate.

3. The Governor give careful study and consideration to the attorney general's opinion pertaining to the appointment of those officers who were appointed by the Governor and confirmed by the Senate subsequent to the approval of the act creating the respective offices, but prior to the effective date of the act.

4. A copy of the attorney general's opinion accompany this communication to the Governor.

Respectfully,

GEORGE A. CHRISTENSEN,
J. ARTHUR BAILEY,
MITCHELL MELICH.

Report adopted and filed.

REPORT OF JOINT COMMITTEE

February 24, 1943.

To the President of the Senate and Speaker of the House:

We, your Joint Committee on Appropriations and Claims, in conformance with Joint Rule 44, beg leave to make the following report:

Your committee meets daily between the hours of 9 and 10 a. m. Sub-committees have been appointed to investigate each of the State Departments, institutions and services to which appropriations are made from the General Fund.

Due to the fact that the Governor's budget message was received on the 37th day instead of the 20th day, all of the work has been tremendously slowed down and our deliberations have not reached the degree of maturity which they would otherwise have reached had the message been received on time. About one-third of the appropriations list has been tentatively set up and the tentative schedule of appropriations up to date, February 24th, is $10,521,495.72. This amount includes bills that carry appropriations that are being considered by both the House of Representatives and the Senate. This amount includes all sums sought to be appropriated in the bills as introduced. Your committee has deleted the amounts from the bills, set them up on their books and returned the bills to the houses where they were introduced for further consideration.

We beg leave to report further that we have conferred with the Department of Finance with relation to the expected amounts for the next biennium. Their estimate is approximately $7,104,100. We have also secured an estimate from the Tax Commission in the sum of $8,418,100.00 and, as you are aware, the Governor's estimate in his Budget Message, is $8,687,750.00. It is apparent, therefore, from our deliberations to date, that considerable paring down in perhaps all departments will have to be made and that extreme caution must be exercised if any appropriations are set up in bills now pending for the two houses separate and apart from the Appropriation's Bill.

Respectfully submitted,

IRA A. HUGGINS,
Chairman of Senate Com.

ADRIAN W. HATCH.
Chairman of House Com.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 164 was read the second time.

Committee report read and adopted.

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

Page 7, at the end of line 26, insert the following: "All redeemed warrants shall be returned by the State Treasurer to the Commission of Finance.".

Following line 28, insert the following: "Section 4. All acts or parts of acts in conflict herewith are repealed."

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

Page 6, line 33, strike the last word.

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

Page 3, line 18, strike the word "or" and insert a comma.

Line 19 preceding the word "and" insert the words "or are paid wholly from federal grants."

Page 5, line 12, at the end of the line insert the following: "or are paid wholly from federal grants,".

S. B. No. 164 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, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Rich, Richards and Mr. President.

Those voting in the negative were: Senators Ericksen, Miller and Romney.

Absent and not voting: Senators Nielsen and Warner.

COMMUNICATION FROM THE GOVERNOR

February 24, 1943.

To the Senate

Gentlemen:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advice and consent:

For Commissioner in the Department of Agriculture:

Vernal A. Bergeson of Cache County for the term ending February 28, 1949.

For Commissioner in the State Liquor Control Commission:

Mrs. Jeanette P. Garner of Salt Lake County for the term ending February 28, 1949.

For Commissioner in the Department of Business Regulation:

Oscar W. Carlson of Salt Lake County for the term ending February 28, 1949.

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to the Committee on Appointments.

On motion of Senator Kelly the Senate adjourned until Thursday, February 25, 1943, at 10:00 a. m.

FORTY-SIXTH DAY

MORNING SESSION

February 25, 1943.

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

Roll Call—All Senators present, except Senator Warner.

Prayer by the Chaplain.

February 25, 1943.

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,

STANLEY N. CHILD,
JAMES A. KELLY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 24, 1943.

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 51* by Mr. Joseph E. Rees, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

H. B. No. 51 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 63*, by Mr. Robinson, has carefully considered said bill and reports the same out favorably.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

H. B. No. 63 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 168* by Highways Committee, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 168 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Commmittee on Education to which was referred *S. B. No. 192* by Mr. Warner, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 192 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Education to which was referred *S. B. No. 194* by Mr. Romney and Mrs. Ericksen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 194 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 207* by Mr. Huggins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN ASHTON,
Chairman.

Report filed.

S. B. No. 207 was referred to the Sifting Committee.

February 24, 1943.

Mr. President:

Your Committee on Education to which was referred *S. B. No. 210* by Committee on Education, has carefully considered said bill, and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

S. B. No. 210 was referred to the Sifting Committee.

February 24, 1943

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 35*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 78-4-4, UTAH CODE ANNOTATED 1943, RELATING TO INSTRUMENTS OF WRITING COPIED INTO THE BOOKS OF RECORD IN THE OFFICE OF COUNTY RECORDERS OF THE SEVERAL COUNTIES," 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. 35 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 5*, by Mr. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, REQUIRING REPORTS OF CERTAIN PROPERTY HOLDERS TO FACILITATE THE ENFORCEMENT OF THIS ACT, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, AND PRESCRIBING THE POWERS AND DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO THE ENFORCEMENT OF THIS ACT, (TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9, 78-6a-10, 78-6a-11, 78-6a-12 and 78-6a-13, UTAH CODE ANNOTATED 1943)", 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 24, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 38*, by Mr. Richards, entitled, "AN ACT PROVIDING FOR THE COLLECTION BY THE SURVIVING SPOUSE OR CHILDREN OF WAGES, WORKMEN'S AND OCCUPATIONAL DIS-

EASE COMPENSATION NOT EXCEEDING $300.00, OF A DECEASED EMPLOYEE WITHOUT PROCURING LETTERS OR TESTAMENTARY ADMINISTRATION, TO BE KNOWN AS SECTION 102-8-3, UTAH CODE ANNOTATED, 1943," 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.

COMMUNICATIONS FROM THE GOVERNOR

February 23, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 11*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-7-1, UTAH CODE ANNOTATED 1943, RELATING TO RECIPROCAL INSURANCE AND AUTHORIZED EXCEPTIONS."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 24, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 10*, by Mr. Richards, entitled, "AN ACT AMENDING SECTION 18-5-1 UTAH CODE ANNOTATED 1943, RELATING TO THE CONSOLIDATION OF CORPORATIONS AND PROVIDING FOR THE CONSOLIDATION OF A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF THIS STATE WITH A CORPORATION ORGANIZED OR EXISTING UNDER THE LAWS OF ANY OTHER STATE OR TERRITORY OF THE UNITED STATES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

February 24, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 44,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-8-17 UTAH CODE ANNOTATED 1943, RELATING TO THE ANNUAL STATEMENT TO BE FILED WITH THE INSURANCE COMMISSIONER BY COUNTY MUTUAL FIRE AND LIGHTNING INSURANCE COMPANIES, THE ISSUANCE OF A CERTIFICATE OF AUTHORITY TO CONTINUE BUSINESS AND PRESCRIBING FEE TO BE PAID."

Sincerely yours,

HERBERT B. MAW,

Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 24, 1943.

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. 37,* by Mr. Richards, entitled, "AN ACT AMENDING SECTION 104-59-1, UTAH CODE ANNOTATED 1943, RELATING TO PROCEEDINGS BY WHICH THE EFFECT OF THE DEATH OF A PERSON UPON CERTAIN INTERESTS IN PROPERTY AND THE TITLE THERETO MAY BE ESTABLISHED BY JUDICIAL ACTION AND DECREE, AND PROVIDING FOR A WAIVER AND THE RELEASE OF INHERITANCE TAX," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 37 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 40,* by Messrs. Melich and Richards, entitled, "AN ACT AMENDING SECTION 42-2a-19, UTAH CODE ANNOTATED, 1943, DEFINING THE TERMS USED IN THE EMPLOYMENT SECURITY ACT BY ADDING A NEW PARAGRAPH PRO-

VIDING THAT THE TERM "EMPLOYMENT" SHALL NOT INCLUDE SERVICE PERFORMED BY LESSEES ENGAGED IN METAL MINING UNDER LEASE AGREEMENTS UNLESS THE INDIVIDUAL LEASE AGREEMENT OR THE PRACTICE IN ACTUAL OPERATION UNDER SUCH AGREEMENT IS SUCH AS WOULD CONSTITUTE THE LESSEES EMPLOYEES OF THE LESSOR AT COMMON LAW," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 40 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1943.

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. 41*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1-41, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE", "WORKMAN" AND "OPERATIVE" AS USED IN SAID SECTION AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR WORKMEN'S COMPENSATION INSURANCE BY THE LESSOR," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 41 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 42*, by Mr. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1a-11, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE," "WORKMEN" AND "OPERATIVE," AS USED IN THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED

FOR OCCUPATIONAL DISEASE DISABILITY COMPENSATION BY THE LESSOR," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 42 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Melich, *H. B. No's. 25* and *28* retain their positions on the Calendar.

On motion of Senator Farr *S. B. No. 164* retains its position on the Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 186 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, strike the word "ten" and insert the word "five".

On motion of Senator Nielsen 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, 16; Nays, 0; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Richards and Romney.

Absent and not voting: Senators Bailey, Dawson, Hopkin, Morrill, Rich, Warner and Mr. President.

S. B. No. 186 was transmitted to the House.

S. B. No. 184 was read the second time.

Committee report read and adopted.

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

Page 3, strike lines 24 to 26, inclusive, and renumber the following subsections accordingly.

Page 5, line 5, strike the word "amount" and insert the word "account".

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

Page 1, strike lines 10 to 13, inclusive.

S. B. No. 184 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 Bailey, Child, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Christensen, Ericksen, Kendall, Melich and Warner.

S. B. No. 188 was read the second time.

Committee report read and adopted.

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

Line 8, strike the word "considered" and insert the word "construed".

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

At the end of line 10 insert the following: "The state treasurer shall return the redeemed warrants to the Commission of Finance.".

On motion of Senator Huggins the rules were suspended and *S. B. No. 188* was read the third time and placed on its final passage.

S. B. No. 188 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Sentaors Ashton, Bailey, Child, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Christensen, Ericksen, Kendall, Melich and Warner.

S. B. No. 188 was transmitted to the House.

S. B. No. 185 was read the second time.

Committee report read and adopted.

On motion of Senator Nielsen the rules were suspended and *S. B. No. 185* was read the third time and placed on its final passage.

S. B. No. 185 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Bailey, Ericksen and Warner.

S. B. No. 185 was transmitted to the House.

S. B. No. 183 was read the second time.

Committee report read and adopted.

S. B. No. 183 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 Ashton, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards and Mr. President.

Voting in the negative: Senator Miller.

Absent and not voting: Senators Bailey Romney and Warner.

On motion of Senator Kelly the President appointed a committee consisting of Senators Bailey, Kelly and Ashton to investigate and report to this body the expenditure of $2,000.00 by the Finance Commission, paid to the Burns Detective Agency to investigate the State Auditor.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 119 was read the second time.

Committee report read and adopted.

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

Line 13 of the title, strike "30-2-2G" and insert in lieu thereof "30-0-2G".

Line 16 of the title, strike the first five words.

Page 10, strike lines 25 to 28, inclusive, and insert in lieu thereof the following: "30-0-2G. The fish and game commission shall reorganize the state game refuge committee and the state board of big game control as set up in Section 30-0-54 Utah Code Annotated, 1943."

Page 3, line 6, strike the word "The" and insert the words "The fish and game commission with the approval of the,"; also underscore the word "shall".

Page 10, line 13, strike the word "two" and insert the word "four". After the word "years;" strike the balance of the line and insert the following: "upon the termination of the present term of the commissioner from District No. 2, the new member shall be appointed for a term of six years;".

Line 14, preceding the word "district" insert the words "the member from"; strike the word "four" and insert the word "two"; also strike the word "and".

Line 15, strike the "s" on the word "members", and after the figure "4" insert "shall be appointed for a term of six years; upon the termination of the present term of the commissioner,". Strike the word "and" and insert the word "from"; also after the figure "5" insert the words "the new member".

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

Page 10, line 6, after the word "Emery" insert "San Juan".

Line 8, strike the words "Juab, Millard" and insert "Piute, Wayne, Garfield".

Line 9, strike the words "Piute, Wayne, San Juan, Garfield" and insert the words "Millard, Juab".

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

Page 2, line 16, strike the figure "7" and insert the figure "5".

S. B. No. 119 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Ashton and Miller.

Absent and not voting: Senators Bailey, Huggins and Morrill.

Senator Richards moved that we do now consider *S. B. No. 164.*

Motion carried.

S. B. No. 164 was read the third time and placed on its final passage.

Senator Richards moved to amend the bill as follows:

Page 3, insert between lines 23 and 24 the following paragraph: "The commission shall investigate the need for every proposed or existing position in every department and shall report its findings to the board of examiners with its recommendations for the most effective means of creating or discontinuing unnecessary positions."

Senator Miller moved to amend the amendment as follows:

After the last word of the amendment, insert "prior to the creation of a new position in any department, the commission shall, with the cooperation of such department, determine the necessity and advisability of the creation of such new position."

The motion to amend the amendment failed on the following roll call:

Yeas, 4; Nays, 16; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Miller, Romney and Warner.

Those voting in the negative were: Senators Bailey, Christensen, Dawson, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards and Mr. President.

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

The original motion to amend was carried.

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

Page 3, line 16, change the word "salary" to "salaries" and add "and establish".

Page 4, line 12, after "1943" insert the following sentence: "The commission of finance shall also submit to the legislature on the opening day of each regular Legislative session a copy of the financial and detailed operating statements of the state government and a budget with departmental requests and recommendations of the commission of finance for the ensuing biennium."

Page 4, strike lines 18 to 33, inclusive.

Page 5, strike lines 1 to 6, inclusive, and insert in lieu thereof the following:

82C-2-20. The commission of finance shall exercise budgetary control over all state departments and agencies. Every department shall submit on or before November 1st prior to the beginning of each biennium a budget request for the ensuing biennium. ( ) Every department for whom appropriations have been made shall submit to the commission for approval a complete and detailed work program for the biennium divided into quarterly periods in such form as may be prescribed by the commission. The bienniel work programs shall be submitted to the commission not later than June 1st preceding the biennium. Each department shall also thirty days prior to the beginning of each quarter submit a quarterly work program in such form and detail as may be prescribed by the commission.

The work program shall set forth: (1) The estimated revenues, and (2) the estimated expenditures by functional divisions and expenditure classification. The commission of finance shall make quarterly allotments based on such work programs.

Any unexpended or unemcumbered balances remaining in the allotments at the end of any quarterly period shall be transferred by the commission of finance to a reserve for contingencies for said department and shall not thereafter be available for current expenditures except, that commitments incurred for the previous quarters may be charged to the reserve.

After submission of such work program by the department the commission may approve the same and may by unanimous vote, before or after approval, revise, alter, amend or disapprove it, if in the opinion of the commission such revision, alteration or amendment is required in the interest of the state. The commission shall notify the department of any such revision, alteration, amendment, or disapproval of its work program. At any time during the fiscal year, upon request of a department the commission by unanimous vote may authorize transfers between budget allotments of the departments including reserves. If work programs are not submitted by any department as herein required the commission shall proceed to make independent allotments which shall be binding on such department.

COMMUNICATION FROM THE GOVERNOR

February 25, 1943.

Gentlemen:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advice and consent:

For Commissioner in the Department of Publicity and Industrial Development for the six-year term beginning March 1, 1943 and ending February 28, 1949, Ora Bundy of Weber County.

For a member of the Advisory Council of the Department of Publicity and Industrial Development for the six-year period beginning March 1, 1943 and ending February 28, 1949, James W. Wade of Salt Lake County.

For a member of the Water Resources Development Advisory Council of the Department of Publicity and Industrial Development for the seven-year period beginning March 1, 1943 and ending February 28, 1950, Otis Weeks of Weber County.

Respectfully submitted,

HERBERT B. MAW,

Governor.

Communication filed.

Appointments referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 24th day of February, 1943, approve and transmit to the Secretary of State, *H. B. No. 24*, by Messrs. Milliman and J. E. Rees, entitled, "AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED 1943, RELATING TO THE SALARIES OF THE GOVERNOR, SECRETARY OF STATE, STATE TREASURER, STATE AUDITOR, ATTORNEY GENERAL AND SUPERINTENDENT OF PUBLIC INSTRUCTION".

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

February 25, 1943.

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 Messrs. Milliman and Stevens, entitled "AN ACT AMENDING SECTION 57-4-3, UTAH CODE ANNOTATED 1943, RELATING TO THE LICENSING OF OPERATORS AND CHAUFFEURS OF MOTOR VEHICLES; DEFINITIONS; CHANGING THE ADMINISTRATION OF THE LAW

RELATING THERETO FROM THE STATE TAX COMMISSION TO THE STATE HIGHWAY PATROL", 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 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 48*, by Mr. Hatch, entitled, "AN ACT RELATING TO SURPLUS LINE BROKERS AND REGULATING THE SAME; CONDITIONS TO PLACING INSURANCE; LICENSES; FEES; SUBSTITUTION OF BOND; REQUIRING ANNUAL STATEMENT; FIXING TAX; PENALTIES FOR VIOLATIONS OF ACT; EXAMINATION OF RECORDS; TERMINATION OF LICENSES BEING A PART OF TITLE 43, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 43-6-4, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 48 was read the first time and referred to the Committee on Banking and Commerce.

February 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 88*, by Mr. Bell, entitled, "AN ACT AMENDING SECTION 54-3-1, UTAH CODE ANNOTATED 1943, RELATING TO STATE, COUNTY, MUNICIPAL CORPORATIONS OR GOVERNMENTAL DISTRICT EMPLOYEES WHO HAVE ENTERED OR WILL ENTER ACTIVE MILITARY FORCES OF THE UNITED STATES OR STATE MILITIA AND PROVIDING THAT THEY MAY BE RESTORED TO

THEIR POSITION OF EMPLOYMENT AFTER TERMINATION OF MILITARY DUTY", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 88 was read the first time and referred to the Committee on State and Municipal Affairs.

February 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 87*, by Mr. Milliman and Mrs. Jean Z. Murdock, entitled "AN ACT AMENDING SECTION 57-7-111, UTAH CODE ANNOTATED 1943, RELATING TO DRIVING OF MOTOR VEHICLE OR BEING IN POSSESSION THEREOF BY PERSONS UNDER INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS; AND PRESCRIBING AND DEFINING CHEMICAL TESTS AS EVIDENCE FOR JUDICIAL DETERMINATION OF INTOXICATION; PENALTIES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 87 was read the first time and referred to the Committee on Judiciary.

February 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 68*, by Irrigation Committee, entitled, "AN ACT REPEALING SECTION 100-1-14, UTAH CODE ANNOTATED 1943, 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. 68 was read the first time and referred to the Committee on Agriculture and Irrigation.

On motion of Senator Macfarlane the Senate adjourned until Friday, February 26, 1943, at 10:00 a. m.

FORTY-SEVENTH DAY

MORNING SESSION

February 26, 1943.

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

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

Prayer by the Chaplain.

February 26, 1943.

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,

STANLEY N. CHILD,

JAMES A. KELLY.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

February 26, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report the following House Bills at the head of the Second Reading Calendar:

H. B. No's. 43, 41, 9, 13, 42, 63, 5; and H. C. M. No. 1.

Respectfully,

DEXTER FARR,

Chairman.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 4*, by Committee on Appropriations and Claims, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,

Chairman.

Report filed.

S. J. R. No. 4 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *H. C. R. No. 2*, by Messrs. Mabey and Cannon, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Report filed. Chairman.

H. C. R. No. 2 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 60*, by Mr. Grotegut, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Report filed. Chairman.

H. B. No. 60 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 59*, by Mr. Grotegut, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Report filed. Chairman.

H. B. No. 59 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 73*, by Mr. Bell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

H. B. No. 73 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 84*, by Mr. Sorenson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

H. B. No. 84 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 162*, by Senate Appropriations Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN S. RICHARDS,

Report filed. Chairman.

S. B. No. 162 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 176*, by Mr. Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

S. B. No. 176 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 178*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

S. B. No. 178 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 191*, by Messrs. Bailey and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

S. B. No. 191 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 195*, by Mr. Richards, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

S. B. No. 195 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 204*, by Mr. Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,

Report filed. Chairman.

S. B. No. 204 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 205*, by Mr. Macfarlane, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN S. RICHARDS,

Chairman.

Report filed.

S. B. No. 205 was referred to the Sifting Committee.

February 25, 1943.

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 206*, by Messrs. Child, Nielsen, Hirschi, Macfarlane and Farr, has carefully considered said bill and reports the same out favorably, and recommends that same be referred to the Committee on Appropriations and Claims.

Respectfully,

LYNN S. RICHARDS,

Report filed. Chairman.

S. B. No. 206 was referred to the Committee on Appropriations and Claims.

February 25, 1943.

Mr. President:

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

Respectfully,

STANLEY N. CHILD,

Report filed. Chairman.

S. C. M. No. 2 was ordered printed and referred to the Committee on Mining and Smelting.

February 25, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 201*, 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. 201 was ordered printed and referred to the Committee on Revenue and Taxation.

February 25, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 209*, 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. 209 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 25, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 213*, 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. 213 was ordered printed and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE

February 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 35*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 78-4-4, UTAH CODE ANNOTATED 1943, RELATING TO INSTRUMENTS OF WRITING COPIED INTO THE BOOKS OF RECORD IN THE OFFICE OF COUNTY RECORDERS OF THE SEVERAL COUNTIES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 35 was transmitted to the Governor.

February 25, 1943.

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. Richards, entitled, "AN ACT PROVIDING FOR THE COLLECTION BY THE SURVIVING SPOUSE OR CHILDREN OF WAGES, WORKMEN'S AND OCCUPATIONAL DISEASE COMPENSATION NOT EXCEEDING $300.00, OF A DECEASED EMPLOYEE WITHOUT PROCURING LETTERS OR TESTAMENTARY ADMIN-

ISTRATION, TO BE KNOWN AS SECTION 102-8-3, UTAH CODE ANNOTATED 1943", 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.

February 25, 1943.

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. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATES IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, REQUIRING REPORTS OF CERTAIN PROPERTY HOLDERS TO FACILITATE THE ENCORCEMENT OF THIS ACT, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, AND PRESCRIBING THE POWERS AND DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO THE ENFORCEMENT OF THIS ACT, TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9, 78-6a-10, 78-6a-11, 78-6a-12 AND 78-6a-13, UTAH CODE ANNOTATED 1943", 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.

February 25, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 79*, by Miss Smith and Mr. Stringham, entitled, "AN ACT AMENDING SECTIONS 19-1-8 AND 19-1-27, UTAH CODE ANNOTATED 1943, RELATING TO AND ESTABLISHING THE BOUNDARY LINES OF DAGGETT AND UINTAH COUNTIES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 79 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

UNFINISHED BUSINESS

S. B. No. 164 on final passage.

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

Page 7, line 27 at the end of the line, insert "Utah Code Annotated 1943,".

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

Page 3, insert between lines 4 and 5 the following:

82C-2-5. Meetings of the commission of finance shall be open to the public and may be held at the offices of the commission wherever within the state they may be established. The commission shall be deemed in continuous session for the purpose of the meetings. ( ); provided, however, that the commission of finance shall hold at least one regular meeting in the capitol building each week, the date of which shall be fixed prior to adjournment of each meeting. The commission shall elect a secretary who may or may not be a member of the commission.

Page 1, line 1 of the title and line 1 of the bill after "82C-2-4" insert "82C-2-5".

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

Page 5, strike all underlined material on lines 13 and 14.

Strike the underlined material on lines 17 and 18 and insert in lieu thereof the following: "provided, however, any requisition or proposed expenditure of any department, or obligation to be created by any department when disapproved, may thereafter be approved for payment by the unanimous consent of the board of examiners and upon such approval the finance commission shall approve the same."

Line 33, strike the word "governor" and insert the words "board of examiners".

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

Page 5, lines 30 and 31, strike the words "commission of finance" and insert in lieu thereof the words "board of examiners".

S. B. No. 164 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards and Mr. President.

Those voting in the negative were: Senators Ashton, Miller, Romney and Warner.

Absent and not voting: Senator Ericksen.

S. B. No. 164 was transmitted to the House.

On motion of Senator Morrill, *H. B. No's. 25* and *28* retain their positions on the Calendar.

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

AFTERNOON SESSION

February 26, 1943.

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present, except Senators Ericksen and Morrill, excused.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 43 was read the second time.

Committee report read and adopted, and on motion of Senator Richards the bill was amended accordingly.

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

Page 3, line 1, strike the "d" in the word "revoked".

Page 6, line 17, strike the word "repartment" and insert the word "department".

Line 30, strike the word "signifaction" and insert the word "signification".

Page 9, line 10, strike the word "vericle" and insert the word "vehicle".

H. B. No. 43 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the afffirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ericksen, Huggins and Morrill.

H. B. No. 41 was read the second time.

Committee report read and adopted.

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

Page 2, line 2, after the word "in" and line 5 preceding the word "shares" insert the word "insured".

H. B. No. 41 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 Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Kendall, Lund, McMurrin, Melich, Miller, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Ericksen, Huggins, Kelly, Morrill, Nielsen and Romney.

H. B. No. 9 was read the second time.

Committee report read and adopted.

On motion of Senator Melich, the rules were suspended and *H. B. No. 9* 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 figure "5" strike "Id".

Page 1, lines 1 and 3, strike "Id".

Line 3, strike "Phosphoric Acid".

Page 1, line 2, strike the word "hereby".

Line 4, strike "( )".

Page 2, line 1, strike the 5 words there appearing.

H. B. No. 9 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Ericksen, Huggins, Kelly, Kendall, Morrill and Romney.

H. B. No. 9 was returned to the House.

H. B. No. 13 was read the second time.

Committee report read and adopted.

On motion of Senator Melich the rules were suspended and *H. B. No. 13* was read the third time and placed on its final passage.

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

Line 10, strike " " " ".

H. B. No. 13 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Ericksen, Huggins, Kelly, Morrill and Romney.

H. B. No. 13 was returned to the House.

H. C. M. No. 1 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen, the rules were suspended and *H. C. M. No. 1* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Ericksen, Huggins, Kelly, Morrill and Romney.

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

H. B. No. 42 was read the second time.

Committee report read and adopted.

H. B. No. 42 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 Child, Dawson, Farr, Hirschi, Hopkin, Kendall, Lund, Melich, Miller, Nielsen, Rich, Richards and Warner.

Absent and not voting: Senators Ashton, Bailey, Christensen, Ericksen, Huggins, Kelly, McMurrin, Morrill, Romney and Mr. President.

H. B. No. 63 was read the second time.

Committee report read and adopted.

On motion of Senator Farr the rules were suspended and *H. B. No. 63* was read the third time and placed on its final passage.

H. B. No. 63 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Kendall, Lund, Melich, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Ericksen, Huggins, Kelly, McMurrin, Morrill and Romney.

H. B. No. 63 was transmitted to the House.

On motion of Senator Christensen the Senate resolved itself into Executive Session.

On motion of Senator Richards the Executive Session was dissolved.

On motion of Senator Ashton the Senate adjourned until Saturday, February 27, 1943, at 10:00 a. m.

FORTY-EIGHTH DAY

MORNING SESSION

February 27, 1943.

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

Roll Call—All Senators present, except Senators Ashton, Ericksen, McMurrin and Morrill, excused.

Prayer by the Chaplain.

February 27, 1943.

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,

STANLEY N. CHILD,

JAMES A. KELLY.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 24, 1943.

Mr. President:

Your Committee on Social Relations and Relief, to which was referred *H. B. No. 85*, by Mrs. Jack and Mr. Sorenson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JUNE KENDALL,

Chairman.

Report filed.

H. B. No. 85 was referred to the Sifting Committee.

February 26, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 193*, by Committee on Revision and Enrolling, has carefully considered said bill and reports the same out favorably.

Respectfully,

ABEL S. RICH,

Chairman.

Report filed.

S. B. No. 193 was referred to the Sifting Committee.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 8*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 103-12-4, UTAH CODE ANNOTATED 1943, CONCERNING CERTAIN ACTS PROHIBITED BY CORPORATION DIRECTORS", 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,

Report filed. Chairman.

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.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 37*, by Mr. Richards, entitled, "AN ACT AMENDING SECTION 104-59-1, UTAH CODE ANNOTATED 1943, RELATING TO PROCEEDINGS BY WHICH THE EFFECT OF THE DEATH OF A PERSON UPON CERTAIN INTERESTS IN PROPERTY AND THE TITLE THERETO MAY BE ESTABLISHED BY JUDICIAL ACTION AND DECREE, AND PROVIDING FOR A WAIVER AND THE RELEASE OF INHERITANCE TAX", 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,

Report filed. Chairman.

S. B. No. 37 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 41*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1-41 UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE," "WORKMAN" AND "OPERATIVE" AS USED IN SAID SECTION AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR WORKMEN'S COMPENSATION INSURANCE BY THE LESSOR", 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. 41 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 42*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1a-11, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE," "WORKMEN" AND "OPERATIVE," AS USED IN THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR OCCUPATIONAL DISEASE DISABILITY COMPENSATION BY THE LESSOR,,' 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,

Report filed. Chairman.

S. B. No. 42 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 48*, by Committee on Banking and Commerce, entitled, "AN ACT AMENDING SECTION 7-3-27 AND 7-3-28, UTAH CODE ANNOTATED 1943, RELATING TO THE DECLARATION OF DIVIDENDS AND CREDIT AND CHARGES TO THE SURPLUS FUND OF BANKS AND PROVIDING THAT CERTAIN NET PROFITS SHALL BE CARRIED TO A SURPLUS FUND UNTIL SUCH SURPLUS SHALL AMOUNT TO ONE HUNDRED PER CENT OF THE CAPITAL OF THE BANK", 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 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 49*, by Committee on Banking and Commerce, entitled, "AN ACT AMENDING SECTION 7-3-41, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMIT OF THE LENDING POWER OF A BANK AND PROVIDING THAT LOANS OR OBLIGATIONS SHALL NOT BE SUBJECT UNDER SUCH SECTION TO ANY LIMITATION BASED UPON CAPITAL AND SURPLUS TO THE EXTENT THAT THEY ARE SECURED OR COVERED BY GUARANTIES, OR BY COMMITMENTS OR AGREEMENTS TO TAKE OVER OR TO PURCHASE THE SAME, MADE BY ANY FEDERAL RESERVE BANK OR BY THE UNITED STATES OR ANY DEPARTMENT, BUREAU, BOARD, COMMISSION, OR ESTABLISHMENT OF THE UNITED STATES, INCLUDING ANY CORPORATION WHOLLY OWNED DIRECTLY OR INDIRECTLY BY THE UNITED STATES", 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. 49 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 50*, by Messrs. Melich, Hopkin and Morrill, entitled, "AN ACT AMENDING SECTION 3-5-27, UTAH CODE ANNOTATED

1943, RELATING TO THE TUBERCULAR AND BANGS DISEASE CONTROL FUND", 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. 50 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 63*, by Committee on Banking and Commerce, entitled, "AN ACT AUTHORIZING THE STATE BANK COMMISSIONER, WITH THE APPROVAL OF THE STATE DEPOSITORY BOARD, TO CHANGE FROM TIME TO TIME THE REQUIREMENTS AS TO RESERVES AGAINST DEMAND OR TIME DEPOSITS OR BOTH IN BANKING INSTITUTIONS WHICH ARE NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM TO BE KNOWN AS SECTION 7-3-38.10, UTAH CODE ANNOTATED 1943", 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. 63 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 202*, by Messrs. Richards and Kendall, 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. 202 was ordered printed and referred to the Committee on Judiciary.

February 26, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 203*, by Mr. Kendall, and recommends that the bill be not printed, due to the fact that the contents are similar to *S. B. No. 202*.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

On motion of Senator Kendall the Enacting Clause was stricken from *S. B. No. 203*.

S. B. No. 203 was filed.

COMMUNICATIONS FROM THE GOVERNOR

February 26, 1943.

To the Senate —

Gentlemen:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advise and consent:

For members of the Advisory Council of the Department of Publicity and Industrial Development, pursuant to Section 82C-3-7, Utah Code Annotated, 1943:

E. G. Bennett, Weber County, for the term ending March 1, 1944.

A. B. Young, Salt Lake County, for the term ending March 1, 1945.

W. R. Wallace, Salt Lake County, for the term ending March 1, 1946.

E. G. Peterson, Cache County, for the term ending March 1, 1947.

Ellis Pickett, Washington County, for the term ending March 1, 1948.

The above are in addition to James W. Wade, Salt Lake County, who was nominated in a previous communication for the term ending March 1, 1949.

For members of the Water Resources Development Advisory Council of the Department of Publicity and Industrial Development, pursuant to Section 82C-3-15, Utah Code Annotated, 1943, to serve for the terms as listed:

D. D. Harris, Davis County, for the term ending March 1, 1944.

B. L. Frandsen, Carbon County, for the term ending March 1, 1945.

Elmer Jacobs, Utah County, for the term ending March 1, 1946.

Phil Purcell, Salt Lake County, for the term ending March 1, 1947.

J. L. Wadsworth, Washington County, for the term ending March 1, 1946.

George D. Clyde, Cache County, for the term ending March 1, 1949.

The above are in addition to the nomination of Mr. Otis Weeks of Weber County for the term ending March 1, 1950 which was submitted in a previous communication.

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to Committee on Appointments.

February 26, 1943.

To the Senate —

Gentlemen:

I am writing to acknowledge receipt of your communication of February 24th enclosing a copy of the report of the committee of three regarding confirmation of certain appointees and also a copy of the Attorney General's opinion relating to the same matter.

I shall carefully study the report and the Attorney General's opinion and communicate further with you on the matter.

Respectfully yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 26, 1943.

Mr. President:

I am directed to request of your Honorable Body the return of *H. B. No. 87,* by Mr. Milliman and Mrs. Jean Z. Murdock, for further consideration by the House.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 87 was returned to the House.

February 26, 1943.

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. 17*, by Agriculture Committee, entitled, "AN ACT AMENDING SECTION 3-10-50 UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF THE COMMISSIONER OF AGRICULTURE", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 17 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 26, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 19*, by Agriculture Committee, entitled, "AN ACT AMENDING SECTION 3-10-4, 3-10-5, 3-10-6, 3-10-39, 3-10-53, UTAH CODE ANNOTATED, 1943, PERTAINING TO DEFINITIONS AND STANDARDS OF FOOD PRODUCTS AND DUTIES OF THE STATE BOARD OF AGRICULTURE, SECTION 3-10-10 UTAH CODE ANNOTATED, 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 19 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 26, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 64*, by James L. Nielson, entitled, "AN ACT AMENDING SECTIONS 103-22-1 AND 103-22-2, UTAH CODE ANNOTATED 1943, RELATING TO EXPOSING TO FIRE OR THE FIRING OF TREES, SHRUBS BRUSH, GRASS, UNDERGROWTH OR CROPS ON ANOTHER'S LAND, INCLUDING LIVESTOCK AND LIVESTOCK PRODUCTS, AND PROVIDING THAT IT IS A FELONY

TO INTENTIONALLY OR MALICIOUSLY SET FIRE TO TREES, SHRUBS, BRUSH, GRASS, UNDERGROWTH, LIVESTOCK, LIVESTOCK PRODUCTS OR CROPS; PENALTIES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 64 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 26, 1943.

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. 70,* by Irrigation Committee, entitled, "AN ACT AMENDING SECTIONS 100-9-3 AND 100-9-17, UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION AND CONSERVATION DISTRICTS; LAND AND WATER ALLOTMENTS, CHANGES, LIMITATIONS; AND PROVIDING THAT COUNTY COMMISSIONERS SHALL DETERMINE LANDS IN DISTRICTS WHICH NEED NOT BE CONTIGUOUS; ELECTION OF BOARD OF DIRECTORS FOR EACH DISTRICT AND PROVIDING FURTHER THAT DIRECTORS SHALL DETERMINE BEFORE JULY FIRST OF EACH YEAR THE FUNDS NEEDED FOR CURRENT YEAR", 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 Agriculture and Irrigation.

February 25, 1943.

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. 95,* by Messrs. Stringham, Staples, Neilson, Christensen, Whittaker, Jones, Brinkerhoff and Miss Smith, entitled, "AN ACT PROVIDING FOR THE PAYMENT OF BOUNTIES ON SKINS OF CERTAIN PREDATORY ANIMALS, A TAX LEVY ON SHEEP AND TURKEYS FOR THE PAYMENT OF BOUNTIES, AND PROVIDING ADDITIONAL FUNDS FOR THE PREDATORY ANIMAL CONTROL FUND FOR THE CREATION

THEREFROM OF A STATE BOUNTY FUND; ALSO PROVIDING FOR THE CREATION OF CONTROL AREAS AND THE APPOINTMENT OF INSPECTORS AND COUNTY BOARDS TO ASSIST THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THE ACT; FURTHER REQUIRING THE MAKING OF PRESCRIBED AFFIDAVITS BY THE INSPECTORS, COUNTY BOARDS AND THE CLAIMANTS FOR BOUNTY FOR FILING WITH THE COUNTY CLERK BEFORE BOUNTIES CAN BE PAID BY THE STATE AUDITOR'S OFFICE; PROVIDING FURTHER FOR THE MAINTENANCE OF RECORDS; PRESCRIBING THE VIOLATIONS AND PENALTIES, BEING A PART OF TITLE 3, CHAPTER 4, UTAH CODE ANNOTATED 1943", 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 Agriculture and Irrigation.

February 26, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 100*, by Messrs. Stringham, Neilson, Staples and Christenson, entitled, "AN ACT AMENDING SECTION 80-5-19, UTAH CODE ANNOTATED 1943, RELATING TO THE ASSESSMENT OF LIVESTOCK AND HONEYBEES BROUGHT INTO AND TAKEN OUT OF THE STATE FOR GRAZING", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 100 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 26, 1943.

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. Carroll J. Meador, entitled, "AN ACT AMENDING SECTION 19-13-15, UTAH

CODE ANNOTATED 1943, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY", 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 State and Municipal Affairs.

February 26, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 106*, by Messrs. Durham and Cannon, entitled, "AN ACT AMENDING SECTION 103-51-18, UTAH CODE ANNOTATED 1943, RELATING TO THE CRIME OF RAPE AND PRESCRIBING THE PENALTY THEREOF", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 106 was read the first time and referred to the Committee on Judiciary.

February 26, 1943.

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. 173*, by Mr. Staples, entitled, "AN ACT AMENDING SECTION 80-5-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE ASSESSMENT AND TAXATION OF TURKEYS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 173 was read the first time and referred to the Committee on Agriculture and Irrigation.

Upon unanimous consent of the Senate the rules were suspended and the following Memorial was introduced.

INTRODUCTION OF MEMORIAL

S. C. M. No. 3 By Committee on Japanese-American Relations

A JOINT MEMORIAL PROTESTING FAVORITISM FOR YOUTH OF ANY EXTRACTION, IN THE ADVANTAGES OF HIGHER EDUCATION, was read the first time.

On motion of Senator Richards the rules were suspended and *S. C. M. No. 3* was referred to the Committee on State and Municipal Affairs.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 184 was read the third time and placed on its final passage.

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

Page 2, strike lines 10 to 15, inclusive, and insert in lieu thereof the following:

"(3) To examine, certify to and file with the Secretary of State and the public, at least every six months, a general balance sheet showing the condition of the state's finances; a statement of revenues and expenditures showing the revenues received or accrued; the cost of operation of the state government during the preceding six-month period; the amount of the unexpended or unencumbered balances of the several appropriations to the departments, commissions and institutions and the cash balances of the several funds in the custody of the state treasurer. The department of finance shall prepare the foregoing financial statements and other reports for his examination and certification, as and when requested, and not later than thirty days following such requests or the closing date of any six-month period."

Pages 2 and 3, strike the whole of subsection "9" and insert in lieu thereof the following:

"(9) To issue subpoenas ( ) requiring any person ( ) who ( ) has had financial transactions with the state to appear before him and to answer under oath either orally or in writing as to any facts concerning such transaction and for ( ) the purpose of obtaining any such facts the state auditor is empowered to administer oaths."

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

Page 4, line 10, after the word "suspend" insert the words "prior to payment".

Line 11, strike the first five words.

Line 12, strike the first three words and insert the words "in the opinion of the attorney general".

Line 15, strike the word "immediate" and insert the words "immediately after the final suspension".

Line 18, strike the word "the" and insert the word "any"; also after the word "amounts" insert the words "disbursed and".

Line 22, strike the words "item or".

Line 24, strike the word "item".

Line 25, strike the word "or"; also strike the word "will" and insert the word "shall".

Line 26, strike the word "will" and insert the word "shall".

Line 27, after the word "upon" strike the balance of the line and insert in lieu thereof the following: "any member of the finance commission".

Line 28, strike the first two words.

Page 5, line 2, strike the words "receipt of a suspension" and insert the words "any suspension becoming final"; also strike the last two words.

Line 3, strike the first seven words and insert the words "finance commission".

Line 6, strike the words "item or"; also strike the word "any" and insert the words "final".

Page 4, between lines 4 and 5, insert the following:

"(18) To require that copies of any and all contracts entered into wherein moneys of the state are involved shall be filed in his office.

"(19) To approve, together with the Board of Examiners and the particular department head, all rules and regulations promulgated for the conduct and operation of the several departments, commissions and institutions and lend cooperation to the end that such rules and regulations are enforced; and where provision is made by law for any department, commission or institution to promulgate rules and regulations for the conduct and operation of their affairs and failing to do so, then the state auditor shall provide such rules and regulations as in his judgment are deemed necessary, and such rules and regulations shall have the full force and effect of law.

"(20) To stop the payment of the salary of any state official or state employee who refuses to settle his accounts or render such statements as may be required with respect to the custody, disposition or management of public funds or other state property, or who refuses,

neglects or ignores the instruction of the state auditor or any controlling board or department head, with respect to the manner of keeping prescribed accounts or funds, or who fails to correct any delinquencies, improper procedures and errors brought to attention before or following an audit".

Line 30, after the word "Receipts" insert the words "entered upon the original suspension notice held by the state auditor,".

Line 31, strike the words "division of accounts and control of the state government" and insert the words "finance commission".

Line 32, after the word "surety" strike the balance of the line.

S. B. No. 184 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Huggins, Kelly, Kendall, Melich, Miller, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Ericksen, Hopkin, Lund, McMurrin, Morrill and Nielsen.

S. B. No. 184 was transmitted to the House.

S. B. No. 183 was read the third time and placed on its final passage.

S. B. No. 183 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Farr, Hirschi, Huggins, Kelly, Kendall, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Christensen, Ericksen, Hopkin, Lund, McMurrin and Morrill.

S. B. No. 183 was transmitted to the House.

S. B. No. 119 was read the third time and placed on its final passage.

S. B. No. 119 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Ashton, Dawson, Ericksen, McMurrin, Morrill and Romney.

S. B. No. 119 was transmitted to the House.

On motion of Senator Lund, 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 27, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 48*, by Mr. Hatch, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

H. B. No. 48 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 68*, by Irrigation Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 68 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 69*, by Irrigation Committee, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 69 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 70*, by Irrigation Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 70 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 82*, by Messrs. Milliman and Stevens, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 82 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 88*, by Mr. Bell, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 88 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 95*, by Messrs. Stringham, Staples, Neilson, Christensen, Whittaker, Jones, Brinkerhoff and Smith, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 95 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 173*, by Mr. Staples, has carefully considered said bill and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 173 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 171*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 171 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 174*, by Mr. Miller, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 174 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 177*, by Mr. Hopkin, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 177 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 198*, by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,

Chairman.

Report filed.

S. B. No. 198 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 199*, by Committee on State and Municipal Affairs, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,

Report filed. Chairman.

S. B. No. 199 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 200*, by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,

Report filed. Chairman.

S. B. No. 200 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 201*, by Mr. Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GEORGE A. CHRISTENSEN,

Report filed. Chairman.

S. B. No. 201 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 206*, by Messrs. Child, Nielsen, Hirschi, Macfarlane and Farr, has carefully considered said bill and reports the same out without recommendation, for further action and the amount of $7,200.00 has been tentatively set up in our appropriation accounts.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 206 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 209*, by Mrs. Ericksen, has carefully considered said bill, and reports the same out unfavorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 209 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 212*, by Mr. Lund, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. B. No. 212 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 27, 1943.

Mr. President:

Your special committee appointed to investigate and report to this body the expenditure of $2,000 by the Finance Commission paid to the Burns Detective Agency, begs leave to report:

That we found a file containing complete information concerning this expenditure in the hands of the Attorney General; that the file

was turned into our hands by the Attorney General with the permission of both parties for our consideration; that we fully examined the same and have given both the Finance Commission and the State Auditor, Reese M. Reese, an opportunity to explain their views concerning the matters contained in the file; that it is our opinion that the file and the information therein contained, being in the hands of the attorney general, was in the proper hands and we, therefore, recommend that the file containing the information on this matter be returned to the Attorney General for his further consideration.

Respectfully,

J. ARTHUR BAILEY,
JAMES A. KELLY,
LYNN ASHTON.

Report adopted and filed.

February 27, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report out the following Senate Bills to be placed at the bottom of the Second Reading Calendar:

S. B. No's. 187, 148, 162, and 191.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 41 was read the third time and placed on its final passage.

H. B. No. 41 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Bailey, Child, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, McMurrin and Richards.

H. B. No. 41 was returned to the House.

On motion of Senator Melich, *H. B. No. 42* retains its position on the Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 178 was read the second time.

Committee report read and adopted.

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

Page 1, lines 1 and 3, strike "31" and insert "35".

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

Page 1, line 17 after the word "finance" insert "provided said salary shall not exceed $4,000.00 per annum from the funds of the State of Utah:".

On motion of Senator Huggins the rules were suspended and *S. B. No. 178* was read the third time and placed on its final passage.

S. B. No. 178 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Ericksen and McMurrin.

S. B. No. 178 was transmitted to the House.

S. B. No. 189 was read the second time.

Committee report read and adopted.

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

Line 1 of the title, strike the word "Blank".

S. B. No. 189 failed of passage on the following roll call:

Yeas, 9; Nays, 9; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Farr, Hopkin, Miller, Rich, Warner and Mr. President.

Those voting in the negative were: Senators Dawson, Hirschi, Huggins, Kelly, Lund, Morrill, Nielsen, Richards (explained vote) and Romney.

Absent and not voting: Senators Ashton, Ericksen, Kendall, McMurrin and Melich.

S. B. No. 189 was filed.

Senator Macfarlane moved that we do now consider bills on the Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 43 was read the third time and placed on its final passage.

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

Page 16, line 17, strike "contrued" and insert the word "construed".

H. B. No. 43 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, Melich, Miller, Morrill, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Nielsen (explained vote).

Absent and not voting: Senators Ashton, Ericksen, Kendall and McMurrin.

H. B. No. 43 was returned to the House.

H. B. No. 42 was read the third time and placed on its final passage.

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

Line 3, strike the word "a" and insert the word "the".

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

Line 3, after the word "of" insert "any county of the".

H. B. No. 42 failed of passage on the following roll call:

Yeas, 10; Nays, 9; Absent, 4.

Those voting in the affirmative were: Senators Bailey, Child, Dawson, Farr, Hopkin, Melich, Miller, Morrill, Nielsen and Mr. President.

Those voting in the negative were: Senators Christensen, Hirschi, Huggins (explained vote), Kelly, Lund, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Ashton, Ericksen, Kendall and McMurrin.

Senator Warner served notice that on the next legislative day he would move to reconsider the vote by which *H. B. No. 42* failed of passage.

On motion of Senator Macfarlane the Senate adjourned until Monday, March 1, 1943, at 10:00 a. m.

FIFTIETH DAY

MORNING SESSION

March 1, 1943.

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

Roll Call—All Senators present, except Senators Bailey and Ericksen, excused.

Prayer by the Chaplain.

March 1, 1943.

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,

STANLEY N. CHILD,

JAMES A. KELLY.

Report adopted and filed.

The President appointed Senators Ashton and Lund to revise the Journal for the week beginning March 1, 1943.

COMMUNICATIONS FROM THE GOVERNOR

February 27, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 9*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, RELATING TO REDEMPTION AND PURCHASE OF PREFERRED STOCK OF CORPORATIONS."

Sincerely yours,

HERBERT B. MAW,

Governor.

Communication filed.

February 26, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. C. M. No. 1,* by Mr. Miller, entitled, "A JOINT RESOLUTION MEMORIALIZING CONGRESS RESPECTING THE POLICY OF THE STATE OF UTAH RELATING TO ITS WATERS AND THE USE THEREOF BY THE ADJOINING STATES AND THE UNITED STATES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

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 failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Hopkin and Lund.

Those voting in the negative were: Senators Ashton, Child, Christensen, Dawson, Farr, Hirschi, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey and Ericksen.

H. B. No. 25 was returned to the House.

Senator Warner moved that the Senate do now reconsider the vote by which *H. B. No. 42* failed of passage.

Motion carried.

Reconsideration of *H. B. No. 42.*

H. B. No. 42 on final passage.

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

In the title; line 1, after the figure "7" insert "and 40-1-18,". Line 2, at the end of the line insert "AND PHYSICIANS CERTIFICATES".

Line 1 of the title, change the word "SECTION" to read "SECTIONS".

Line 1, after the figure "7" insert "and 40-1-18"; also strike the word "is" and insert the word "are".

Line 1, change "Sec." to read "Secs."

Following line 3, insert the following:

"40-1-18. Before any person shall issue any marriage license, each applicant therefor shall file with him a certificate from a licensed physician and surgeon which certificate shall state the age of the applicant; that the applicant has been given an examination, including a standard serological test for syphilis, made not more than fifteen days prior to the date of issuance of such license and that in the opinion of such physician and surgeon, the applicant either is not infected with syphilis or other venereal disease, or if so infected, is not in a stage of such disease which is or which may become communicable."

H. B. No. 42 then passed on the following roll call:

Yeas, 15; Nays, 5; Absent, 3.

Those voting in the affirmative were: Senators Child, Dawson (explained vote), Farr, Hirschi, Huggins (explained vote), Kelly, Kendall, Lund, McMurrin, Morrill, Nielsen (explained vote), Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Ashton, Hopkin, Melich (explained vote), Miller and Rich.

Absent and not voting: Senators Bailey, Christensen and Ericksen.

H. B. No. 42 was returned to the House.

Reconsideration of *H. B. No. 5*.

H. B. No. 5 on second reading.

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

Page 2, line 33, after the word "dairy" insert the words "and food"; also after the word "to" insert the words "but not in excess of".

Page 3, line 20, at the end of the line insert the following: "No rule or regulation pertaining to grades and standards established by the board under the provisions of this act shall exceed the standards and grades set up in the federal acts referred to herein."; also strike the word "America" and insert the word "American".

Line 21, strike the words "upon its own initiative or".

Line 23, strike the word "may" and insert the words "and before any grade or standard be established by regulation shall".

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 COMMITTEE

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 19*, by the Agricultural Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 19 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 152*, by Mr. Hopkin, has carefully considered said bill and recommends that the Enacting Clause be stricken.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report adopted and filed.

On motion of Senator Hopkin the Enacting Clause of *S. B. No. 152* was stricken.

S. B. No. 152 was filed.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 118*, by Mr. Hopkín, has carefully considered said bill and recommends that the Enacting Clause be stricken.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report adopted and filed.

On motion of Senator Hopkin the Enacting Clause was stricken on *S. B. No. 118.*

S. B. No. 118 was filed.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 17*, by the Agricultural Committee, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 17 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 64*, by James L. Nielson, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 64 was referred to the Sifting Committee.

COMMUNICATIONS FROM THE HOUSE

March 1, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. M. No. 3*, by Messrs. Durham, Sorenson and Schenk, entitled, "MEMORIALIZING CONGRESS TO ENACT LEGISLATION TO ESTABLISH AND UNIFY FARM LABOR POLICIES DURING THE EMERGENCY", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. C. M. No. 3 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 1, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 53*, by Mr. Reed, entitled, "AN ACT AMENDING SECTIONS 42-1-49, 42-2-4, 42-2-6, 42-2-7, 42-2-11, 42-2-12, 42-2-14,

42-2-17, 42-1a-18 AND 42-1a-24 UTAH CODE ANNOTATED 1943, RELATING TO WORKMEN'S COMPENSATION, OCCUPATIONAL DISEASE AND THE STATE INSURANCE FUND", 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 and referred to the Committee on Health and Labor.

March 1, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 77*, by Mrs. Jack, Messrs. Cowles, Jensen and Bell, entitled, "AN ACT AMENDING SECTION 77-0-14, UTAH CODE ANNOTATED 1943, RELATING TO THE EQUIPMENT REQUIRED ON LOCOMOTIVES; SIGNALS AT CROSSINGS BY THE RINGING OF BELLS, SOUNDING OF WHISTLES, AND PROVIDING THAT A SIREN MAY BE SOUNDED; DEFINING LOCOMOTIVES AND EMPOWERING LOCAL AUTHORITIES TO FURTHER REGULATE AND CONTROL SIGNALS AT CROSSINGS BY LOCOMOTIVES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 77 was read the first time and referred to the Committee on State and Municipal Affairs.

COMMUNICATION FROM THE GOVERNOR

March 1, 1943.

To the Senate

Gentlemen:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advice and consent:

For Commissioner in the Department of Engineering:

Lester A. Blackner, of Salt Lake County, for the term ending February 28, 1949.

For Commissioner of the Department of Fish and Game:

E. N. Larsen, Cash County, for the term ending February 28, 1949.

For Commissioners of the Industrial Commission:

Eldred M. Royle, of Salt Lake County, for the term ending February 28, 1949.

Otto A. Wiesley, of Salt Lake County, for the term ending February 28, 1947.

For Commissioner in the Department of Public Welfare:

Sophus Bertelson, of Sanpete County, for the term ending February 28, 1949.

For Commissioners in the State Tax Commission:

Heber Bennion, Jr., of Dagget County, for the term ending February 28, 1947.

Roscoe E. Hammond, of Salt Lake County, for the term ending February 28, 1947.

For State Bank Commissioner:

Rulon F. Starley, of Sanpete County, for the term ending March 31, 1945.

For members of the Utah Board of Commissioners for the Promotion of Uniformity of Legislation for the term ending June 30, 1945:

Calvin W. Rawlins ..... Salt Lake County

George W. Worthen ..... Utah County

Wm. H. Leary ..... Salt Lake County

For Members of the Governing Board of the Utah State Institute of Fine Arts, for the term ending June 30, 1945:

Fred E. Smith ..... Salt Lake County

Oscar E. Heppley ..... Salt Lake County

Mrs. John M. Wallace ..... Salt Lake County

A. B. Poulson ..... Salt Lake County

Ranch S. Kimball ..... Salt Lake County

Tracy Y. Cannon ..... Salt Lake County

Gail Plummer ..... Salt Lake County

For the term ending June 30, 1947:

Maud R. Hardman ..... Salt Lake County

J. Allen Crockett ..... Salt Lake County

Thomas J. Holland ..... Salt Lake County
Mrs. F. P. Champ ..... Cache County
Mrs. A. L. Beeley ..... Salt Lake County
Harold R. Clark ..... Utah County

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to Committee on Appointments.

UNFINISHED BUSINESS

H. B. No. 5 on Second Reading.

Senator Richards moved to amend the bill as follows:

Page 2, line 7, after the word "Utah" insert the following: "; Provided, however, that the board shall adopt no grade or quality regulations with respect to butter which will place butter scoring 90 points or better in any grade or quality classification of lower or lesser or different degree than butter scoring 91 points or 92 points or better."

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

The motion failed to carry on the following roll call:

Yeas, 10; Nays, 12; Absent, 1.

Those voting in the affirmative were: Senators Dawson, Farr, Hirschi, Huggins, Kelly, Kendall, Melich, Morrill, Richards and Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Child, Ericksen, Hopkin, Lund, McMurrin, Miller, Nielsen, Rich, Romney and Warner.

Absent and not voting: Senator Christensen.

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

Page 2, line 7, after the word "Utah" insert the following: "; Provided, however, that the board shall adopt no grade or quality regulations with respect to butter which will place butter scoring 91 points or better in any grade or quality classification of lower or lesser or different degree than butter scoring 92 points or 93 points or better."

On motion of Senator Hopkin the rules were suspended and *H. B. No. 5* was read the third time and placed on its final passage.

H. B. No. 5 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, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Miller.

H. B. No. 5 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 187 was read the second time.

Committee report read and adopted.

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

Line 1 of the title, and line 1 of Page 1, strike "36-8-1".

Page 1, strike the whole of lines 3 and 4.

S. B. No. 187 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, Farr, Hirschi, Hopkin, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Huggins, Kelly, Lund and Richards.

S. B. No. 148 was read the second time.

Committee report read and adopted.

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

Page 1, line 12, strike the word "quarterly" and insert the word "monthly".

Page 3, insert at the end of line 32 the following:

"All moneys collected by the directer prior to the effective date of this act, under any provision of this title, for any fee, license, certificate, permit or card, for the year 1943, remaining unexpended, are hereby appropriated from the general fund to the department of registration fund, to be used as herein provided."

Line 1 of the title and line 1 of the bill after "79-1-1," insert "79-1-2,".

S. B. No. 148 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, Dawson, Hirschi, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Ericksen, Farr, Hopkin, Huggins and Kelly.

On motion of Senator Morrill the Senate adjourned until Tuesday, March 2, 1943, at 10:30 a. m.

FIFTY-FIRST DAY

MORNING SESSION

March 2, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 2, 1943.

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,

LYNN ASHTON,
Chairman.

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 1, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 21*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 100-1-10, UTAH CODE ANNOTATED 1943, RELATING TO CONVEYANCE OF WATER RIGHT BY DEED AND THE EFFECT THEREOF."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 1, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 24*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 40-3-1, UTAH CODE ANNOTATED 1943, RELATING TO DIVORCE, BY CHANGING THE REQUIREMENTS OF RESIDENCE AND ADDING AN ADDITIONAL GROUND FOR DIVORCE."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 1, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 35*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 78-4-4, UTAH CODE ANNOTATED 1943, RELATING TO INSTRUMENTS OF WRITING COPIED INTO THE BOOKS OF RECORD IN THE OFFICE OF COUNTY RECORDERS OF THE SEVERAL COUNTIES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 1, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 31*, by Committee on Judiciary, entitled, "AN ACT AMEND-

ING SECTION 80-12-8, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF THE DEBTS OF AN ESTATE FOR THE PURPOSE OF DETERMINING NET ESTATE FOR INHERITANCE TAX PURPOSES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 1, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 38*, by Mr. Richards, entitled, "AN ACT PROVIDING FOR THE COLLECTION BY THE SURVIVING SPOUSE OR CHILDREN OF WAGES, WORKMEN'S AND OCCUPATIONAL DISEASE COMPENSATION NOT EXCEEDING $300.00, OF A DECEASED EMPLOYEE WITHOUT PROCURING LETTERS OR TESTAMENTARY ADMINISTRATION, TO BE KNOWN AS SECTION 102-8-3, UTAH CODE ANNOTATED 1943."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 1, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. J. R. No. 4*, by Mrs. Della L. Loveridge, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTIONS 9 AND 16 OF ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE AND TO THE DURATION OF SESSIONS OF THE LEGISLATURE", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 4 was read the first time and referred to the Committee on State and Municipal Affairs.

March 1, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 87,* by Mr. Milliman and Mrs. Jean Z. Murdock, entitled, "AN ACT AMENDING SECTION 57-7-111, UTAH CODE ANNOTATED 1943, RELATING TO DRIVING OF MOTOR VEHICLE, OR BEING IN POSSESSION THEREOF BY PERSONS UNDER INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS; AND PRESCRIBING AND DEFINING CHEMICAL TESTS AS EVIDENCE FOR JUDICIAL DETERMINATION OF INTOXICATION; PENALTIES", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 87 was read the first time and referred to the Committee on Judiciary.

March 1, 1943.

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. 99,* by Mr. Sabin, entitled, "AN ACT AMENDING SECTION 20-4-7, UTAH CODE ANNOTATED 1943, RELATING TO COMPENSATION OF JUDGES OF THE CITY COURT, AND PROVIDING THAT IN CITIES OTHER THAN THOSE OF FIRST AND SECOND CLASS, SALARIES SHALL BE FIXED BY THE MAYOR WITH CONSENT OF GOVERNING BODY; MINIMUM AND MAXIMUM SALARIES", 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 Judiciary.

REPORT OF SPECIAL COMMITTEE

March 1, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report out the following Senate Bills to be placed at the Bottom of the Second Reading Calendar:

S. B. No's. 197, 159, 47, 146, 165, and 168.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 1, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing, *S. J. M. No. 1,* by Mr. Christensen, entitled, "A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING IMMEDIATE PROVISION OF WAYS AND MEANS FOR MANUFACTURING SYNTHETIC RUBBER", together with a like committee of the House, has examined and 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 27, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 40,* by Messrs. Melich and Richards, entitled, "AN ACT AMENDING SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, DEFINING THE TERMS USED IN THE EMPLOYMENT SECURITY ACT BY ADDING A NEW PARAGRAPH PRO-

VIDING THAT THE TERM "EMPLOYMENT" SHALL NOT INCLUDE SERVICE PERFORMED BY LESSEES ENGAGED IN METAL MINING UNDER LEASE AGREEMENTS UNLESS THE INDIVIDUAL LEASE AGREEMENT OR THE PRACTICE IN ACTUAL OPERATION UNDER SUCH AGREEMENT IS SUCH AS WOULD CONSTITUTE THE LESSEES EMPLOYEES OF THE LESSOR AT COMMON LAW", together with a like committee of the House has examined and 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. 40 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 2, 1943.

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. C. M. No. 2,* by Mr. Miller, has carefully considered said memorial and reports the same out favorably.

Respectfully,

GEORGE M. MILLER,
Chairman.

Report filed.

S. C. M. No. 2 was referred to the Sifting Committee.

March 2, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 105,* by Mr. Meador, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 105 was referred to the Sifting Committee.

March 2, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 77,* by Mrs. Jack, Messrs. Cowles, Jensen and Bell, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 77 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 100,* by Messrs. Stringham, Neilson, Staples and Christensen, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 100 was referred to the Sifting Committee.

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 208,* by Messrs. Hopkin and Christensen, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 208 was referred to the Sifting Committee.

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

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 162 was read by title only.

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

Following the title insert the Enacting Clause and the body of *H. B. No. 109.*

S. B. No. 162 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *S. B. No. 162* was read the third time and placed on its final passage.

S. B. No. 162 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Christensen, Dawson, Ericksen, Farr, Hopkin, Kelly, Kendall, Miller, Morrill, Nielsen, Rich, Romney and Mr. President.

Absent and not voting: Senators Bailey, Child, Hirschi, Huggins, Lund, McMurrin, Melich, Richards and Warner.

S. B. No. 162 was transmitted to the House.

S. B. No. 191 was read the second time.

Committee report read and adopted.

S. B. No. 191 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, Christensen, Dawson, Ericksen, Farr, Kelly, Lund, Melich, Miller, Morrill, Nielsen, Rich, Romney and Mr. President.

Absent and not voting: Senators Child, Hirschi, Hopkin, Huggins, Kendall, McMurrin, Richards and Warner.

S. B. No. 197 was read the second time.

Committee report read and adopted, and on motion of Senator Richards the bill was amended accordingly.

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

Line 5, after the word "acquired" insert the words "or leased". Also strike the word "the" at the end of the line and insert the words "military or naval purposes and or".

Line 6, strike the words "purpose of".

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

Line 5 of the title preceeding the word "BY" insert the words "OR LEASED".

S. B. No. 197 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, Christensen, Dawson, Ericksen, Farr, Hopkin, Kelly, Kendall, Lund, Melich, Miller, Nielsen, Rich and Mr. President,

Absent and not voting: Senators Child, Hirschi, Huggins, McMurrin, Morrill, Richards, Romney and Warner.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

Roll Call—All Senators present.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 159 was read the second time.

Committee report read and adopted.

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

Page 6, strike the whole of lines 6 to 8, inclusive.

Line 9, strike the words "notary public" and "precinct, city, district or county".

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

Page 2, line 12, in the first blank space insert the words "fifteenth day of June", and in the second blank space insert the word "fifteenth".

Line 13, strike the "s" on the word "days"; also strike the word "September" and insert the word "July".

Line 15, strike the word "first" and insert the word "second"; also strike the word "October" and insert the word "September".

Line 3, strike the first appearing "25-3-41".

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

Page 5, line 20, strike "biennally" and insert the word "biennially".

Page 7, line 4, strike the "s" on the word "names".

Line 22, change the word "untli" to read "until".

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

Page 4, line 27, in the first blank space insert "fifteenth day of June" and in the second blank space insert "fifteenth".

Line 28, strike the word "September" and insert the word "July".

Page 5, line 3, strike the word "first" and insert the word "second"; also strike the word "October" and insert the word "September".

Line 19, strike the words "seventy-five" and insert the word "sixty".

Page 6, line 1, in the blank space insert "fifteenth"; also strike the word "September" and insert the word "June".

Line 5, in the blank space insert "fifteenth"; also strike the word "September" and insert the word "June".

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

Page 17, line 29, strike the word "and" and insert the word "are".

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

Page 8, line 3, strike the first appearing word "the" and insert the word "least"; also after the word "three" insert the word "public"; also preceding the word "at" insert the word "in".

Page 11, line 1, strike the word "August" and insert the word "May".

Page 12, line 22, in the first blank space insert "fifteenth day of June"; also after the word "and" insert "the fifteenth"; also strike the last word "the".

Line 23, strike the word "September" and insert the word "July".

Line 25, after the word "state" insert "said date to be determined by the state central committee".

Page 15, place the words "primary election" following the word "convention".

Page 17, line 31, in the first blank space insert "fifteenth day of June"; also in the second blank space insert "fifteenth day" and in the third blank space insert "July".

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

Page 20, line 5, strike the word "shall" and insert the word "may".

S. B. No. 159 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Dawson, Ericksen, Farr, Hirschi, Kelly, McMurrin, Melich, Miller, Morrill, Rich, Warner and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Child, Christensen, Hopkin, Huggins, Kendall, Lund, Nielsen, Richards and Romney.

S. B. No. 146 was read the second time.

Committee report read and adopted, and on motion of Senator Hirschi the bill was amended accordingly.

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

Line 10, after the second appearing word "or" insert "to the extent to which they are insured".

S. B. No. 146 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 Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Lund, McMurrin, Melich, Miller, Morrill and Warner.

Absent and not voting: Senators Ashton, Bailey, Child, Huggins, Kendall, Nielsen, Rich, Richards, Romney and Mr. President.

S. B. No. 165 was read the second time.

Committee report read and adopted.

S. B. No. 165 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 Bailey, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Melich, Miller, Morrill, Warner and Mr. President.

Absent and not voting: Senators Ashton, Child, Huggins, Lund, McMurrin, Nielsen, Rich, Richards and Romney.

S. B. No. 168 was read the second time.

Committee report read and adopted.

S. B. No. 168 was placed on the Third Reading Calendar on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Huggins, Lund, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senator Kelly.

Absent and not voting: Senators Bailey, Hopkin, Kendall, McMurrin, Melich and Miller.

Senator Macfarlane moved that the rules be suspended and that the Senate do now consider *S. B. No. 197* on Third Reading.

Motion carried.

S. B. No. 197 was read the third time and placed on its final passage.

S. B. No. 197 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Lund, McMurrin and Richards.

S. B. No. 197 was transmitted to the House.

On motion of Senator Christensen the Senate resolved itself into Executive Session.

On motion of Senator Christensen the Executive Session was dissolved.

Senator Christensen moved that the rules be suspended and that the Senate advise and consent to the following appointments:

FOR MEMBERS OF THE ADVISORY COUNCIL OF THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT:

Pursuant to Section 82C-3-7, Utah Code Annotated, 1943. To serve for the terms as listed:

James W. Wade, Salt Lake, for term ending.....March 1, 1943
E. G. Bennett, Ogden .....March 1, 1944
A. B. Young, Salt Lake .....March 1, 1945
W. R. Wallace, Salt Lake .....March 1, 1946
E. G. Peterson, Logan .....March 1, 1947
Ellis Pickett, St. George .....March 1, 1948

FOR MEMBERS OF THE WATER RESOURCES DEVELOPMENT ADVISORY COUNCIL:

Pursuant to Section 82C-3-15, Utah Code Annotated, 1943. To serve the following terms as listed:

Harold Hemingway, Ogden, for term ending .....March 1, 1943

D. D. Harris, Layton .....March 1, 1944

B. L. Frandsen, Price .....March 1, 1945

Elmer Jacobs, Provo .....March 1, 1946

Phil Purcell, Salt Lake .....March 1, 1947

J. L. Wadsworth, St. George .....March 1, 1948

George D. Clyde, Logan .....March 1, 1949

FOR COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE:

Pursuant to Section 3-1-17, Utah Code Annotated, 1943. To fill the vacancy caused by the resignation of Seth. T. Shaw and to serve the unexpired term ending March 1, 1943:

Vernal A. Bergeson .....Cornish

FOR MEMBER STATE BOARD OF HEALTH:

Pursuant to Section 35-1-1.11, Utah Code Annotated, 1943. To fill the vacancy caused by the resignation of Dr. E. A. Tripp, and to serve the unexpired term ending March 1, 1948:

Dr. A. R. Christopherson .....Salt Lake

FOR COMMISSIONERS OF INDUSTRIAL COMMISSION:

Pursuant to Sections 42-1-1, Utah Code Annotated, 1943. To fill the vacancy caused by the death of Wm. M. Knerr, and to serve the unexpired term ending March 1, 1943:

E. M. Royle .....Salt Lake

To fill the vacancy occasioned by the expiration of the term of office of O. F. McShane as Industrial Commissioner and the abandonment of the office of Industrial Commissioner by said O. F. McShane. To serve for a term ending March 1, 1947:

Otto A. Wiesley .....Salt Lake

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

Pursuant to Section 75-4-7, Utah Code Annotated, 1943. To fill the vacancies existing. To serve for a term ending June 30, 1945:

Mrs. A. J. Gorham ..... Salt Lake
Dr. L. E. Viko ..... Salt Lake
Thornton D. Morris ..... Salt Lake
A. H. Reiser ..... Salt Lake
Earl J. Glade ..... Salt Lake
William H. Leigh ..... Cedar City

FOR THE OFFICE OF STATE BANK COMMISSIONER:

Pursuant to Section 7-1-1, Utah Code Annotated, 1943. To serve for a term ending March 31, 1945:

Rulon F. Starley ..... Mt. Pleasant

FOR MEMBERS OF THE UTAH BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION:

Pursuant to Section 97-0-1, Utah Code Annotated, 1943. To serve for a term ending July 1, 1943:

Calvin W. Rawlins ..... Salt Lake
George W. Worthen ..... Provo
Dean William Leary ..... Salt Lake

FOR MEMBERS OF THE GOVERNING BOARD OF THE UTAH STATE INSTITUTE OF FINE ARTS:

Pursuant to Section 85-2-20, Utah Code Annotated, 1943. To serve for terms as listed:

Miss Maud R. Hardman, Salt Lake, for term ending..... June 30, 1943
Allen Crockett, Salt Lake ..... June 30, 1943
Thomas J. Holland, Salt Lake ..... June 30, 1943
Fred E. Smith, Salt Lake ..... June 30, 1945
Oscar R. Heppley, Salt Lake ..... June 30, 1945
Mrs. John M. Wallace, Salt Lake ..... June 30, 1945
A. B. Paulson, Salt Lake ..... June 30, 1945
Ranch S. Kimball, Salt Lake ..... June 30, 1945
Tracy Y. Cannon, Salt Lake ..... June 30, 1945
Gail Plummer, Salt Lake ..... June 30, 1945

FOR MEMBERS OF THE ADVISORY COUNCIL FOR THE SCHOOL FOR THE DEAF AND BLIND:

Pursuant to Section 85-3-22, Utah Code Annotated, 1943. To serve for terms as listed:

Miss Irene Jones, Salt Lake, for term ending.....March 1, 1943
Stanley Robbins, Ogden .....March 1, 1944
Professor T. Earl Pardoe, Provo .....March 1, 1945
Miss Marian T. Read, Ogden .....March 1, 1946
Rabbi Samuel H. Gordon, Salt Lake .....March 1, 1947

On motion of Senator Ashton the Senate adjourned until Wednesday, March 3, 1943, at 10:30 a. m.

FIFTY-SECOND DAY

MORNING SESSION

March 3, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 3, 1943.

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,

LYNN ASHTON,
RAY P. LUND.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 3, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. J. R. No. 4*, by Mrs. Loveridge, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. J. R. No. 4 was referred to the Sifting Committee.

March 2, 1943.

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 214*, 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. 214 was referred to the Sifting Committee.

COMMUNICATIONS FROM THE HOUSE

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. C. M. No. 1*, by Mr. Midgley, entitled, "MEMORIALIZING CONGRESS TO ENACT *H. R. No. 997* or *S. B. No. 216* WHICH WILL ESTABLISH A PHARMACY CORPS IN THE UNITED STATES ARMY", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

March 2, 1943.

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. Ward, entitled, "AN ACT AMENDING SECTIONS 3-8a-5 AND 3-8a-21, UTAH CODE ANNOTATED 1943, PERTAINING TO PLANT FOOD CONTENT OF COMMERCIAL FERTILIZERS AND PUBLICATION OF RESULTS OF INFORMATION", 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.

March 2, 1943.

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 Messrs. Stringham, Staples and Brinkerhoff, entitled, "AN ACT AMENDING SECTION 3-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE PREDATORY ANIMAL CONTROL FUND, HOW EXPENDED", 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 2, 1943.

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. 63*, by Mr. Robinson, entitled, "AN ACT PROVIDING FOR RECIPROCAL AGREEMENTS BETWEEN THE STATES OF UTAH AND IDAHO RELATING TO FISHING ON BEAR LAKE;

AND FOR COOPERATIVE AGREEMENTS WITH IDAHO AND WYOMING RELATING TO CONSTRUCTION, DEVELOPMENT AND MAINTENANCE OF FISHING RESOURCES, BEING A PART OF TITLE 30, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 63 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. J. M. No. 1*, by Mr. Christensen, entitled, "A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING IMMEDIATE PROVISION OF WAYS AND MEANS FOR MANUFACTURING SYNTHETIC RUBBER", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 8*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 103-12-4, UTAH CODE ANNOTATED 1943, CONCERNING CERTAIN ACTS PROHIBITED BY CORPORATION DIRECTORS", 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.

March 2, 1943.

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. 37,* by Mr. Richards, entitled, "AN ACT AMENDING SECTION 104-59-1, UTAH CODE ANNOTATED 1943, RELATING TO PROCEEDINGS BY WHICH THE EFFECT OF THE DEATH OF A PERSON UPON CERTAIN INTERESTS IN PROPERTY AND THE TITLE THERETO MAY BE ESTABLISHED BY JUDICIAL ACTION AND DECREE, AND PROVIDING FOR A WAIVER AND THE RELEASE OF INHERITANCE TAX", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 37 was transmitted to the Governor.

March 2, 1943.

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. 40,* by Messrs. Melich and Richards, entitled, "AN ACT AMENDING SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, DEFINING THE TERMS USED IN THE EMPLOYMENT SECURITY ACT BY ADDING A NEW PARAGRAPH PROVIDING THAT THE TERM "EMPLOYMENT" SHALL NOT INCLUDE SERVICE PERFORMED BY LESSEES ENGAGED IN METAL MINING UNDER LEASE AGREEMENTS UNLESS THE INDIVIDUAL LEASE AGREEMENT OR THE PRACTICE IN ACTUAL OPERATION UNDER SUCH AGREEMENT IS SUCH AS WOULD CONSTITUTE THE LESSEES EMPLOYEES OF THE LESSOR AT COMMON LAW", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 40 was transmitted to the Governor.

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 41*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1-41, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE", "WORKMAN" AND "OPERATIVE" AS USED IN SAID SECTION AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR WORKMEN'S COMPENSATION INSURANCE BY THE LESSOR", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 41 was transmitted to the Governor.

March 2, 1943.

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. 42*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1a-11, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE", "WORKMEN" AND "OPERATIVE", AS USED IN THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR OCCUPATIONAL DISEASE DISABILITY COMPENSATION BY THE LESSOR", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 42 was transmitted to the Governor.

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 48*, by Committee on Banking and Commerce, entitled,

"AN ACT AMENDING SECTIONS 7-3-27 AND 7-3-28, UTAH CODE ANNOTATED 1943, RELATING TO THE DECLARATION OF DIVIDENDS AND CREDIT AND CHARGES TO THE SURPLUS FUND OF BANKS AND PROVIDING THAT CERTAIN NET PROFITS SHALL BE CARRIED TO A SURPLUS FUND UNTIL SUCH SURPLUS SHALL AMOUNT TO ONE HUNDRED PER CENT OF THE CAPITAL OF THE BANK", 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.

March 2, 1943.

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. 49*, by Committee on Banking and Commerce, entitled, "AN ACT AMENDING SECTION 7-3-41, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMIT OF THE LENDING POWER OF A BANK AND PROVIDING THAT LOANS OR OBLIGATIONS SHALL NOT BE SUBJECT UNDER SUCH SECTION TO ANY LIMITATION BASED UPON CAPITAL AND SURPLUS TO THE EXTENT THAT THEY ARE SECURED OR COVERED BY GUARANTIES OR BY COMMITMENTS OR AGREEMENTS TO TAKE OVER OR TO PURCHASE THE SAME, MADE BY ANY FEDERAL RESERVE BANK OR BY THE UNITED STATES OR ANY DEPARTMENT, BUREAU, BOARD, COMMISSION, OR ESTABLISHMENT OF THE UNITED STATES, INCLUDING ANY CORPORATION WHOLLY OWNED DIRECTLY OR INDIRECTLY BY THE UNITED STATES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 49 was transmitted to the Governor.

March 2, 1943.

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. 50*, by Messrs. Melich, Hopkin and Morrill, entitled, "AN ACT AMENDING SECTION 3-5-27, UTAH CODE ANNOTATED 1943, RELATING TO THE TUBERCULAR AND BANGS DISEASE CONTROL FUND", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 50 was transmitted to the Governor.

March 2, 1943.

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. 63*, by Committee on Banking and Commerce, entitled, "AN ACT AUTHORIZING THE STATE BANK COMMISSIONER, WITH THE APPROVAL OF THE STATE DEPOSITORY BOARD, TO CHANGE FROM TIME TO TIME THE REQUIREMENTS AS TO RESERVES AGAINST DEMAND OR TIME DEPOSITS OR BOTH IN BANKING INSTITUTIONS WHICH ARE NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM TO BE KNOWN AS SECTION 7-3-38.10, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 63 was transmitted to the Governor.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 148 was read the third time and placed on its final passage.

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.

REPORTS OF STANDING COMMITTEES

March 3, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 211*, by Mr. Miller, has carefully considered said bill and reports the same out with favorable recommendation, with a further recommendation that the bill be amended to expire in 1945.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 211 was referred to the Sifting Committee.

March 3, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 53*, by Mr. Reed, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

H. B. No. 53 was referred to the Sifting Committee.

March 3, 1943.

Mr. President:

Your Right Honorable Committee on Agriculture and Irrigation, the humble tillers of the soil, to which was referred *H. B. No. 83*, by Education Committee, relating to hairdressers, Cosmeticians and Electrologists, beg leave to report the bill out favorably.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 83 was referred to the Sifting Committee.

COMMUNICATIONS FROM THE HOUSE

March 2, 1943.

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. 148*, by Messrs. Christensen, Cowles, Gardner, Paxton and Geo. C. Murdock, entitled, "AN ACT APPROPRIATING THE SUM OF ONE HUNDRED THOUSAND DOLLARS TO THE UTAH STATE AERONAUTICS COMMISSION FOR THE PURPOSE OF ESTABLISHING AND IMPROVING AIR FIELDS WITHIN THE STATE OF UTAH AND TO PARTICIPATE IN THE FEDERAL CIVIL PILOT TRAINING PROGRAM", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 148 was read the first time and referred to the Committee on Appropriations and Claims.

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 42*, by Mr. Elswood.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 2, 1943.

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. 136*, by Messrs. Mozley, Grotegut, T. M. Rees, Kerr, Schenk, Cannon and Noble, entitled, "AN ACT AMENDING SECTION 46-0-168, UTAH CODE ANNOTATED 1943, RELATING TO DRINKING AND DRUNKENNESS AND HAVING POSSESSION OF UNSEALED LIQUOR PACKAGE IN PUBLIC PLACES AND DEFINING PUBLIC PLACE", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 136 was read the first time and referred to the Committee on Health and Labor.

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. C. M. No. 2*, by Mr. Paxton, entitled, "RELATING TO CIVIL AERONAUTICS LEGISLATION PENDING BEFORE CONGRESS, MEMORIALIZING CONGRESS OF THE UNITED STATES TO DEFEAT H. R. NO. 1012 AND SENATE BILL 246 AFFECTING AIR COMMERCE AND THE INHERENT RIGHTS OF THE STATES TO GOVERN THE SAME", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

Senator Hirschi moved that action on *S. B. No. 148* be deferred at this time.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 191 was read the third time and placed on its final passage.

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

Line 3 of the title, after the word "COUNCIL" insert the words "OF THE INDUSTRIAL".

S. B. No. 191 then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Dawson, Farr, Hirschi, Hopkin, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Voting in the negative: Senator Miller.

Absent and not voting: Senator Child, Christensen, Ericksen, Huggins, Kelly and Romney.

S. B. No. 191 was transmitted to the House.

S. B. No. 159 was read the third time and placed on its final passage.

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

Page 7, line 14, after the word "conventions" insert the word "primary".

Line 18, strike the underscoring.

Line 20, strike the first word "parties".

Page 12, line 7, after the word "convention" insert the word "primary".

Line 24, preceding the word "election" insert the word "primary".

Lines 27 and 32, after the word "convention" insert the words "and convention primary election".

Page 13, line 6, strike all the underscored material.

Line 11, preceding the word "delegates" insert the following:

"Notice is further given that the.....primary convention election will be held on the .....day of..... at..... in .....the county seat of .....County between the hours of ..... and .....; delegates to said convention primary election will vote for party nominees of said .....party."; also after the word "primary" insert the word "election".

Line 27, after the word "convention" insert the words "and the convention primary election".

Page 14, line 4, after the word "primary" insert the word "election".

Page 16, between lines 23 and 24, insert the following and renumber the following subsections accordingly:

"(C) Where provision is not otherwise made by law the state central committee shall formulate rules and regulations governing the selection of delegates to the convention primary elections and for the hours of voting at and the conduct of convention primary elections, provided that no person may vote at any such convention primary election by proxy."

Page 18, line 8, after the word "convention" insert the word "primary".

Line 5, after the word "primary" insert the word "election".

Page 20, line 25, after "(a)" strike the balance of the paragraph.

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

Page 5, line 3, strike the word "second" and insert the word "fourth".

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

Page 4, line 27, strike the first appearing word "fifteenth" and insert the word "ninth"; also strike the word "June" and insert the word "August", and strike the second appearing word "fifteenth" and insert the words "twenty-sixth".

Line 28, strike the word "July" and insert the word "August".

On motion of Senator Farr, action was deferred on *S. B. No. 159.*

On motion of Senator Huggins *H. B. No. 28* was made a Special Order of Business for Thursday, March 4, at 2:15 p. m.

Senator Kendall moved that the Senate do now consider *S. B. No. 148.*

Motion carried.

S. B. No. 148 on Third Reading.

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

Page 3, after the word "auditor" on line 27, strike the balance of the section.

S. B. No. 148 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Ericksen and Miller.

Absent and not voting: Senators Child, Christensen, McMurrin, Morrill and Nielsen.

S. B. No. 148 was transmitted to the House.

Senator Farr moved that the Senate do now consider *S. B. No. 159.*

Motion carried.

S. B. No. 159 on Third Reading.

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

Page 2, line 11, strike the first appearing word "fifteenth" and insert the word "ninth"; also strike the word "June" and insert the word "August"; also strike the second appearing word "fifteenth" and insert the words "twenty-sixth".

Line 13, strike the word "July" and insert the word "August".

Line 15, strike the word "second" and insert the word "fourth".

Page 4, line 28, strike the word "day" and insert the word "days".

Page 6, line 1, strike the word "fifteenth" and insert the word "ninth"; also strike the word "June" and insert the word "August".

Line 5, strike the word "fifteenth" and insert the word "ninth"; also strike the word "June" and insert the word "August".

Page 12, line 22, strike the first appearing word "fifteenth" and insert the word "ninth"; also strike the word "June" and insert the word "August"; also strike the second appearing word "fifteenth" and insert the words "twenty-sixth".

Line 23, add an "s" to the word "day" and strike the word "July" and insert the word "August".

Page 16, line 3, strike the word "fifteenth" and insert "third Tuesday"; also strike the word "day".

Page 17, line 13, strike the words "last Saturday" and insert "tenth day".

Line 31, strike the first appearing word "fifteenth" and insert the word "ninth"; also strike the word "June" and insert the word "August"; also strike the second appearing word "fifteenth" and insert the words "twenty-sixth"; also strike the word "July" and insert the word "August".

Page 11, line 1, strike the word "May" and insert the word "June".

S. B. No. 159 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins (explained vote), Kelly, Lund, McMurrin, Melich, Miller, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Child, Kendall, Morrill and Nielsen.

S. B. No. 159 was transmitted to the House.

S. B. No. 146 was read the third time and placed on its final passage.

S. B. No. 146 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, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Hopkin and Morrill.

S. B. No. 146 was transmitted to the House.

S. B. No. 165 was read the third time and placed on its final passage.

S. B. No. 165 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Ashton, Hopkin, Miller, Morrill and Mr. President.

S. B. No. 165 was transmitted to the House.

S. B. No. 168 was read the third time and placed on its final passage.

S. B. No. 168 then passed on the following roll call:

Yeas, 17; Nays, 2; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hirschi, Huggins, Kelly (explained vote), Kendall, Lund, McMurrin, Melich, Nielsen, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Bailey and Dawson

Absent and not voting: Senators Hopkin, Miller, Morrill and Rich.

S. B. No. 168 was transmitted to the House.

S. B. No. 187 was read the third time and placed on its final passage.

On motion of Senator Richards the Senate adjourned until Thursday, March 4, 1943, at 10:30 a. m.

FIFTY-THIRD DAY

MORNING SESSION

March 4, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

Roll Call—All Senators present, except Senators Miller and Warner, excused.

Prayer by the Chaplain.

March 4, 1943.

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,

LYNN ASHTON,
RAY P. LUND.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 2, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 174*, by Mr. Mabey, entitled, "AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH TO GIVE, GRANT AND CONVEY A PART OF THE CAMPUS OF THE UNIVERSITY OF UTAH TO THE UNITED STATES OF AMERICA AS THE SITE FOR A GOVERNMENT HOSPITAL, BEING A PART OF TITLE 75, CHAPTER 4, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 174 was read the first time and referred to the Committee on Education.

March 3, 1943.

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. 32*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-7, UTAH CODE ANNOTATED 1943, RELATING TO DETERMINATION OF NET ESTATE FOR INHERITANCE TAX PURPOSES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 32 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 34*, by Committee on Judiciary, and the same is returned herewith.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 34 was filed.

March 3, 1943.

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. 73*, by Mr. Dawson, entitled, "AN ACT PROVIDING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY SOLD TO THE COUNTY UNDER TAX DEED, OR FOR THE POSSESSION THEREOF, TO BE KNOWN AS SECTION 104-2-5.10, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 73 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 81*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-5, UTAH CODE ANNOTATED 1943, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 81 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 82*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-6, UTAH CODE ANNOTATED 1943, RELATING TO ACTIONS, DEFENSES AND COUNTERCLAIMS FOUNDED UPON TITLE TO REAL ESTATE AND THE TIME WITHIN WHICH SUCH ACTIONS MAY BE COMMENCED AND DEFENSES AND COUNTERCLAIMS INTERPOSED", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 82 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 83*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-3-7, UTAH CODE

ANNOTATED 1943, RELATING TO THE TAXATION OF INSURANCE COMPANIES, PRESCRIBING THE RATE OF TAXATION AND THE METHOD OF DETERMINATION THEREOF", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 83 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORT OF SPECIAL COMMITTEE

March 3, 1943.

Mr. President:

We, your Sifting Committee beg leave to report the following bills out on the Second Reading Calendar:

H. C. R. No. 2, S. J. R. No. 4, H. B. No. 81, H. B. No. 14, H. B. No. 45, S. B. No. 140, H. B. No. 47, H. B. No. 49.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed

REPORT OF STANDING COMMITTEE

March 4, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. C. M. No. 2*, by Mr. Paxton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. C. M. No. 2 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 187 on Third Reading.

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

Page 3, at the end of line 2, insert the following: ", including the movement of explosives and livestock and the use of pedestrian lanes along state highways."

Strike lines 6 and 7 and insert in lieu thereof the following:

"(d) Keep the district offices of the state road commission informed with respect to the breakdown of any highway equipment at places remote from highway sheds, icy road surfaces, snow conditions in isolated sections, slides, surface failures, storm damage, the failure of railroad and other crossing signs and signals, the failure of utility poles, lines, water mains and sewers, the damage to or removal of road and safety highway signs, and generally all damage and conditions which may impair the use of the highways or render travel thereon dangerous to the public.

"(e) Prevent the removal by the public of any dirt, gravel, fences, signs, and other property from the highway right of way and prevent the erection of advertising signs or objectionable posters thereon.

"(f) Remove all boulders or other dangerous obstructions on the highway which can be removed without the use of equipment."

S. B. No. 187 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Morrill, Nielsen, Rich, Richards (explained vote), Romney and Mr. President.

Those voting in the negative were: Senators Hirschi and Lund.

Absent and not voting: Senators Ericksen, Miller and Warner.

S. B. No. 187 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

Senator Huggins moved, that *S. J. R. No. 4* being a similar Resolution to *H. C. R. No. 2*, that both Resolutions be considered together.

Motion carried.

S. J. R. No. 4 was read the second time.

Committee report read and adopted.

Senator Macfarlane moved to amend the bill as follows:

Strike the title and insert in lieu thereof the title, Enacting Clause and body of *H. C. R. No. 2*.

Motion carried.

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

Line 4 of the title, strike the word "CONCURRENT" and insert the word "JOINT".

In the Enacting Clause, strike the words "the Governor Concurring therein".

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

Page 3, line 9, strike the last three words and insert in lieu thereof the words "twenty-five thousand dollars".

Line 10, strike the figures "10" and insert the figures "25".

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

Line 6 of the title, strike "44" and insert "45".

Page 1, lines 1 and 3, strike "44" and insert "45".

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

Page 2, line 1, after the word "Speaker" and line 3 after the word "President" insert ", provided not more than three members thereof shall be of the same political party".

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

Page 2, line 27, strike the words "deemed to be" and insert the words "not more than".

S. J. R. No. 4 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, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Bailey, Kendall, Miller and Warner.

On motion of Senator Ashton 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 Miller, excused.

Senator Huggins moved that the rules be suspended and that the Senate do now consider *S. J. R. No. 4* on Third Reading.

Motion carried.

S. J. R. No. 4 was read the third time and placed on its final passage.

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

Page 1, line 6, beginning with the word "ascertain" strike up to and including the word "agencies" on line 9 and insert in lieu thereof the following: "make and continue a study of the funds required to be raised and provided for the proper functioning of the business of the state of Utah and of the budget requirements of the state of Utah and of all of its various departments and institutions asking for appropriations of money by the legislature and providing for the appropriation and apportionment of the same by legislative action."

Line 11, after the word "economy" insert the word "therein".

Page 2, lines 1 and 3, preceding the word "provided" insert "during each session of the Utah State Legislature hereafter held and including the twenty-fifth legislature."

Line 4, preceding the word "committee" insert "members of said"; also after the word "shall" insert "serve for a period of two years or until their successors are appointed and shall".

Line 13, strike the words "a legislative auditor" and insert the words "an executive secretary who shall be a person trained in finance and government".

Line 15, place a comma after the word "clerical", strike the word "and" and after the word "technical" insert the words "and other".

Line 18, after the word "Utah" insert "at any time, or times fixed by it".

Line 25, after the word "mile" insert the following: "The standing legislative budget committee hereby created shall have access to all public records of the state of Utah and of every department thereof, and shall upon its organization as a committee cause to be made and make a study of the financial condition of the state of Utah, all of its sources of revenue and the designated use, if any, of all money of the state and all money to be raised under existing laws, all appropriated and unused funds, and the proper requirements of the state of Utah and all of its departments, and agencies, in the proper conduct of the business of the state of Utah".

Page 1, following line 11, insert the following: "The study herein contemplated to be made shall be a continuing study and the committee shall make and complete, before December 1st of each legislative year, beginning 1944, a written report in condensed form of its study and findings and recommendations to the ensuing legislature, and a copy of such report shall be mailed to each member elect of the legislature on or before December 1st of each such legislative year."

S. J. R. No. 4 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, Huggins, Kelly, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Hopkin, Kendall and Miller.

S. J. R. No. 4 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 81 was read the second time.

Committee report read and adopted.

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

Page 1, lines 1 and 3, strike "Id."

On motion of Senator Hopkin the rules were suspended and *H. B. No. 81* was read the third time and placed on its final passage.

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

Page 2, strike lines 18 up to and including the word "and" on line 19; also capitalize the word "the".

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

Page 2, line 17, following the word "preparing" insert the words "and marking".

H. B. No. 81 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, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Huggins and Miller.

H. B. No. 81 was returned to the House.

SPECIAL ORDER

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 2, line 7, strike the last word.

Line 8, strike the first two words and insert the word "engaged"; also after the figures "1943" insert "who enter into contracts for continuing service in the public school system of the state of Utah".

Page 1, line 6, place a semi-colon after the word "employees" and strike up to and including the word "vocations" on line 7; also change the word "board" to read "boards".

Line 8, after the word "will" insert the word "reasonably".

Page 2, line 1, strike the word "such" and insert the word "said".

Line 2, following the figures "1943" insert "; provided that no portion thereof shall be used for any purpose other than the payment of salaries".

Line 24, strike the word "eight" and insert the word "four".

Page 3, line 20, strike the words "March 1st of 1944" and insert "November 15, 1943".

Line 13, after the figures "1943" insert "; provided that no portion thereof shall be used for any purpose other than the payment of salaries".

Line 30, strike the word "distributing" and insert the words "the distribution of".

Page 4, line 2, strike the word "eight" and insert the word "four".

Page 4, line 3 of the House amendment, strike the word "shall"; also capitalize the first word of the amendment.

Page 5, line 1, after the word "education" insert "and no payments may be made in excess of said schedules".

Line 10, after the word "levy" insert "and who expend no more than was spent in 1941-1942 for all other purposes".

Strike the whole of lines 17, 18 and 19.

On motion of Senator Huggins the rules were suspended and the Senate resolved itself into a Committee of the Whole.

On motion of Senator Dawson the Committee of the Whole was dissolved.

On motion of Senator Melich *H. B. No. 28* retains its position on the Third Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

March 4, 1943.

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. 25*, by Committee on Judiciary, entitled, "AN ACT RECOGNIZING THE POWER OF THE SUPREME COURT OF THE STATE OF UTAH TO PRESCRIBE, ALTER, AND REVISE, BY RULES, FOR ALL COURTS OF THE STATE OF UTAH, THE FORMS OF PROCESS, WRITS, PLEADINGS AND MOTIONS AND THE PRACTICE AND PROCEDURE IN ALL CIVIL ACTIONS AND PROCEEDINGS, INCLUDING DIVORCE, PROBATE AND GUARDIANSHIP PROCEEDINGS, AND PROVIDING FOR THE PROMULGATION OF SUCH RULES AND THE EFFECT THEREOF, TO BE KNOWN AS SECTION 20-2-4.10, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Richards the Senate concurred in the House amendments.

S. B. No. 25 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, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Miller, Morrill and Warner.

S. B. No. 25 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1943.

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. 197*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, RELATING TO CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED OR LEASED BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 197 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1943.

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. Hatch and Cannon, entitled, "AN ACT AUTHORIZING ADMINISTRATORS, EXECUTORS, GUARDIANS,

TRUSTEES, AND OTHER FIDUCIARIES OF EVERY KIND AND NATURE, BANKS, SAVINGS BANKS, AND TRUST COMPANIES TO INVEST IN BONDS ISSUED BY THE UNITED STATES; BONDS, THE PAYMENT OF WHOSE PRINCIPAL AND INTEREST IS GUARANTEED BY THE UNITED STATES OR BONDS OR DEBENTURES OF CERTAIN INSTRUMENTALITIES OF THE FEDERAL GOVERNMENT AND INSURED SHARES OR ACCOUNTS OF DOMESTIC SAVINGS AND LOAN OR BUILDING AND LOAN ASSOCIATIONS OR FEDERAL SAVINGS AND LOAN ASSOCIATIONS, BEING A PART OF TITLE 7, CHAPTER 4a, UTAH CODE ANNOTATED 1943", 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.

REPORT OF SPECIAL COMMITTEE

March 4, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report out the following Bills on the Second Reading Calendar:

H. B. No. 11, H. B. No. 39, H. B. No. 84, H. B. No. 85, S. B. No. 179, S. B. No. 180, S. B. No. 196.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

On motion of Senator Kelly the Senate adjourned until Friday, March 5, 1943, at 10:30 a. m.

FIFTY-FOURTH DAY

MORNING SESSION

March 5, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 5, 1943.

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,

LYNN ASHTON,

RAY P. LUND.

Report adopted and filed.

REPORT OF SPECIAL COMMITTEE

March 5, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report out the following Senate Bills on the Second Reading Calendar to follow House Bill No. 49:

S. B. No. 130, S. B. No. 144, S. B. No. 125, S. B. No. 132, S. B. No. 194, S. B. No. 128, S. B. No. 182, S. B. No. 149, S. B. No. 141, S. B. No. 86, S. B. No. 172, S. B. No. 60, S. B. No. 72, S. B. No. 65, S. B. No. 121, S. B. No. 74, S. B. No. 177, S. B. No. 160, S. B. No. 98, S. B. No. 129.

Respectfully,

DEXTER FARR,

Chairman.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 27, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 155,* by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

S. B. No. 155 was referred to the Sifting Committee.

March 5, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. C. M. No. 3,* by Messrs. Durham, Sorenson and Schenk, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. C. M. No. 3 was referred to the Sifting Committee.

March 4, 1943.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *H. B. No. 148,* by Messrs. Christensen, Cowles, Gardner, Paxton and Geo. C. Murdock, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

H. B. No. 148 was referred to the Sifting Committee.

March 4, 1943.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 174,* by Mr. Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 174 was referred to the Sifting Committee.

COMMUNICATION FROM THE HOUSE

March 4, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 5*, by Agriculture Committee.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

COMMUNICATION FROM THE GOVERNOR

March 3, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 22*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO FEES OF COUNTY CLERKS."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Richards 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 COMMITTEE

March 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 25*, by Judiciary Committee, entitled, "AN ACT RECOGNIZING THE POWER OF THE SUPREME COURT OF THE STATE OF UTAH TO PRESCRIBE, ALTER, AND REVISE, BY RULES, FOR ALL COURTS OF THE STATE OF UTAH, THE FORMS OF PROCESS, WRITS, PLEADINGS AND MOTIONS AND

THE PRACTICE AND PROCEDURE IN ALL CIVIL ACTIONS AND PROCEEDINGS, INCLUDING DIVORCE, PROBATE AND GUARDIANSHIP PROCEEDINGS, AND PROVIDING FOR THE PROMULGATION OF SUCH RULES AND THE EFFECT THEREOF, TO BE KNOWN AS SECTION 20-2-4.10, UTAH CODE ANNOTATED 1943", 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. 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 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing, *S. B. No. 73*, by Mr. Dawson, entitled, "AN ACT PROVIDING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY SOLD TO THE COUNTY UNDER TAX DEED, OR FOR THE POSSESSION THEREOF, TO BE KNOWN AS SECTION 104-2-5.10, UTAH CODE ANNOTATED 1943", together with a like committee of the House, has examined and 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. 73 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 4, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing, *S. B. No. 81*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-5, UTAH CODE ANNOTATED 1943, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY", to-

gether with a like committee of the House has examined and 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. 81 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 82*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-6, UTAH CODE ANNOTATED 1943, RELATING TO ACTIONS, DEFENSES AND COUNTERCLAIMS FOUNDED UPON TITLE TO REAL ESTATE AND THE TIME WITHIN WHICH SUCH ACTIONS MAY BE COMMENCED AND DEFENSES AND COUNTERCLAIMS INTERPOSED", 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 5, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 197*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, RELATING TO CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED OR LEASED BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS", 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.

COMMUNICATIONS FROM THE HOUSE

March 5, 1943.

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. 42,* by Mr. Elswood, entitled, "AN ACT AMENDING SECTIONS 40-1-7, AND 40-1-18, UTAH CODE ANNOTATED 1943, RELATING TO MARRIAGE LICENSES, AND PHYSICIANS' CERTIFICATES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 42 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 5, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 164,* by Revision and Enrolling Committee, and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 164 was filed

March 5, 1943.

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 Messrs. Cowles, Rasmussen, Durham, Greenwood, Sorenson and Milliman, entitled, "AN ACT AMENDING SECTIONS 25-3-11, 25-3-21, 25-3-40, 25-3-41, 25-3-43, 25-3-44, UTAH CODE ANNOTATED 1943, RELATING TO ELECTIONS, DIRECT PRIMARY AND RUN OFF PRIMARY, CANDIDATES RECEIVING THE HIGHEST VOTES DECLARED NOMINEES, CANVASS OF RETURNS, PARTY CONVENTIONS, STATE CONVENTION ORGANIZATION AND ELECTION OF OFFICERS AND ENACTING A NEW SECTION TO BE KNOW AS SECTION 25-3-56, UTAH CODE ANNOTATED 1943, RELATING TO PAYMENT OF ELECTION COSTS", 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 State and Municipal Affairs.

COMMUNICATIONS FROM THE GOVERNOR

March 4, 1943.

To the Senate

Gentlemen:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advise and consent:

For Members of the Advisory Council for the School for the Deaf and Blind:

Stanley Robbins, Weber County, for the term ending February 28, 1944.

T. Earl Pardoe, Utah County, for the term ending February 28, 1945.

Marian T. Read, Weber County, for the term ending February 28, 1946.

D. J. Thurman, Salt Lake County, for the term ending February 28, 1947.

Irene Jones, Salt Lake County, for the term ending February 28, 1948.

For the Board of Control of the State Historical Society:
For the term ending March 31, 1945:

Cornelia S. Lund ..... Salt Lake County
Herbert S. Auerbach ..... Salt Lake County
J. Cecil Alter ..... Cincinnati, Ohio
Joel F. Ricks ..... Cache County
William R. Palmer ..... Iron County

For the term ending March 31, 1947:

Levi Edgar Young ..... Salt Lake County
C. Henry Anderson ..... Weber County
Frank K. Seegmiller ..... Salt Lake County
William J. Snow ..... Utah County
A. B. Gibson ..... Juab County

For the Teachers' Retirement Board:

Herbert M. Schiller, Salt Lake County, for the term ending June 30, 1946.

Alex J. Jex, Salt Lake County, for the term ending June 30, 1947.

For Members of the Board of Adult Parole and Adult Probation:

Robert Lynch, Salt Lake County, for the term ending on the first Monday of March, 1947.

Herbert A. Snow, Salt Lake County, for the term ending on the first Monday of March, 1949.

For the State Board of Health:

Dr. A. R. Christopherson, Salt Lake County, for the term ending February 28, 1948.

Charles M. Smith, Utah County, for the term ending February 28, 1949.

Richard A. Hart, Salt Lake County, for the term ending February 28, 1950.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to the Committee on Appointments.

March 4, 1943.

To the Senate

Ladies and Gentlemen:

I am returning herewith, without my approval or signature, *S. B. No. 5*, by Mr. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, REQUIRING REPORTS OF CERTAIN PROPERTY HOLDERS TO FACILITATE THE ENFORCEMENT OF THIS ACT, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, AND PRESCRIBING THE POWERS AND DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO THE ENFORCEMENT OF THIS ACT, (TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9, 78-6a-10, 78-6a-11, 78-6a-12 AND 78-6a-13, UTAH CODE ANNOTATED 1943.)"

My veto of this measure is based on the following objections:

1. The bill is worded so as to include all Asiatics. If it becomes effective our Allies, the Chinese and the Philippinos, many of whom have for years proved themselves to be law abiding citizens of Utah, will not only become ineligible to own land within the State but will also be prohibited from cultivating or occupying it. It is my belief that it would be most unwise for the Sovereign State of Utah to pass any legislation that would tend to dishearten those Asiatic peoples who have already contributed so much in the present world conflict toward our national security and safety.

2. If the bill was limited to the matter of prohibiting Japanese Aliens from owning land or making long-term leases on land in Utah, it would accomplish the desires of the majority of the people of the State. The present measure goes far beyond that. It is so broad in scope that it would prohibit Alien Japanese residents in the War Relocation Centers who desire to make their contribution toward the war effort by working on farms from possessing, using, cultivating and occupying any lands within the State. I am advised that a majority of the farmers in the various Relocation Centers are Alien Japanese. To make it impossible for them to work on our lands and harvest our crops during the present emergency would, I am advised, materially reduce the food

production of our State at this time. It would make a serious condition worse.

3. The Japanese in our Relocation Centers are in family units. The parents of many of the Japanese-American residents of those Centers are Aliens. To prohibit such parents from entering into short-term, crop-sharing contracts or other labor agreements with American land owners would not only deprive Utah farmers of the assistance of the Aliens, but would make it impossible for many of the American-born children of those Aliens to work on the farms within our State.

For these reasons I return herewith *S. B. No. 5* for your further action.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Richards *S. B. No. 5* was tabled.

On motion of Senator Richards *H. B. No.'s 11, 39, 84* and *85*, and *S. B. No.'s 179, 180* and *196* were made a Special Order of Business for this afternoon at four o'clock.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 47 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, strike the figure "2" and insert the figure "36".

S. B. No. 47 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, Child, Ericksen, Farr, Hirschi, Huggins, Kelly, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Dawson, Hopkin, Kendall, Lund, McMurrin and Richards.

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

Committee report read and adopted.

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

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

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Huggins, Lund, McMurrin and Romney.

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

H. B. No. 45 was read the second time.

Committee report read and adopted.

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

Page 2, line 11, beginning with the word "save" strike up to and including the word "session" on line 13.

On motion of Senator Warner the rules were suspended and *H. B. No. 45* was read the third time and placed on its final passage.

H. B. No. 45 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Huggins and Richards.

H. B. No. 45 was returned to the House.

S. B. No. 140 was read the second time.

Committee report read and adopted.

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

Line 1 of the title, after "88-1a-6" insert "UTAH CODE ANNOTATED, 1943".

Page 1, line 8, after the word "him" insert "( )", strike the remainder of the line, all of line 9 and line 10, up to and including the word "session". After the word "distribute" on line 10, insert "a sufficient number of sets", strike the words "the remainder" on line 10. Between lines 16 and 17, insert "Said secretary of state shall also furnish without cost one set to each district attorney, one set to each clerk of the district court for each division of the district court in his county, and one set to each united states senator and each member of congress from the state of Utah". On line 17, after the word "each" insert the word

"county". Strike the words "of the district" on line 17, and the word "court" on line 18, also on line 18 strike the words "district court or". On line 20, beginning with the first word "district" strike the balance of that line and the words "attorneys and superintendent of schools" on line 21. Insert after the word "each" on line 20 the words "county attorney, clerk,". On page 2, line 2, after the word "such" insert the word "county" and strike the words "of the district court". On line 10, after the word "state" insert "except members of the legislature".

Senator Macfarlane moved to amend the bill as follows:

Page 1, strike the underlined material on lines 12 and 13.

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

The motion to amend failed on the following roll call:

Yeas, 10; Nays, 10; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Child, Farr, Hirschi, Hopkin, Kelly, Miller, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Bailey, Dawson, Ericksen, Kendall, McMurrin, Melich, Morrill, Nielsen, Rich and Richards (explained vote).

Absent and not voting: Senators Christensen, Huggins and Lund.

In accordance with previous motion the Senate proceeded to consider bills under Special Order.

SPECIAL ORDER

S. B. No. 180 was read the second time.

Committee report read and adopted.

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

Page 2, line 11, strike "encated" and insert the word "enacted".

Page 3, line 28, strike "cnogress" and insert the word "congress'.

Page 5, line 21, strike "incom" and insert the word "income".

Line 31, change the word "hall" to read "shall".

Page 9, line 3, strike "benig" and insert the word "being".

Page 4, line 6, strike "( )" and insert in lieu thereof the following: "(b) Has resided in Utah five years during the nine years immediately preceding his application and has resided therein contin-

uously for one year immediately preceding his application; provided, that when a person moves from one county to another he shall remain the charge of the county from which he has moved for nine months.", and renumber the following subsections accordingly.

Page 1, line 5, after "( )" insert ", except as is otherwise provided in this act".

Page 2, line 32, strike the period and insert the following: ", except that any sums received by the recipient for rental of his homestead or any portion thereof shall be considered as income".

COMMUNICATIONS FROM THE HOUSE

March 5, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 43*, by Messrs. Hatch, Kerr, Marsden, Schenk, Carroll J. Meador, Midgley and Jensen, entitled, "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, BEING A PART OF TITLE 57, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 43 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 5, 1943.

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. 175*, by Mr. Mabey, entitled, "AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY HOUSE BILL NO. 22, LAWS OF UTAH 1943, RELATING TO THE TIME EMPLOYER MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 175 was read the first time and referred to the Committee on State and Municipal Affairs.

March 5, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 146*, by Mr. Cowles, entitled, "AN ACT AMENDING SECTION 25-2-6, UTAH CODE ANNOTATED 1943, RELATING TO ELECTIONS AND DESIGNATING REGISTRATION DAYS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 146 was read the first time and referred to the Committee on State and Municipal Affairs.

March 5, 1943.

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. 164*, by Mr. Stringham, entitled, "AN ACT RELATING TO PUBLIC SCHOOLS AND CREATING A SCHOOL LUNCH FUND TO BE PROVIDED FOR THROUGH A RAISE IN PRICES ON WINES AND LIQUORS AND TO BE TAKEN FROM THE LIQUOR CONTROL FUND; AUTHORIZING THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO ADMINISTER SAID FUND AND TO DISTRIBUTE TO THE SCHOOL DISTRICTS FOR CONTINUATION OF THE SCHOOL LUNCH PROGRAM; POWERS AND DUTIES OF THE SCHOOL

BOARDS AND THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, BEING A PART OF TITLE 75, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 164 was read the first time and referred to the Committee on Education.

On motion of Senator Melich the Senate adjourned until Saturday, March 6, 1943, at 10:30 a. m.

FIFTY-FIFTH DAY

MORNING SESSION

March 6, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 6, 1943.

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,

LYNN ASHTON,
RAY P. LUND.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 6, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 32*, by Committee on Judiciary, entitled, "AN

ACT AMENDING SECTION 80-12-7, UTAH CODE ANNOTATED 1943, RELATING TO DETERMINATION OF NET ESTATE FOR INHERITANCE TAX PURPOSES", together with a like committee of the House has examined and 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. 32 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 6, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 83,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-3-7, UTAH CODE ANNOTATED 1943, RELATING TO THE TAXATION OF INSURANCE COMPANIES, PRESCRIBING THE RATE OF TAXATION AND THE METHOD OF DETERMINATION THEREOF", together with a like committee of the House has examined and 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. 83 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 6, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. C. M. No. 3,* by Special Committee on Japanese-American Relations, has carefully considered said Memorial and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

S. C. M. No. 3 was referred to the Sifting Committee.

COMMUNICATIONS FROM THE HOUSE

March 5, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. R. No. 4*, by Messrs. Mabey, Jenkins and Cannon, entitled, "A HOUSE CONCURRENT RESOLUTION NOMINATING THE LATE BRIGHAM YOUNG AS ONE OF TWO OUTSTANDING AND ILLUSTRIOUS UTAHNS, TO BE COMMEMORATED BY THE ERECTION OF A SUITABLE STATUE OF MARBLE OR BRONZE IN THE NATIONAL STATUARY HALL IN WASHINGTON, D. C.: AND APPOINTING A LEGISLATIVE COMMITTEE TO INVESTIGATE AND ASCERTAIN NECESSARY PROCEDURE AND EXPENSE TO ERECT SUCH STATUE", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. C. R. No. 4 was read the first time and referred to the Committee on State and Municipal Affairs.

March 6, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 113*, by Irrigation Committee, entitled, "AN ACT AMENDING SECTIONS 100-4-3 AND 100-4-18, UTAH CODE ANNOTATED 1943, RELATING TO THE PROCEEDING TO BE FOLLOWED BY THE DISTRICT COURTS IN THE STATE 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. 113 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 5, 1943.

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. 76*, by Mr. Bell, entitled, "AN ACT AMENDING SECTION 49-14-7, UTAH CODE AN-

NOTATED 1943, RELATING TO AND PROHIBITING EMPLOYERS REQUIRING PHYSICAL EXAMINATIONS FROM EMPLOYEES APPLYING FOR, OR ACCEPTING EMPLOYMENT, UNLESS ALL MEDICAL FEES AND EXPENSE THERETO ARE PAID BY EMPLOYER", 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.

On motion of Senator Rich *H. B. No. 28* was made a Special Order of Business for this afternoon at 2:15.

Senator Melich moved that action on *S. B. No. 180* be deferred.

Motion carried.

On motion of Senator Melich *S. B. No. 47* retains its position on the Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 47 was read the second time.

Committee report read and adopted.

H. B. No. 47 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, Child, Dawson, Ericksen, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Farr, Hirschi, Hopkin, Huggins, Morrill, Richards, Romney and Warner.

H. B. No. 49 was read the second time.

Committee report read and adopted.

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

Page 1, strike line 3.

Line 4, preceding the word "the" insert "79-1-24".

Page 2, line 9, strike the word "services" and insert the word "service".

On motion of Senator Nielsen the rules were suspended and *H. B. No. 49* was read the third time and placed on its final passage.

H. B. No. 49 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Ashton, Child, Dawson, Ericksen, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich and Mr. President.

Absent and not voting: Senators Bailey, Christensen, Farr, Hirschi, Hopkin, Huggins, Morrill, Richards, Romney and Warner.

H. B. No. 49 was returned to the House.

On motion of Senator Melich *S. B. No. 130* was made a Special Order of Business for this afternoon at 2:30.

S. B. No. 144 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, strike the fourth word and insert the word "or".

Page 3, line 2, strike the word "country" and insert the word "county".

Page 9, strike line 24.

Page 2, line 9, strike the underlining.

Page 4, line 23, strike the word "conferring" and insert the word "conforming".

On motion of Senator Nielsen the rules were suspended and *S. B. No. 144* was read the third time and placed on its final passage.

S. B. No. 144 then passed on the following roll call:

Yeas, 13; Nays, 0; Absent, 10.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Kelly, Kendall, McMurrin, Melich, Miller Rich, Richards, Romney and Warner.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Lund, Morrill, Nielsen and Warner.

S. B. No. 144 was transmitted to the House.

S. B. No. 125 was read the second time.

Committee report read and adopted.

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

Page 11, strike line 14 and insert in lieu thereof the following:

"Section 24. All acts or parts of acts relating to beneficiaries of the veterans administration inconsistent with this act are hereby repealed."

Page 7, line 15, strike the "s" on the word "offices".

On motion of Senator Miller the rules were suspended and *S. B. No. 125* was read the third time and placed on its final passage.

S. B. No. 125 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Morrill, Nielsen and Warner.

S. B. No. 125 was transmitted to the House.

S. B. No. 132 was read the second time.

Committee report read and adopted.

On motion of Senator Richards 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 GOVERNOR

March 5, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. J. M. No. 1*, by Mr. Christensen, entitled, "A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING IMMEDIATE PROVISION OF WAYS AND MEANS FOR MANUFACTURING SYNTHETIC RUBBER."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 5, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 8*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 103-12-4, UTAH CODE ANNOTATED 1943, CONCERNING CERTAIN ACTS PROHIBITED BY CORPORATION DIRECTORS."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 5, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 37*, by Mr. Richards, entitled, "AN ACT AMENDING SECTION 104-59-1, UTAH CODE ANNOTATED 1943, RELATING TO PROCEEDINGS BY WHICH THE EFFECT OF THE DEATH OF A PERSON UPON CERTAIN INTERESTS IN PROPERTY AND THE TITLE THERETO MAY BE ESTABLISHED BY JUDICIAL ACTION AND DECREE AND PROVIDING FOR A WAIVER AND THE RELEASE OF INHERITANCE TAX."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 5, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 48*, by the Committee on Banking and Commerce, entitled, "AN ACT AMENDING SECTIONS 7-3-27 AND 7-3-28, UTAH CODE ANNOTATED 1943, RELATING TO THE DECLARATION OF DIVIDENDS AND CREDIT AND CHARGES TO THE SURPLUS FUND OF BANKS AND PROVIDING THAT CERTAIN NET PROFITS SHALL BE CARRIED TO A SURPLUS FUND UNTIL SUCH SURPLUS SHALL AMOUNT TO ONE HNDRED PER CENT OF THE CAPITAL OF THE BANK."

Sincerely yours,

HERBERT B. MAW,
Governor

Communication filed.

March 5, 1943.

To the Senate:

I have today, approved and transmitted to the Secretary of State, *S. B. No. 49*, by the Committee on Banking and Commerce, entitled, "AN ACT AMENDING SECTION 7-3-41, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMIT OF THE LENDING POWER OF A BANK AND PROVIDING THAT LOANS OR OBLIGATIONS SHALL NOT BE SUBJECT UNDER SUCH SECTION TO ANY LIMITATION BASED UPON CAPITAL AND SURPLUS TO THE EXTENT THAT THEY ARE SECURED OR COVERED BY GUARANTIES, OR BY COMMITMENTS OR AGREEMENTS TO TAKE OVER OR TO PURCHASE THE SAME, MADE BY ANY FEDERAL RESERVE BANK OR BY THE UNITED STATES OR ANY DEPARTMENT, BUREAU, BOARD, COMMISSION, OR ESTABLISHMENT OF THE UNITED STATES, INCLUDING ANY CORPORATION WHOLLY OWNED DIRECTLY OR INDIRECTLY BY THE UNITED STATES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 5, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 63*, by the Committee on Banking and Commerce, entitled, "AN ACT AUTHORIZING THE STATE BANK COMMISSIONER, WITH THE APPROVAL OF THE STATE DEPOSITORY BOARD, TO CHANGE FROM TIME TO TIME THE REQUIREMENTS AS TO RESERVES AGAINST DEMAND OR TIME DEPOSITS OR BOTH IN BANKING INSTITUTIONS WHICH ARE NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM TO BE KNOWN AS SECTION 8-3-38.10, UTAH CODE ANNOTATED 1943."

Sincerely yours,

HERBERT B. MAW.
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 6, 1943.

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 Judiciary, entitled, "AN ACT RECOGNIZING THE POWER OF THE SUPREME COURT OF THE STATE OF UTAH TO PRESCRIBE, ALTER, AND REVISE, BY RULES, FOR ALL COURTS OF THE STATE OF UTAH, THE FORMS OF PROCESS, WRITS, PLEADINGS AND MOTIONS AND THE PRACTICE AND PROCEDURE IN ALL CIVIL ACTIONS AND PROCEEDINGS, INCLUDING DIVORCE, PROBATE AND GUARDIANSHIP PROCEEDINGS, AND PROVIDING FOR THE PROMULGATION OF SUCH RULES AND THE EFFECT THEREOF, TO BE KNOWN AS SECTION 20-2-4.10, UTAH CODE ANNOTATED 1943", 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 6, 1943.

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. 73*, by Mr. Dawson, entitled, "AN ACT PROVIDING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY SOLD TO THE COUNTY UNDER TAX DEED, OR FOR THE POSSESSION THEREOF, TO BE KNOWN AS SECTION 104-2-5.10, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 73 was transmitted to the Governor.

UNFINISHED BUSINESS

S. B. No. 132 on Second Reading.

On motion of Senator Richards 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, 20; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Huggins, Morrill and Mr. President.

S. B. No. 132 was transmitted to the House.

SPECIAL ORDER

H. B. No. 28 on Third Reading.

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

Page 1, lines 12 and 13, in the blank space, insert "$658,000.00".

Page 2, line 1 in the blank space insert "$175,000.00".

Line 3, in the blank space, insert "$483,000.00".

Page 3, line 6, in the blank space, insert "$2,632,000.00".

Line 11, in the blank space, insert "$350,000.00".

Line 13, in the blank space, insert "$966,000.00".

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

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen (explained vote), Dawson, Ericksen, Farr, Hirschi, Hopkin, Kelly (explained vote), Kendall, Lund (explained vote), McMurrin, Melich, Miller, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Huggins, Morrill and Richards.

H. B. No. 28 was returned to the House.

SPECIAL ORDER

S. B. No. 130 was read the second time.

Committee report read and adopted.

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

Line 9, after the word "end" insert the words "or until April 1, 1945, whichever shall first occur.

Senator Bailey moved to amend the bill as follows:

At the end of line 11, insert "; provided, however, that if women are so employed they shall be paid the same wage for the same work as men for like work".

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

The motion to amend failed on the following roll call:

Yeas, 5; Nays, 13; Absent, 5.

Those voting in the affirmative were: Senators Bailey, Ericksen, Kendall, Miller and Nielsen.

Those voting in the negative were: Senators Ashton, Child, Dawson, Farr, Hirschi, Hopkin, Kelly, Lund, McMurrin, Melich, Rich, Warner and Mr. President.

Absent and not voting: Senators Christensen, Huggins, Morrill, Richards and Romney.

On motion of Senator Melich the rules were suspended and *S. B. No. 130* was read the third time and placed on its final passage.

S. B. No. 130 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Dawson, Ericksen (explained vote), Farr, Hirschi, Hopkin, Kelly, Kendall (explained vote), Lund, McMurrin, Melich, Miller, Nielsen, Rich, Romney, Warner and Mr. President.

Voting in the negative: Senator Bailey (explained vote).

Absent and not voting: Senators Huggins, Morrill and Richards

S. B. No. 130 was transmitted to the House.

SPECIAL ORDER

S. B. No. 180 on Second Reading.

COMMUNICATION FROM THE GOVERNOR

March 6, 1943.

To the Senate

Ladies and Gentlemen:

On February 26, 1943, I acknowledged receipt of your communication of February 24th, enclosing a copy of a Senate Committee Report and an opinion of the Attorney General relating to the legality of the Senate confirmation of Mr. Gordon T. Hyde as a Commissioner of the Department of Finance, and Commissioners of other departments for their respective offices. In my letter I stated that I would communicate further with you in the matter. Since then I have carefully studied the issue.

Your committee in its report recommended, among other things, that the State Senate address a communication to the Governor, suggesting that "the Governor should immediately submit to the Senate, for the Senate's approval, the name of a person for appointment to the office of Commissioner of Finance, whose term shall expire March 1, 1947,"—the office now being held by Mr. Hyde. There was nothing in your letter which indicated in any way that the Senate approved the committee's recommendations. The fact that the Senate merely transmitted for my consideration a copy of the committee's report and the Attorney General's opinion instead of requesting that I comply with the committee's recommendation, indicates, of course, that the report and the recommendations contained therein do not necessarily represent the desires of a majority of the Senate. I presume, therefore, that the documents were transmitted to my office merely for my information.

The committee of three based its recommendations with respect to Mr. Hyde on an opinion of the Attorney General written in response to the following question:

> "Can the State Senate advise and consent to the nomination of any person to fill an office of commissioner prior to the approval of the Act under which said commissioner is to serve and prior to the effective date of the Act?"

In my opinion the answer given by the Attorney General to that question was sound and his conclusions correct. Unfortunately, however, the proposition presented to the Attorney General by your Honorable Body only partially covered the point in question.

Mr. Hyde's name was submitted to the Twenty-fourth Legislature on the twelfth day of its first special session, not as an immediate appointee to an office which was at that time not in existence, but as an appointee to the office of Commissioner of the Department of Finance, when the Act creating that department became effective. Following is an exact copy of the letter wherein I nominated him for the office:

"STATE OF UTAH
Office of the Governor
Salt Lake City

March 26, 1941.

TO THE SENATE:

It seems advisable that one of the Commissioners of the newly created Department of Finance be appointed and confirmed at this time in order to permit him to cooperate with the committee to be appointed by the Governor to set up the various departments of the State.

To that end, I have appointed Gordon Taylor Hyde of Salt Lake City as Commissioner of Finance to take office on the date that *S. B. No. 20,* which creates the Department of Finance, becomes effective and to serve until March 1, 1947.

Yours truly,

HERBERT B. MAW,
Governor."

It is very apparent from that letter that the Senate's confirmation of Mr. Hyde was contingent upon the Act that created the office to which he was appointed becoming effective.

On March 29, 1941, one day after the Senate confirmed Mr. Hyde, the First Special Session ended. The Second Special Session convened on May 19th of the same year. During that session the Legislature not only confirmed the appointment of Mr. Beesley and Mr. Pingree, the other Commissioners of the Department of Finance, but also the commissioners of the other departments of state. If there were any irregularities in the confirmation of Mr. Hyde during the First Special Session, they should have been corrected at the second one. The fact that the previous acts of the Senate as to his confirmation were permitted to stand without question while the nominations of his associates were being considered amount, it seems to me, to an implied ratification of him.

During the Second Special Session the Legislature appropriated money not only to pay Mr. Hyde's slalary but to provide revenues with which he and his associates might administer their department.

There is much judicial weight to the idea that an appropriation of money by a legislative body for salaries is in effect a recognition of the validity of their appointments even in cases where there is no express legislative creation of the office.

It seems to me, therefore, that the Twenty-fourth Legislature confirmed Mr. Hyde by implication during its Second Special Session by

appropriating money for his salary, etc., even if it failed to do so properly during the First Special Session.

According to the Attorney General, all of the official acts of Mr. Hyde are legal without additional Senate action in his case. That raises a very practical point. If I should at this time follow the recommendation of your committee and submit Mr. Hyde's name for another confirmation by your Body and the Senate should refuse to approve him, he could go before the Supreme Court and we might have a repetition of the Jugler case wherein the state would be required to pay a salary of $4,000 per year for the next four years and receive nothing in return for the money. On the other hand if I do not re-submit his name he will continue in office, work for his salary, and all of his acts will be legal.

In Mr. Hyde's case the constitutional requirements have been fully complied with. Mr. Hyde's name was submitted to the Senate. The Senate confirmed his appointment. It subsequently appropriated money for his salary as it did for the other commissioners of state departments and the department has operated as required by law since its creation. Fourteen of the twenty-three Senators now members of your Honorable Body were members of the Twenty-fourth Legislature that confirmed Mr. Hyde. If any question as to the loyalty, honesty efficiency or capability of Mr. Hyde had been raised, there might be some justification for a reconsideration of his name. Certainly any legal question as to the validity of what has been done should be decided by the courts before either the Governor or the Senate should attempt to disturb the status quo. I have therefore concluded that the action of the Senate in merely forwarding to me their committee's report, instead of requesting me to re-submit Mr. Hyde's name, is evidence that the majority of your Honorable Body concur in the conclusions pointed out herein.

Respectfully yours,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Christensen the Senate resolved itself into Executive Session.

On motion of Senator Christensen the Executive Session was dissolved.

Senator Bailey moved that a communication be directed to the Governor requesting him to submit the name of a person for the office of Commissioner of Finance to expire March 1, 1947, due to the fact that the Senate, upon the opinion of the Attorney General have concluded that Gordon Taylor Hyde has not been confirmed to the office to which he was appointed.

Motion carried.

On motion of Senator Ericksen the Senate adjourned until Monday, March 8, 1943 at 10:30 a. m.

FIFTY-SEVENTH DAY

MORNING SESSION

March 8, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

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

Prayer by the Chaplain.

March 8, 1943.

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,

LYNN ASHTON,

RAY P. LUND.

Report adopted and filed.

The President appointed Senators Hopkin and Christensen to revise the Journal for the week beginning March 8.

COMMUNICATIONS FROM THE GOVERNOR

March 6, 1943.

To the Senate

Ladies and Gentlemen:

I have this day nominated the following persons for the offices designated and hereby respectfully submit their names for your advise and consent:

For the Advisory Council of the Department of Engineering:

Ralf R. Woolley, Salt Lake County, for the term ending February 28, 1944.

George M. Miller, Carbon County, for the term ending February 28, 1945.

Willard A. Day, Duchesne County, for the term ending February 28, 1946.

Edward T. Saunders, Weber County, for the term ending February 28, 1947.

Warren H. Bullock, Iron County, for the term ending February 28, 1948.

Ambrose Call, Cache County, for the term ending February 28, 1949.

For the Advisory Council of the State Department of Public Welfare:

Nels L. Peterson of Millard County, for the term ending February 28, 1944.

Ray P. Lund of Sanpete County, for the term ending February 28, 1945.

Della Loveridge of Utah County, for the term ending February 28, 1946.

Roscoe W. Bowden of Salt Lake County, for the term ending February 28, 1947.

Ray Van Noy of Salt Lake County, for the term ending February 28, 1948.

Lawrence B. Johnson of Rich County, for the term ending February 28, 1949.

For the Advisory Council of the Industrial Commission:

A. H. Nebeker of Salt Lake County, for the term ending February 28, 1944.

Fullmer Latter of Salt Lake County, for the term ending February 28, 1945.

William M. McPhie of Carbon County, for the term ending February 28, 1946.

Sol Selvin of Tooele County, for the term ending Fobruary 28, 1947.
John E. Booth of Utah County, for the term ending February 28, 1948.

David S. Romney of Weber County for the term ending February 28, 1949.

For the Advisory Council of the Department of Finance:

Oscar K. Carlson of Salt Lake County, for the term ending February 28, 1944.

Dilworth Walker of Salt Lake County, for the term ending February 28, 1945.

Newell B. Dayton of Salt Lake County, for the term ending February 28, 1946.

W. W. Sylvester of Sevier County, for the term ending February 28, 1947.

Ray G. Woods of Salt Lake County, for the term ending February 28, 1948.

For the Advisory Council of the Department of Business Regulations:

Junius Romney, Sr., of Salt Lake County for the term ending February 28, 1944.

Ross H. McCune of Weber County, for the term ending February 28, 1945.

John W. Howard of Box Elder County, for the term ending February 28, 1946.

E. D. Sorenson of Salt Lake County, for the term ending February 28, 1947.

Vasco M. Tanner of Utah County, for the term ending February 28, 1948.

For Commissioner in the State Industrial Commission:

Richard H. Dalrymple of Grand County, to serve for the remainder of the term ending February 28, 1945.

For the Board of Regents of the University of Utah:

For the term ending June 30, 1945:

Mrs. A. J. Gorham ..... Salt Lake County
Dr. L. E. Viko ..... Salt Lake County
Thornton D. Morris ..... Salt Lake County
A. H. Reiser ..... Salt Lake County
Earl J. Glade ..... Salt Lake County
William H. Leigh ..... Iron County

For the term ending June 30, 1947:

Roy D. Thatcher ..... Weber County
D. H. Christensen ..... Salt Lake County
Rev. John E. Carver ..... Weber County
James W. Wade ..... Salt Lake County
Mrs. Dan B. Shields ..... Salt Lake County
Sterling W. Sill ..... Salt Lake County

For the Board of Trustees of the Utah State Agricultural College: For the term ending June 30, 1947:

Merrill Warnick ..... Utah County
Henry Peterson ..... Cache County
Dr. J. Morris Godfrey ..... Cache County
Thorpe B. Isaacson ..... Salt Lake County
C. G. Adney ..... Box Elder County
L. C. Montgomery ..... Wasatch County

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to the Committee on Appointments.

March 8, 1943.

To the Senate

Ladies and Gentlemen:

In compliance with the request in your letter of March 6, I have this day nominated the following person for the office designated and hereby respectfully submit his name for your advice and consent:

Edward H. Watson, for State Engineer, to serve until March 1, 1945.

Respectfully,

HERBERT B. MAW,
Governor.

Communication filed.

Appointment referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 6, 1943.

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. 57*, by Mr. T. M. Rees, entitled, "AN ACT TO AMEND SECTIONS 22-0-6, 22-0-7, AND 22-0-9 UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 22-0-8 UTAH CODE ANNOTATED 1943, AND ADDING NEW SECTIONS ALL RELATING TO THE DUTIES AND FUNCTIONS OF THE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION AND PROVIDING FOR THE COMPILATION AND DISTRIBUTION OF INFORMATION TO VARIOUS PEACE OFFICERS AND OTHERS, THE DESIGNATION OF PEACE OFFICERS, THE

ESTABLISHMENT OF RECORDS, PART OF WHICH ARE TO BE PRIVILEGED, AND THE PROVIDING OF PENALTIES, BEING PART OF TITLE 22, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 57 was read the first time and referred to the Committee on Judiciary.

March 6, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 138*, by Education Committee, entitled, "AN ACT RELATING TO AND PROVIDING FOR THE ESTABLISHMENT OF A VOCATIONAL SCHOOL AT PROVO, UTAH", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 138 was read the first time and referred to the Committee on Education.

March 6, 1943.

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 Mr. T. M. Rees, entitled, "AN ACT AMENDING SECTION 75-29-21, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS AND PRESCRIBING DEFINITIONS AND TERMS IN RELATION THERETO", 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 Education.

March 6, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 81*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-5, UTAH CODE ANNOTATED 1943, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 81 was transmitted to the Governor.

March 6, 1943.

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. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-6, UTAH CODE ANNOTATED 1943, RELATING TO ACTIONS, DEFENSES AND COUNTERCLAIMS FOUNDED UPON TITLE TO REAL ESTATE AND THE TIME WITHIN WHICH SUCH ACTIONS MAY BE COMMENCED AND DEFENSES AND COUNTERCLAIMS INTERPOSED", 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 6, 1943.

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 Mr. Dawson, entitled, "AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, RELATING TO CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED OR LEASED BY THE

UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS", 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.

REPORTS OF STANDING COMMITTEES

March 6, 1943.

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 113*, by Irrigation Committee, has carefully examined said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Report filed.

H. B. No. 113 was referred to the Sifting Committee.

March 6, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 115*, by Messrs. Cowles, Rasmussen, Durham, Greenwood, Sorenson and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 115 was referred to the Sifting Committee.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced:

S. B. No. 215 By Committee on Revision and Enrolling

AN ACT RELATING TO THE DEPARTMENT OF FINANCE AND THE COMMISSION OF FINANCE; AND PROVIDING FOR THE ISSUANCE OF WARRANTS UPON THE STATE TREASURY BY A DISBURSING OFFICER OF THE DEPARTMENT OF FI-

NANCE, THE BOND OF THE DISBURSING OFFICER, THE ISSUANCE AND DELIVERY OF WARRANTS, THE CUSTODY OF UNISSUED WARRANTS, AND THE RETURN OF REDEEMED WARRANTS, TO BE KNOWN AS SECTION 82C-2-21b, UTAH CODE ANNOTATED 1943, AND REPEALING ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Warner moved that the rules be suspended and that the Senate do now consider *S. B. No. 140.*

Motion carried.

S. B. No. 140 on Second Reading.

S. B. No. 140 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, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Richards, Romney, Warner and Mr. President.

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

UNFINISHED BUSINESS

S. B. No. 180 on Second Reading.

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

Page 4, line 27, beginning with the word "The" strike up to and including the word "month" on line 32 and insert in lieu thereof the following: "The state shall guarantee to each applicant or recipient an income of at least $40 per month."

Senator Nielsen moved to amend the motion as follows:

Page 4, line 27, beginning with the word "The" strike up to and including the word "month" on line 32 and insert in lieu thereof "Provided adequate funds are available, the state shall give to each applicant or recipient an income of at least $35. per month.".

Senator Macfarlane moved a substitute motion as follows:

Page 4, reinsert the printed material on lines 27 to 31, inclusive, and in the blank space insert the figures "45".

The substitute motion carried on the following roll call:

Yeas, 14; Nays, 6; Absent, 3.

Those voting in the affirmative were: Senators Child, Christensen, Farr, Hirschi, Hopkin, Kelly, Lund, McMurrin, Melich, Morrill, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Ashton, Bailey, Ericksen, Kendall, Miller and Romney.

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

On motion of Senator Christensen 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 Dawson, excused.

COMMUNICATIONS FROM THE HOUSE

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 32*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-7, UTAH CODE ANNOTATED 1943, RELATING TO DETERMINATION OF NET ESTATE FOR INHERITANCE TAX PURPOSES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 32 was transmitted to the Governor.

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 33*, by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-3-7, UTAH CODE ANNOTATED 1943, RELATING TO THE TAXATION OF INSURANCE COMPANIES, PRESCRIBING

THE RATE OF TAXATION AND THE METHOD OF DETERMINATION THEREOF", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 83 was transmitted to the Governor.

REPORT OF STANDING COMMITTEE

March 8, 1943.

Mr. President:

Your Committee on Education to which was referred *H. B. No. 164*, by Mr. Stringham, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 164 was referred to the Sifting Committee.

Senator Huggins moved that the Committee on Appropriations and Claims be given an additional three days' time in which to prepare and present the Appropriations Bill.

Motion carried.

UNFINISHED BUSINESS

S. B. No. 180 on Second Reading.

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

Page 8, line 6, in the first blank space insert "45", and in the second blank space insert "18".

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

Page 4, strike the amendment inserted on line 6 and renumber the following subsections accordingly.

S. B. No. 180 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, Bailey, Child, Christensen, Farr, Hirschi, Hopkin, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Ericksen and Romney (explained vote).

Absent and not voting: Senators Dawson, Huggins, Kelly and Lund.

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

Committee report read and adopted.

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

Page 2, line 3, strike the word "cash".

On motion of Senator Child *H. B. No. 11* retains its position on the Calendar.

H. B. No. 39 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, strike the figure "3" following the word "Section" and insert the figure "1."; also preceding "76A-3-39" insert "Sec.".

H. B. No. 39 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, Child, Christensen, Hirschi, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Ericksen, Farr, Hopkin, Huggins, Kelly and Rich.

On motion of Senator Richards *H. B. No.'s 84* and *85* retain their positions on the Calendar.

On motion of Senator Bailey the rules were suspended and *S. B. No. 179* was read the second time.

Committee report read and adopted.

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

Page 6, line 15, strike "cacurately" and insert the word "accurately".

Line 19, strike "cunties" and insert the word "counties".

Page 4, line 16, strike the word "to" and insert the word "in".

Line 25, strike the "s" on the word "forms".

Page 3, line 16, strike "commissiners" and insert the word "commissioners".

On motion of Senator Miller the rules were suspended and *S. B. No. 179* was read the third time and placed on its final passage.

S. B. No. 179 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Hirschi and Lund.

S. B. No. 179 was transmitted to the House.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced.

S. B. No. 216 By Mr. Hopkin

AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATES IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, (TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9 AND 78-6a-10, UTAH CODE ANNOTATED 1943), was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Child the rules were suspended and *S. B. No. 196* was read the second time.

Committee report read and adopted.

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

Page 1, line 1, after the word "Annotated" insert the figures "1943".

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

Page 1, line 10, after the word "act" insert the words "and other appropriations as provided by law".

S. B. No. 196 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, Ericksen, Huggins, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund and Morrill.

Senator Macfarlane moved that the rules be suspended and that the Senate do now consider Senate Bills on the Second Reading Calendar.

Motion carried.

S. B. No. 194 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins *S. B. No. 194* was referred to the Committee on Appropriations and Claims.

Senator Macfarlane moved that when *S. B. No. 194* is reported back to the Senate it be referred to the Second Reading Calendar.

Motion carried.

S. B. No. 128 was read the second time.

Committee report read and adopted.

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

Page 1, line 2, strike the words "as follows".

Page 4, line 12, strike "reporf" and insert the word "report".

On motion of Senator Macfarlane the rules were suspended and *S. B. No. 128* was read the third time and placed on its final passage.

S. B. No. 128 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Huggins, Kelly, Lund, Melich, Miller, Morrill, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hirschi, Hopkin, Kendall, McMurrin, Nielsen and Romney.

S. B. No. 128 was transmitted to the House.

S. B. No. 182 was read the second time.

Committee report read and adopted.

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

Page 1, line 11 and page 2, line 4, after the word "States", insert the words "and its agents and agencies".

On motion of Senator Christensen the rules were suspended and *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, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards (explained vote), Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Farr, Hirschi and Hopkin.

S. B. No. 182 was transmitted to the House.

Senator Christensen moved that *S. B. No. 149* be referred to the Committee on Appropriations and Claims and upon being reported back to the Senate said bill take its place on the Second Reading Calendar.

Motion carried.

S. B. No. 141 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *S. B. No. 141* 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 22, after the word "purchases" insert "provided that during the existence of the present war emergency"; also change the word "Business" to "business".

S. B. No. 141 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards and Warner.

Absent and not voting: Senators Dawson, Farr, Hirschi, Hopkin, Kendall, Romney and Mr. President.

S. B. No. 141 was transmitted to the House.

S. B. No. 86 was read the second time.

Committee report read and adopted.

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

Line 10, after the word "infirmary" insert "; and provided further that said private patients shall be required to pay the reasonable costs of all care, treatment and services received by them."

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

At the end of the inserted amendment insert the following: "and provided further that the admittance of private patients will not mitigate against the use of said hospital or infirmary for indigent sick or dependent poor persons."

On motion of Senator Melich the rules were suspended and *S. B. No. 86* was read the third time and placed on its final passage.

S. B. No. 86 then passed on the following rolll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Huggins, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Dawson, Farr, Hirschi, Hopkin, Kelly and Romney.

S. B. No. 86 was transmitted to the House.

S. B. No. 172 was read the second time.

Committee report read and adopted.

On motion of Senator Miller the rules were suspended and *S. B. No. 172* was read the third time and placed on its final passage.

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

Page 1, line 1, strike "amenoed" and insert the word "amended".

S. B. No. 172 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey Child, Christensen, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Farr, Hirschi, Hopkin, Lund and Romney.

S. B. No. 172 was transmitted to the House.

On motion of Senator Warner the rules were suspended and *S. B. No. 60* was read the third time and placed on its final passage.

S. B. No. 60 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Farr, Hirschi, Hopkin, Lund and Romney.

S. B. No. 60 was transmitted to the House.

On motion of Senator Ashton the Senate adjourned until Tuesday, March 9, 1943, at 10:30 a. m.

FIFTY-EIGHTH DAY

MORNING SESSION

March 9, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

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

Prayer by the Chaplain.

March 9, 1943.

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,

ALONZO F. HOPKIN,
GEO. A. CHRISTENSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1943.

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. Joseph E. Rees, entitled, "AN ACT AMENDING SECTION 25-6-24, UTAH CODE ANNOTATED 1943, RELATING TO VOTING; ASSISTING DISABLED AND ILLITERATE VOTERS IN CASTING BALLOT AND PROVIDING THAT BLIND PERSONS MAY SELECT ANY QUALIFIED ELECTOR TO ASSIST THEM IN CASTING BALLOT", 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 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 176*, by Appropriations Committee, by request, entitled, "AN ACT REQUIRING THE STATE TAX COMMISSION TO ASSESS AND COLLECT REGULATION FEES FOR THE YEARS 1943 AND 1944 FROM PUBLIC UTILITY CORPORATIONS, BEING A PART OF TITLE 76, CHAPTER 4a, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 176 was read the first time and referred to the Committee on Revenue and Taxation.

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 122*, by Fish and Game Committee, by request, entitled, "AN ACT AMENDING SECTION 30-0-64, UTAH CODE ANNOTATED 1943, RELATING TO HUNTING, MAKING IT A MISDEMEANOR TO TAKE INTO A FIELD OR FOREST, OR TO HAVE POSSESSION OF ANY DEVICE OR MECHANISM DESIGNED TO SILENCE OR MINIMIZE THE REPORT OF FIREARM WHILE

HUNTING GAME OR TO HUNT GAME WITH ARTIFICIAL LIGHT OR TO USE DOGS IN HUNTING OF ANY BIG GAME ANIMAL", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 122 was read the first time and referred to the Committee on Fish and Game.

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 152,* by Mr. J. W. Reed, entitled, "AN ACT AMENDING SECTIONS 7-7-1, 7-7-2, 7-7-3, 7-7-5, 7-7-10 AND 7-7-14, UTAH CODE ANNOTATED 1943, RELATING TO AND CREATING CREDIT UNIONS UNDER SUPERVISION OF STATE BANKING DEPARTMENT; PRESCRIBING RULES AND REGULATIONS GOVERNING THEM AND MAKING MEMBERSHIP THEREIN OF ALL CREDIT UNIONS MANDATORY, EXCEPT THOSE ORGANIZED UNDER FEDERAL LAW; ADDING A NEW SECTION TO BE KNOWN AS SECTION 7-7-26, RELATING THERETO", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 152 was read the first time and referred to the Committee on Banking and Commerce.

March 8, 1943.

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 Messrs. Greenwood, Duval and Mesdames Jack and Jean Z. Murdock, entitled, "AN ACT PROVIDING FOR CIVIL SERVICE COMMISSIONS IN COUNTIES, THE SHERIFF OF WHICH HAS FOUR OR MORE REGULARLY EMPLOYED DEPUTIES OR WHICH MAINTAINS A REGULARLY ORGANIZED FIRE DEPARTMENT WHEREIN THERE ARE REGULARLY EMPLOYED FOUR OR MORE PAID FIREMEN; DEFINING THE QUALIFICATIONS, DUTIES AND

SALARIES OF THE MEMBERS OF SAID COMMISSION; AND PROVIDING CLASSIFIED CIVIL SERVICE FOR SUCH DEPUTIES AND FIREMEN AND PRESCRIBING RULES AND REGULATIONS THEREFOR, BEING A PART OF UTAH CODE ANNOTATED 1943", 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 State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

March 8, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 215*, by Revision and Enrolling Committee, and recommends that the bill be mimeographed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 215 was ordered mimeographed and referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 216*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends that the bill be mimeographed.

Respectfully,

STANLEY N. CHILD,
Chairman.

Report filed.

S. B. No. 216 was ordered mimeographed and referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 175*, by Mr. Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 175 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 146*, by Mr. Cowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 146 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. C. R. No. 4*, by Messrs. Mabey, Jenkins and Cannon, has carefully considered said Resolution and reports the same out favorably.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. C. R. No. 4 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 151*, by Mr. T. M. Rees, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 151 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 138*, by Education Committee, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES A. McMURRIN,
Chairman.

Report filed.

H. B. No. 138 was referred to the Sifting Committee.

Senator Farr moved that all bills now in the hands of Standing Committees be referred to the Sifting Committee by 1:00 p. m.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 47 was read the third time and placed on its final passage.

H. B. No. 47 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Ericksen, Farr, Hirschi, Hopkin, Kelly, Lund, McMurrin, Melich, Miller, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Child, Christensen, Dawson, Huggins, Kendall, Morrill, Nielsen and Rich.

H. B. No. 47 was returned to the House.

On motion of Senator Warner the rules were suspended and *S. B. No. 140* was read the third time and placed on its final passage.

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

Page 1, strike the underscored material on lines 12 and 13.

S. B. No. 140 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson and Huggins.

S. B. No. 140 was transmitted to the House.

On motion of Senator Warner *S. B. No.'s 180* and *196*, and *H. B. No. 39* were made a Special Order of Business for this afternoon at 2:15.

Senator Melich moved that the rules be suspended and that the Senate do now consider Senate Bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 72 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, after the word "city" strike the balance of the line.

Line 2, strike the first six words; also strike the eighth word "each".

Page 2, line 3, strike the word "character".

Line 16, after the word "areas" insert the words "It is not intended that the foregoing shall provide for construction plans and specifications".

Line 24, strike the words "in the municipality".

Line 25, after the word "thereof" insert the words "shall conform to said plans or".

Line 28, strike the words "two-thirds" and insert the words "a majority".

Page 3, line 4, strike the word "two-" and insert the words "a majority".

Line 5, strike the word "thirds".

Line 18, beginning with the word "All" strike up to and including the word "work" on line 20.

Page 4, line 9, strike the words "two-thirds" and insert the words "a majority".

Page 5, line 25, strike the words "certified to".

Line 26, strike the words "or agrees to sell or negotiates to sell"; also after the word "by" insert the words "lot, by".

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

Page 1, line 17, after the word "municipality" insert the words "; providing, however, that the areas outside of the city or municipality may, by vote, elect to adopt or reject the plan."

S. B. No. 72 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, Child, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Miller, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Those voting in the negative were: Senators Lund, Melich (explained vote), and Morrill.

Absent and not voting: Senators Christensen, Dawson, Farr and McMurrin.

S. B. No. 65 was read the second time.

Committee report read and adopted.

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

Page 2, line 22, strike the words "on payment".

Line 32, after the word "relating" insert the word "to".

Page 3, line 5, strike the words "either as claimant, agent or creditor,".

Line 11, following the word "refunded" insert the words "or the sum of $25. whichever amount is greater".

Line 14, beginning with the word "as" strike the balance of the line and insert in lieu thereof the words "under the provisions of this act".

Strike line 15.

Line 19, strike the words "upon approval" and insert "July 1, 1943".

REPORTS OF STANDING COMMITTEES

March 9, 1943.

Mr. President:

We, your Judiciary Committee, herewith return the following Senate and House bills in accordance with the motion that all bills now in committee be returned to the Senate for delivery to the Sifting Committee:

House Bills No.'s 57, 76, 87, 99, 106.

Senate Bills No.'s 202, 213, 215.

Respectfully,

LYNN S. RICHARDS,
Chairman.

Report filed.

Bills referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 149*, by Mr. Kendall, has carefully considered said bill, and reports the same out favorably.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

March 9, 1943.

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 194*, by Mr. Romney and Mrs. Ericksen, has carefully considered said bill and reports the same back to the Senate Calendar without recommendation.

Respectfully,

IRA A. HUGGINS,
Chairman.

Report filed.

S. B. No. 194 was placed on the Second Reading Calendar.

March 9, 1943.

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 176*, by Appropriation Committee, has carefully considered said bill, and reports the same out favorably.

Respectfully,

GEORGE A. CHRISTENSEN,
Chairman.

Report filed.

H. B. No. 176 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

H. B. No. 136 is herewith returned by the Chairman of the Committee on Health and Labor without having been considered.

Respectfully,

J. ARTHUR BAILEY,
Chairman.

Report filed.

H. B. No. 136 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 152*, by Mr. J. W. Reed, has carefully considered said bill, and reports the same out without recommendation.

Respectfully,

CLAUD HIRSCHI,
Chairman.

Report filed.

H. B. No. 152 was referred to the Sifting Committee.

March 9, 1943.

Mr. President:

We, your Committee on State and Municipal Affairs, return *H. B. No. 67* in accordance with the motion that all Senate bills now in Committee be returned to the Senate for delivery to the Sifting Committee.

Respectfully,

ABEL S. RICH,
Chairman.

Report filed.

H. B. No. 67 was referred to the Sifting Committee.

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

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AFTERNOON SESSION

The Senate reconvened at 2:00 p. m.

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

COMMUNICATION FROM THE GOVERNOR

March 6, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 50*, by Messrs. Melich, Hopkin and Morrill, entitled, "AN ACT AMENDING SECTION 3-5-27, UTAH CODE ANNOTATED 1943, RELATING TO THE TUBERCULAR AND BANGS DISEASE CONTROL FUND."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 156*, by Messrs. Elliott and Holt, entitled, "AN ACT AMENDING SECTION 26-0-11, UTAH CODE ANNOTATED 1943, RELATING TO CLAIMS AGAINST THE STATE AND PRE-

SCRIBING THE FORM AND MANNER IN WHICH SAME MUST BE PRESENTED TO BOARD OF EXAMINERS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 156 was read the first time and referred to the Sifting Committee.

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 149*, by Messrs. Larsen and Noble, entitled, "AN ACT RELATING TO WATER RIGHTS, AND PROVIDING THAT THE FILING OF A WRITTEN APPLICATION WITH THE STATE ENGINEER TO APPROPRIATE WATER FOR A BENEFICIAL USE IN THE MANNER SET FORTH IN SECTION 100-3-2, UTAH CODE ANNOTATED 1943, CREATES A VESTED PROPERTY RIGHT WHICH CAN ONLY BE FORFEITED TO THE STATE BY AN ACTION OF ESCHEAT IN A COURT OF COMPETENT JURISDICTION, BEING A PART OF TITLE 100, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 149 was read the first time and referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEE

March 9, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report the following bills at the head of the Second Reading Calendar:

S. B. No. 216, H. B. No. 105, H. B. No. 95, H. B. No. 48, H. B. No. 51, H. B. No. 57, H. B. No. 64, H. B. No. 68, H. B. No. 70,

H. B. No. 77, H. B. No. 82, H. B. No. 88, H. B. No. 99, H. B. No. 106, H. B. No. 164, H. B. No. 173, H. B. No. 174, H. B. No. 175.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

On motion of Senator Christensen the Senate resolved itself into Executive Session.

On motion of Senator Christensen the Executive Session was dissolved.

Senator Christensen moved that the rules be suspended and that the Senate advise and consent to the following appointments:

For Commissioner in the Department of Agriculture:

Vernal A. Bergeson of Cache County, for term ending February 28, 1949.

For Commissioner in the Department of Engineering:

Lester A. Blackner of Salt Lake County, for the term ending February 28, 1949.

For Commissioner in the Department of Public Welfare:

Sophus Bertelson of Sanpete County, for the term ending February 28, 1949.

For Commissioners in the State Tax Commission:

Heber Bennion, Jr., of Daggett County, for the term ending February 28, 1947.

Roscoe E. Hammond of Salt Lake County, for the term ending February 28, 1947.

For Members of the Utah Board of Commissioners for the Promotion of Uniformity of Legislation, for the term ending June 30, 1945:

Calvin W. Rawlins ..... Salt Lake County
George W. Worthen ..... Utah County
Wm. H. Leary ..... Salt Lake County

For Members of the Governing Board of the Utah State Institute of Fine Arts, for the term ending June 30, 1947:

Maud R. Hardman ..... Salt Lake County
Mrs. F. P. Champ ..... Cache County
J. Allen Crockett ..... Salt Lake County
Mrs. A. L. Beeley ..... Salt Lake County
Thomas J. Holland ..... Salt Lake County
Harold R. Clark ..... Utah County

For Commissioner in the Finance Department:

Jerrold P. Beesley, for the six-year term beginning March 1, 1943 and ending February 28, 1949.

For Commissioner of Industrial Commission:

Eldred M. Royle of Salt Lake County, for the term ending February 28, 1949.

For the Advisory Council of the Department of Engineering:

Ralf R. Woolley, Salt Lake County, for the term ending February 28, 1944.

George M. Miller, Carbon County, for the term ending February 28, 1945.

Willard A. Day, Duchesne County, for the term ending February 28, 1946.

Edward T. Saunders, Weber County, for the term ending February 28, 1947.

Warren H. Bullock, Iron County, for the term ending February 28, 1948.

Ambrose Call, Cache County, for the term ending February 28, 1949.

For the Advisory Council of the Department of Finance:

Oscar K. Carlson, Salt Lake County, for the term ending February 28, 1944.

Dilworth Walker, Salt Lake County, for the term ending February 28, 1945.

Newell B. Dayton, Salt Lake County, for the term ending February 28, 1946.

W. W. Sylvester, Sevier County, for the term ending February 28, 1947.

Ray G. Woods, Salt Lake County, for the term ending February 28, 1948.

For the Advisory Council of the Department of Business Regulation:

Junius Romney, Sr., Salt Lake County, for the term ending February 28, 1944.

John W. Howard, Box Elder County, for the term ending February 28, 1946.

E. D. Sorenson, Salt Lake County, for the term ending February 28, 1947.

Vasco M. Tanner, Utah County, for the term ending February 28, 1948.

For Commissioner in the State Industrial Commission:

Richard H. Dalrymple, Grand County, to serve for the remainder of the term ending February 28, 1945.

For the Board of Regents of the University of Utah:

For term ending June 30, 1947:

Roy D. Thatcher ..... Weber County
D. H. Christensen ..... Salt Lake County
Rev. John E. Carver ..... Weber County
James W. Wade ..... Salt Lake County
Mrs. Dan B. Shields ..... Salt Lake County
Sterling W. Sill ..... Salt Lake County

For the Board of Trustees of the Utah State Agricultural College:

For term ending June 30, 1947:

Merrill Warnick ..... Utah County
Henry Peterson ..... Cache County
Dr. J. Morris Godfrey ..... Cache County
Thorpe B. Isaacson ..... Salt Lake County
C. G. Adney ..... Box Elder County
L. C. Montgomery ..... Wasatch County

For Members of the Advisory Council for the School for the Deaf and Blind:

D. J. Thurman, Salt Lake County, for the term ending February 28, 1947.

Irene Jones, Salt Lake County, for the term ending February 28, 1948.

For the Board of Control of the State Historical Society:

Cornelia S. Lund, Salt Lake County, for term ending March 31, 1945.

Herbert S. Auerbach, Salt Lake County, for term ending March 31, 1945.

J. Cecil Alter, Cincinnati, Ohio, for term ending March 31, 1945.

Joel F. Ricks, Cache County, for term ending March 31, 1945.

William R. Palmer, Iron County, for term ending March 31, 1945.

Levi Edgar Young, Salt Lake County, for term ending March 31, 1947.

C. Henry Anderson, Weber County, for term ending March 31, 1947.

Frank K. Seegmiller, Salt Lake County, for term ending March 31, 1947.

William J. Snow, Utah County, for term ending March 31, 1947.

A. B. Gibson, Juab County, for term ending March 31, 1947.

For the Teachers' Retirement Board:

Herbert M. Schiller, Salt Lake County, for term ending June 30, 1946.

Alex J. Jex, Salt Lake County, for term ending June 30, 1947.

For the State Board of Health:

Charles M. Smith, Utah County, for the term ending February 28, 1949.

Richard A. Hart, Salt Lake County, for the term ending February 28, 1950.

For Commissioner of the Department of Fish and Game.

E. N. Larsen, Cache County, for term ending February 28, 1949.

For State Engineer:

Edward H. Watson, to serve until March 1, 1945.

Motion carried.

Senator Christensen moved that the rules be suspended and that the Senate do not advise and consent to the following appointment:

For Commissioner in the State Liquor Control Commission:

Mrs. Jeanette P. Garner, Salt Lake County, for term ending February 28, 1949.

Motion carried.

On motion of Senator Morrill the Senate recessed until 7:30 p. m.

EVENING SESSION

The Senate reconvened at 7:30 p. m.

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

Senator Kendall moved that the rules be suspended and that the Senate do now consider *S. B. No. 149.*

Motion carried.

S. B. No. 149 was read the second time.

Committee report read and adopted.

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

Page 1, line 5, strike "qualfying" and insert the word "qualifying".

Page 2, line 25 preceding the word "This", insert "Section 8".

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

Page 2, line 9, strike the first six words.

Strike lines 21 to 24, inclusive.

Line 10, in the blank space, insert the figures "25,000.00".

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

Page 2, line 10, strike the word "any".

Line 11, change the word "alcoholic" to read "alcoholics"; also strike the words "has complied" and insert the word "comply".

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

Page 2, line 8, after the word "expend" insert the words "out of funds under its control".

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

In the title, line 5, strike the word "MAKING" and insert the word "AUTHORIZING".

Line 6, strike the word "APPROPRIATION" and insert the word "EXPENDITURE"; also place a period after the word "THEREFOR" and strike the balance of the title.

On motion of Senator Miller the rules were suspended and *S. B. No. 149* was read the third time and placed on its final passage.

S. B. No. 149 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senator Dawson.

S. B. No. 149 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 65 on Second Reading.

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

Page 1, line 5, strike the words "or contracted to pay".

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

Page 2, line 4, strike the comma after the word "gallon", insert a semi-colan and strike the word "and".

Line 5, after the word "Utah" insert the words "and that all of said fuel has been used.

S. B. No. 65 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 1, Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child (explained vote), Christensen (explained vote), Ericksen, Farr (explained vote), Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards (explained vote), Romney, Warner (explained vote) and Mr. President.

Voting in the negative: Senator Miller.

Absent and not voting: Senator Dawson.

On motion of Senator Ashton the Senate adjourned until Wednesday, March 10, 1943, at 10:30 a. m.

FIFTY-NINTH DAY

MORNING SESSION

March 10, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

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

Prayer by the Chaplain.

March 10, 1943.

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,

ALONZO F. HOPKIN,

GEO. A. CHRISTENSEN.

Report adopted and filed.

Upon unanimous consent of the Senate the rules were suspended and the following resolution was introduced.

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

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE RELATING TO THE AMERICAN NATIONAL RED CROSS, was read the first time.

On motion of Senator Macfarlane the rules were suspended and *S. J. R. No. 5* was read the second and third times and placed on its final passage.

S. J. R. No. 5 then passed on the following roll call:

Yeas, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Kelly, Kendall, Miller, Morrill, Nielsen, Rich, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Hirschi, Hopkin, Huggins, Lund, McMurrin, Melich, Richards and Warner.

S. J. R. No. 5 was transmitted to the House.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 40,* by Messrs. Melich and Richards, entitled, "AN ACT AMENDING SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, DEFINING THE TERMS USED IN THE EMPLOYMENT SECURITY ACT BY ADDING A NEW PARAGRAPH PROVIDING THAT THE TERM "EMPLOYMENT" SHALL NOT INCLUDE SERVICE PERFORMED BY LESSEES ENGAGED IN METAL MINING UNDER LEASE AGREEMENTS UNLESS THE INDIVIDUAL LEASE AGREEMENT OR THE PRACTICE IN ACTUAL OPERATION UNDER SUCH AGREEMENT IS SUCH AS WOULD CONSTITUTE THE LESSEES EMPLOYEES OF THE LESSOR AT COMMON LAW."

Sincerely,

HERBERT B. MAW,

Governor.

Communication filed.

March 8, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 41,* by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1-41, UTAH CODE ANNOTATED 1943, DEFINING THE WORDS "EMPLOYEE", "WORKMAN" AND "OPERATIVE" AS USED IN SAID SECTION AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR WORKMEN'S COMPENSATION INSURANCE BY THE LESSOR."

Sincerely,

HERBERT B. MAW,

Governor.

Communication filed.

March 8, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 42,* by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 42-1a-11, UTAH CODE ANNOTATED 1943,

DEFINING THE WORDS "EMPLOYEE", "WORKMAN" AND "OPERATIVE", AS USED IN THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW AND PROVIDING THAT LESSEES IN MINES OR OF MINING PROPERTY AND THEIR EMPLOYEES AND SUBLESSEES MAY BE CARRIED FOR OCCUPATIONAL DISEASE DISABILITY COMPENSATION BY THE LESSOR."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 185*, by Committee on Revision and Enrolling, and the same is returned herewith.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 185 was filed.

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 45*, by Messrs. Robinson, Merrill, Hale and Elswood.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 8, 1943.

Mr. President:

I am directed to inform your Honorabble Body that the House has this day concurred in Senate amendments to *H. B. No. 48*, by Mr. Hatch.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 8, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 49*, by Messrs. Sabin and Cowles.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, *S. B. No. 71*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTIONS 15-9-12, 15-9-13, 15-9-14, 15-9-17, 15-9-18, AND 15-9-21, UTAH CODE ANNOTATED 1943, RELATING TO QUALIFICATIONS, COMPENSATION AND REMOVAL OF MEMBERS OF CIVIL SERVICE COMMISSIONS, THE ORGANIZATION OF CIVIL SERVICE COMMISSIONS, THEIR OFFICES, AND THEIR PERSONNEL, RULES AND REGULATIONS, THE CERTIFICATION OF ELIGIBILITY LISTS AND THE PROMOTION, PROBATIONARY TRIAL, AND DEMOTION OF CIVIL SERVICE EMPLOYEES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Bailey the Senate refused to concur in the House amendments and the House was asked to recede from its position.

March 8, 1943.

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 Agricultural Committee, entitled, "AN ACT AMENDING SECTION 3-1-31, UTAH CODE ANNOTATED, 1943, RELATING TO POWERS OF THE STATE BOARD OF AGRICULTURE", 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.

March 8, 1943.

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. 14*, by Agricultural Committee, entitled, "AN ACT AMENDING SECTION 80-15-2, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF RETAIL SALES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 14 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1943.

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 Education Committee, entitled, "AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND IN THE STATE TREASURY TO THE UNIFORM SCHOOL FUND, PROVIDING FOR THE APPORTIONMENT AND DISTRIBUTION OF SUCH MONEY TO LOCAL BOARDS OF EDUCATION WITHIN THE STATE; FOR SALARIES AND WAGES OF TEACHERS AND OTHER SCHOOL EMPLOYEES AND THE REQUIREMENTS WHICH MUST BE COMPLIED WITH BEFORE LOCAL BOARDS OF EDUCATION MAY PARTICIPATE IN THE MONEY APPROPRIATED", 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 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 45*, by Messrs. Robinson, Merrill, Hale and Elswood, entitled, "AN ACT AMENDING SECTION 87-3-3 UTAH CODE ANNOTATED 1943, RELATING TO AND PRESCRIBING THE DUTIES OF THE SECRETARY OF STATE WITH REFERENCE TO THE DISTRIBUTION OF LAWS, RESOLUTIONS AND JOURNALS AND ENACTING A NEW SUB-SECTION THERETO, TO BE KNOWN AS SUBSECTION (10)", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 45 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1943.

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. 49*, by Messrs. Sabin and Cowles, entitled, "AN ACT AMENDING SECTION 79-1-24, UTAH CODE ANNOTATED 1943, RELATING TO THE REVOCATION OF LICENSES, CERTIFICATES, PERMITS, STUDENT OR APPRENTICE CARDS ISSUED BY THE DEPARTMENT OF REGISTRATION: THE GIVING OF NOTICE PRIOR TO REVOCATION AND REINSTATEMENT AFTER REVOCATION BY ADDING THERETO A PROVISION THAT THE LICENSE, CERTIFICATE, PERMIT, STUDENT OR APPRENTICE CARD HELD BY ANY PERSON WHO HAS ENTERED OR ENTERS THE MILITARY SERVICE OF THE UNITED STATES SHALL NOT BE REVOKED AND NEED NOT BE RENEWED FOR THE PERIOD OF SAID MILITARY SERVICE", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 49 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 4*, by the Committee on Appropriations and claims, entitled, "RELATING TO LEGISLATIVE BUDGET COMMITTEE TO ASCERTAIN FACTS OF FUNCTIONS, ECONOMY AND FINANCE OF STATE GOVERNMENT. A JOINT RESOLUTION AMENDING THE JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH BY ADDING JOINT RESOLUTION NO. 45, CREATING A JOINT LEGISLATIVE BUDGET COMMITTEE, DEFINING ITS POWERS AND DUTIES, AND MAKING AN APPROPRIATION OUT OF THE CONTINGENT FUNDS THEREFOR", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 4 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 116*, by Mr. Elswood, entitled, "AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, RELATING TO MINING LEASES, RENTALS AND ROYALTIES AND FIXING THE ANNUAL RENTALS FOR PROSPECTING FOR MINERALS CONSISTING OF OIL, GAS AND KINDRED HYDROCARBON DEPOSITS, ON UNSOLD AND RELEASED LANDS", 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 Sifting Committee.

March 9, 1943.

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 T. W. Rees, entitled, "AN ACT RELATING TO REPRESENTATION IN THE

UTAH STATE SENATE AND PROVIDING THAT COUNTIES HAVING MORE THAN ONE SENATOR SHALL BE DIVIDED BY THE COUNTY COMMISSIONERS INTO AS MANY DISTRICTS AS SUCH COUNTY IS ENTITLED TO SENATORS, BEING A PART OF TITLE 50, CHAPTER 1, UTAH CODE ANNOTATED 1943", 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 Sifting Committee.

March 9, 1943.

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. 168*, by Messrs. Kerr, Staples, Noble, Schenk and Jos. Rees, entitled, "AN ACT AMENDING SECTIONS 49-1-9, 49-1-14, 49-1-16 AND 49-1-22, UTAH CODE ANNOTATED 1943, RELATING TO LABOR RELATIONS AND DISPUTES AND DEFINING A POLICY IN RELATION THERETO; EMPOWERING LABOR RELATIONS BOARD TO PRESCRIBE RULES AND REGULATIONS GOVERNING PROVISIONS OF ACT WHICH SHALL INCLUDE RIGHT TO INVESTIGATE CONTROVERSIES OVER SELECTION OF REPRESENTATIVES FOR COLLECTIVE BARGAINING AND TO CONDUCT ELECTIONS FOR SELECTION OF SUCH REPRESENTATIVES BY SECRET BALLOTS AND CUMULATIVE VOTING; ALSO DEFINING AND PROHIBITING UNFAIR LABOR PRACTICES; PROVIDING FOR SEVERABILITY OF VARIOUS PARTS OF ACT, AND THAT EXISTING VALID AGREEMENTS CONCERNING EMPLOYMENT RELATIONS ARE NOT AFFECTED BY ACT", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 168 was read the first time and referred to the Sifting Committee.

March 9, 1943.

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. 177*, by Appropria-

tion Committee, entitled, "AN ACT AMENDING SECTION 46-0-68, UTAH CODE ANNOTATED 1943, RELATING TO THE ALLOCATION OF MONIES RECEIVED BY THE UTAH LIQUOR CONTROL COMMISSION AND REPEALING SECTION 46-0-67, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 177 was read the first time and referred to the Sifting Committee.

March 9, 1943.

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. 103*, by Mr. Farr, entitled, "AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION FOR THE DURATION OF THE PRESENT WAR EMERGENCY TO SHORTEN THE MINIMUM SCHOOL TERM, ADJUST THE SCHOOL PROGRAM AND CREDIT THEREFOR IN ANY SCHOOL DISTRICT AND IN ANY GRADE OR GRADES THEREOF WHERE THE LABOR OF STUDENTS IS NECESSARY TO PRODUCTION, HARVESTING OR PROCESSING OF AGRICULTURAL PRODUCTS", 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 amendments.

S. B. No. 103 then passed on the following roll call:

Yeas, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Bailey, Ericksen, Farr, Kelly, Kendall, Melich, Miller, Morrill, Nielsen, Rich, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Dawson, Hirschi, Hopkin, Huggins, Lund, McMurrin, Richards and Warner.

S. B. No. 103 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1943.

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. 168*, by Committee on Highways, entitled, "AN ACT AMENDING SECTIONS 57-3a-1, 57-3a-88 AND 57-3a-89, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR VEHICLES, DEFINITIONS, REGISTRATION OF NON-RESIDENT AND VEHICLES IN INTERSTATE COMMERCE, PERMITTING THE GRANTING OF RECIPROCITY, AND REPEALING SECTIONS 57-3a-90 AND 57-3a-137, UTAH CODE ANNOTATED 1943", 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 refused to concur in the House amendments and the House was asked to recede from its position.

SPECIAL ORDER

S. B. No. 180 on Third Reading.

On motion of Senator Melich action was deferred on *S. B. No. 180.*

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 105 was read the second time.

Committee report read and adopted.

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

Line 15, strike "25%" and insert "15% in counties of the first and second class and 25% in all other counties."

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

Line 1, strike the word "Section" and insert "Section 1. Sec.".

Line 2, preceding the word "The" insert "19-13-15".

Line 14, following the word "in" insert the word "an".

H. B. No. 5 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Hopkin and Richards.

On motion of Senator Kelly 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 Dawson, excused.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 95 was read the second time.

Committee report read and adopted.

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

Page 2, line 9, strike "bear, $10.00;".

Page 3, line 19, strike the word "three" and insert the word "four".

Line 21, after the word "county" insert the words "; except one member shall be a representative of the state fish and game commission as long as said commission contributes the sum of $15,000.00 annually to the bounty fund."

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

Page 1, line 6, strike the last six words.

On motion of Senator Morrill the rules were suspended and *H. B. No. 95* was read the third time and placed on its final passage.

H. B. No. 95 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Bailey, Dawson, Farr, Hopkin and Mr. President.

H. B. No. 95 was returned to the House.

Senator Huggins moved that the rules be suspended and that the Senate do now consider *S. B. No. 196.*

Motion carried.

S. B. No. 196 was read the third time and placed on its final passage.

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

Page 1, line 15, strike "Chapter 3".

S. B. No. 196 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards and Warner.

Absent and not voting: Senators Dawson, Farr, Hopkin, Romney and Mr. President.

S. B. No. 196 was transmitted to the House.

SPECIAL ORDER

Senator Ericksen moved that the rules be suspended and that the Senate do now consider *S. B. No. 194.*

Motion carried.

S. B. No. 194 on Second Reading.

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

Page 3, line 8, strike "$35,000.00".

On motion of Senator Richards *H. B. No. 164* was substituted for *S. B. No. 194.*

H. B. No. 164 was read the second time.

Committee report read and adopted.

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

Page 1, strike lines 1 to 12, inclusive, and insert in lieu thereof the following:

"Section 1. From and after the effective date of this act there is levied and there shall be collected by and paid to the State Tax Commission under forms, rules and regulations prescribed by said State Tax Commission, a tax upon every retail sale of wine and distilled liquors sold by the State Liquor Control Commission in the state of Utah. Said tax shall be equivalent to four per cent of the purchase

price paid or charged upon every said retail sale of said wine and distilled liquors.

All revenue collected or received by the State Tax Commission from said tax imposed by this act shall be deposited daily with the State Treasurer to be credited by him to, and to be kept by him in, a separate fund to be known as the school lunch fund. Provided, that for the purpose of more efficiently securing the payment, collection and accounting for the taxes provided for under this act, the tax commission in its discretion, by proper rules and regulations, shall provide for the issuance of tokens or other appropriate devices, or the use of tokens or devices already in use by the State Tax Commission, to facilitate collections."

H. B. No. 164 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, Ericksen, Farr, Hirschi, Kelly, Kendall, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney and Warner.

Absent and not voting: Senators Dawson, Hopkin, Huggins, Lund, Morrill and Mr. President.

On motion of Senator Romney the Enacting Clause was stricken on *S. B. No. 194.*

Senator Bailey moved that the rules be suspended and that the Senate do now consider *S. B. No. 180.*

Motion carried.

S. B. No. 180 was read the third time and placed on its final passage.

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

Page 4, line 21, and page 7, line 3, strike the word "funeral" and insert the word "burial".

Page 4, line 31, after the word "assistance" insert the words "and special diet".

S. B. No. 180 then passed on the following roll call:

Yeas, 21, Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen (explained vote), Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Voting in the negative: Senator Romney (explained vote).

Absent and not voting: Senator Dawson.

S. B. No. 180 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 125*, by Mr. Child, entitled, "AN ACT RELATING TO THE GUARDIANSHIP OF INCOMPETENT VETERANS AND OTHER INCOMPETENT AND MINOR BENEFICIARIES OF THE VETERANS ADMINISTRATION, AND TO COMMITMENT TO THE VETERANS ADMINISTRATION OR OTHER AGENCY OF THE UNITED STATES OF PERSONS ELIGIBLE FOR CARE OR TREATMENT, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, BEING PART OF TITLE 98, UTAH CODE ANNOTATED 1943, AND REPEALING CHAPTER 5, TITLE 98, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 125 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1943.

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. 130*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 49-4-1, UTAH CODE ANNOTATED 1943, RELATING TO EMPLOYMENT OF MINORS AND FEMALES IN MINES OR SMELTERS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 130 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1943.

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. 140*, by Mr. Warner, entitled, "AN ACT AMENDING SECTION 88-1a-6, UTAH CODE ANNOTATED 1943, RELATING TO THE DISTRIBUTION OF UTAH

CODE ANNOTATED 1943 BY THE SECRETARY OF STATE", 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.

On motion of Senator Child, *H. B. No.'s 11, 39, 84* and *85* were referred to the Sifting Committee.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced.

S. B. No. 217 By Revision and Enrolling Committee

AN ACT REPEALING SECTIONS 87-2-8, 87-2-9 AND 87-2-10, UTAH CODE ANNOTATED 1943, RELATING TO EMERGENCY POWERS OF THE GOVERNOR AND COMPLIANCE WITH ORDERS ISSUED THEREUNDER", was read the first time.

On motion of Senator Richards the rules were suspended and *S. B. No. 217* was referred to the Sifting Committee.

Senator Warner moved that the rules be suspended and that the Senate do now consider Senate Bills on the Third Reading Calendar.

Motion carried.

S. B. No. 72 was read the third time and placed on its final passage.

S. B. No. 72 then passed on the following roll call:

Yeas, 13; Nays, 4; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Farr, Hirschi, Hopkin, Kelly, Miller, Rich, Richards, Warner and Mr. President.

Those voting in the negative were: Senators Huggins (explained vote), Lund, Melich and Morrill.

Absent and not voting: Senators Dawson, Ericksen, Kendall, McMurrin, Nielsen and Romney.

S. B. No. 72 was transmitted to the House.

S. B. No. 65 was read the third time and placed on its final passage.

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

Page 1, line 3, after the word "tractors" insert the words ", and motor boats".

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

Line 2 of the title, strike the words "MOTOR FUEL" and insert the word "GASOLINE".

Page 1, line 2, strike the words "motor fuel" and insert the word "gasoline".

S. B. No. 65 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), Ericksen, Hirschi, Hopkin (explained vote), Kelly (explained vote), Kendall, Lund, McMurrin, Melich, Miller, Morrill (explained vote), Nielsen (explained vote), Rich (explained vote), Richards (explained vote), Romney, Warner and Mr. President (explained vote).

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

S. B. No. 65 was transmitted to the House.

On motion of Senator Richards the Senate adjourned until Thursday, March 11, 1943, at 10:30 a. m.

SIXTIETH DAY

MORNING SESSION

March 11, 1943.

The Senate was called to order at 10:30 a. m. President Macfarlane in the chair.

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

Prayer by the Chaplain.

March 11, 1943.

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,

ALONZO F. HOPKIN,

GEO. A. CHRISTENSEN.

Report adopted and filed.

Senator Bailey moved that the rules be suspended and that the Senate do now consider *S. B. No. 47.*

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 47 was read the third time and placed on its final passage.

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

Page 1, line 5, strike the last word "or".

Line 6, strike the words "without suspending sentence" and insert the word "and".

Line 8, strike the last two words.

Line 9, strike the last two words and insert the word "of".

Line 10, strike the first word. Also strike the words "under suspended sentence or".

Line 12, place a semi-colon after the word "probation" and strike the balance of the line.

Line 13, strike the underlined material.

Line 14, strike the last two words.

Line 17, strike the last three words.

Strike line 18.

Page 2, strike lines 1 to 6, inclusive, and insert in lieu thereof the following:

"Where it appears to the court from the report of the probation agent in charge of the defendant, or otherwise, that the defendant has complied with the conditions of such probation, the court may if it be compatible with the public interest either upon motion of the district attorney or of its own motion terminate the sentence or set aside the plea of guilty or conviction of the defendant, and dismiss the action and discharge the defendant."

Page 2, insert the following new section:

"Section 2. This act shall take effect upon approval".

S. B. No. 47 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Child, Christensen, Dawson, Huggins and Lund.

S. B. No. 47 was transmitted to the House.

H. B. No. 105 was read the third time and placed on its final passage.

Senator Morrill moved to amend the bill as follows:

Line 15, after "15%" strike the balance of the inserted amendment.

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

The motion failed on the following roll call:

Yeas, 10; Nays, 10; Absent, 3.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Farr, Hirschi, Kelly, Lund, Morrill, Richards and Mr. President.

Those voting in the negative were: Senators Ashton, Hopkin, Kendall, McMurrin, Melich, Miller, Nielsen, Rich, Romney and Warner.

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

H. B. No. 105 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Farr, Hirschi, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Ericksen, Hopkin and Huggins.

H. B. No. 105 was returned to the House.

H. B. No. 164 was read the third time and placed on its final passage.

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

Line 4 of the title, strike the word "FOR" and insert the word "FROM".

On motion of Senator Romney, action on *H. B. No. 164* was deferred.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *S. B. No. 216*.

Motion carried.

S. B. No. 216 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 216* was read the third time and placed on its final passage.

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

Page 3, lines 2 and 3, strike the words "county jail or".

Page 3, insert the following new Section:

"Section 2. This act shall take effect upon approval."

S. B. No. 216 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Farr, Hopkin, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Ericksen, Hirschi, Huggins, McMurrin and Rich.

S. B. No. 216 was transmitted to the House.

On motion of Senator Hopkin the Enacting Clause was stricken on *S. B. No. 5.*

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 48 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *H. B. No. 48* was read the third time and placed on its final passage.

H. B. No. 48 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Farr, Hirschi, Huggins, Lund, Melich, Miller, Nielsen, Richards, Romney, Warner and Mr. President.

Absent and not voting were: Senators Bailey, Dawson, Ericksen, Hopkin, Kelly, Kendall, McMurrin, Morrill and Rich.

H. B. No. 48 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, except Senator Dawson, excused.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 10th day of March, 1943, veto and return to the House for their further consideration *H. B. No. 9,* by Mr. Ward.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 95,* by Messrs. Stringham, Staples, Nielson, Christensen, Whittaker, Jones, Brinkerhoff and Smith.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 47,* by Mrs. Jack, entitled, "AN ACT AMENDING SECTIONS 25-2-7 AND 25-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE REGISTRATION OF ABSENT VOTERS", 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 10, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. R. No. 5,* by Mr. Macfarlane, entitled, "JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE RELATING TO THE AMERICAN NATIONAL RED CROSS", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 5 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 196,* by Committee on Social Relations and Relief, entitled, "AN ACT AMENDING SECTIONS 80-15-21 AND 80-15-23, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF CERTAIN REVENUE COLLECTED BY THE STATE TAX COMMISSION AND THE USE THEREOF BY THE PUBLIC WELFARE COMMISSION", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 196 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 132,* by Messrs. Huggins and Richards, entitled, "AN ACT AMENDING SECTION 80-12-9, UTAH CODE ANNOTATED 1943, RELATING TO THE ASSESSMENT FOR INHERITANCE TAX OF PROPERTY BELONGING TO A FOREIGN ESTATE AND PROVIDING FOR RECIPROCAL EXEMPTION FROM

SUCH TAX OF PERSONAL PROPERTY OTHER THAN TANGIBLE PERSONAL PROPERTY HAVING AN ACTUAL SITUS IN UTAH", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 132 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1943.

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. 119*, by the Committee on Fish and Game, entitled, "AN ACT AMENDING SECTIONS 30-0-2, 30-0-2B, 30-0-2D, 30-0-2E, 30-0-3, 30-0-5, 30-0-6, 30-0-9, 30-0-11, 30-0-13, 30-0-14, 30-0-15, 30-0-16, 30-0-18, 30-0-19, 30-0-25, 30-0-44, 30-0-48 AND 30-0-50, UTAH CODE ANNOTATED 1943, RELATING TO THE FISH AND GAME DEPARTMENT; THE FISH AND GAME COMMISSION, THE APPOINTMENTS, NUMBER, QUALIFICATIONS, TERMS AND SALARY OF ITS MEMBERS; THE DIRECTOR OF FISH AND GAME, HIS QUALIFICATIONS, APPOINTMENT TERM AND SALARY; THE MEETINGS OF THE COMMISSION; THE ISSUANCE OF NON-RESIDENT PERMITS TO HUNT AND FISH, LICENSES TO GUIDES AND LICENSES TO TRAP FUR-BEARING ANIMALS; AND ENACTING NEW SECTIONS TO BE KNOWN AS 30-0-2A, 30-0-2G AND 30-0-3A, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE CREATION OF DISTRICTS FROM WHICH COMMISSIONS ARE TO BE APPOINTED, AND THE POWERS AND DUTIES OF THE FISH AND GAME DIRECTOR; ALSO PROVIDING FOR THE REORGANIZATION OF THE STATE GAME REFUGE COMMITTEE AND THE STATE BOARD OF BIG GAME CONTROL", 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. 119 then passed on the following roll call:

Yeas, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Hirschi, Hopkin, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Farr, Huggins, Kelly, Lund and Warner.

S. B. No. 119 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 186*, by Committee on Revision and Enrolling, entitled, "AN ACT AMENDING SECTION 87-2-7, UTAH CODE ANNOTATED 1943, RELATING TO THE BUDGET", 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. 186 then passed on the following roll call:

Yeas, 12; Nays, 0; Absent, 13.

Those voting in the affirmative were: Senators Farr, Hirschi, Hopkin, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Child, Christensen, Dawson, Ericksen, Huggins, Kelly, Kendall, Lund and Warner.

S. B. No. 186 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

COMMUNICATION FROM THE GOVERNOR

March 11, 1943.

To the Senate

Ladies and Gentlemen:

On March 6, 1943, I received a communication from the Senate requesting me to submit the name of a person for the office of Commissioner of Finance for the term ending March 1, 1947.

Will you please be advised that on March 28, 1941 I submitted for the advice and consent of your Honorable Body, the name of Gordon

Taylor Hyde of Salt Lake City as Commissioner of the Department of Finance to serve during the period from the date the bill creating that department became effective to March 1, 1947.

On March 29, 1941, the Senate advised and consented to his appointment to said office for the period designated.

During the second special session which commenced on May 19, 1941, the Senate appropriated money for the salary of Mr. Hyde and his associates for the operating expenses of the Finance Department. I am sure that both the Governor and the Senate acted in good faith in the above matters.

If the Senate now believes that it proceeded illegally in the matter and that it violated the terms of the Constitution in what it did, it is not for the Governor nor the Senate to review the case or render a decision on the legality of the Senate's action. That is the duty of the courts. In fact the issue can never be finally decided by any other government body.

I therefore, do not feel justified in submitting a name to the office referred to above without a court adjudication of the issue. In refusing to comply with your request, I suggest that either the senate or some member thereof request the Attorney General to bring the issue before the courts in a proper action. After the matter has been passed on by the Supreme Court I shall act in accordance with its decision.

Respectfully yours,

HERBERT B. MAW,
Governor.

On motion of Senator Melich the communication was referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

March 10, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. J. R. No. 4*, by Committee on Senate Appropriations and Claims, entitled, "RELATING TO LEGISLATIVE BUDGET COMMITTEE TO ASCERTAIN FACTS OF FUNCTION, ECONOMY AND FINANCE OF STATE GOVERNMENT. A JOINT RESOLUTION AMENDING THE JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH BY ADDING JOINT RULE NO. 45, CREATING A JOINT LEGISLATIVE BUDGET COMMITTEE, DEFINING ITS POWERS AND DUTIES, AND MAKING AN APPROPRIATION OUT OF THE CONTINGENT FUNDS THEREFOR", together with a like committee of the House has

examined and 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. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 103*, by Mr. Farr, entitled, "AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION FOR THE DURATION OF THE PRESENT WAR EMERGENCY TO SHORTEN THE MINIMUM SCHOOL TERM, ADJUST THE SCHOOL PROGRAM AND CREDIT THEREFOR IN ANY SCHOOL DISTRICT AND IN ANY GRADE OR GRADES THEREOF WHERE THE LABOR OF STUDENTS IS NECESSARY TO PRODUCTION, HARVESTING OR PROCESSING OF AGRICULTURAL PRODUCTS", together with a like committee of the House has examined and 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. 103 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 130*, by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 49-4-1, UTAH CODE ANNOTATED 1943, RELATING TO EMPLOYMENT OF MINORS AND FEMALES IN MINES OR SMELTERS", together with a like committee of the

House has examined and 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. 130 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORT OF SPECIAL COMMITTEE

March 11, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report that all Senate bills on the Second Reading Calendar be erased from the board and the following bills be placed at the bottom of the Second Reading Calendar:

S. B. No. 217, S. B. No. 95, S. B. No. 121, S. B. No. 58, S. B. No. 98, H. B. No. 168, S. B. No. 100, S. B. No. 101, S. B. No. 111, S. B. No. 167, H. B. No. 113, S. B. No. 208, S. B. No. 133, S. B. No. 129.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Hirschi 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, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Bailey, Farr, Hirschi, Hopkin, McMurrin, Melich, Miller, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Dawson, Ericksen, Huggins, Kelly, Kendall, Lund, Morrill and Warner.

H. B. No. 51 was returned to the House.

H. B. No. 57 was read the second time.

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

Page 2, line 2, strike "apprhend" and insert the word "apprehend".

Page 1, line 2, strike "Id."

On motion of Senator Melich *H. B. No. 57* retains its position on the Calendar.

H. B. No. 64 was read the second time.

Committee report read and adopted.

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

Line 13, beginning with the word "and" strike the balance of the section.

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

Line 11, strike the word "intentionally" and insert the word "willfully".

On motion of Senator Hopkin the rules were suspended and *H. B. No. 64* was read the third time and placed on its final passage.

H. B. No. 64 then passed on the following roll call:

Yeas, 14; Nays, 1; Absent, 8.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Voting in the negative: Senator Miller (explained vote).

Absent and not voting: Senators Ashton, Child, Dawson, Huggins, Kelly, Kendall, Lund and Warner.

H. B. No. 64 was returned to the House.

H. B. No. 68 was read the second time.

Committee report read and adopted.

On motion of Senator Melich 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, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hirschi, Hopkin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Huggins, Kelly, Kendall, Lund, McMurrin and Warner.

H. B. No. 68 was returned to the House.

H. B. No. 70 was read the second time.

Committee report read and adopted.

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

Page 1, strike lines 3 and 4.

Line 5, preceding the word "When" insert "100-9-3".

Page 3, strike lines 19 and 20.

Line 21, preceding the word "It" insert "100-9-17".

On motion of Senator Melich the rules were suspended and *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, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Christensen, Ericksen, Farr, Hirschi, Hopkin, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Child, Dawson, Huggins, Kelly, Kendall, Lund and Warner.

H. B. No. 70 was returned to the House.

H. B. No. 77 was read the second time.

Committee report read and adopted.

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

Page 2, line 11, strike "elctrically" and insert the word "electrically".

On motion of Senator Melich the rules were suspended and *H. B. No. 77* was read the third time and placed on its final passage.

H. B. No. 77 then passed on the following roll call:

Yeas, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Christensen, Ericksen, Hirschi, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Bailey, Child, Dawson, Farr, Hopkin, Huggins, Kelly, Lund, Rich and Warner.

H. B. No. 77 was returned to the House.

H. B. No. 82 was read the second time.

Committee report read and adopted.

On motion of Senator Hirschi the rules were suspended and *H. B. No. 82* was read the third time and placed on its final passage.

H. B. No. 82 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, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Dawson, Huggins, Kelly, Lund and Warner.

H. B. No. 82 was returned to the House.

H. B. No. 88 was read the second time.

Committee report read and adopted.

On motion of Senator Melich the rules were suspended and *H. B. No. 88* was read the third time and placed on its final passage.

H. B. No. 88 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

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

H. B. No. 88 was returned to the House.

Senator Child moved that the rules be suspended and that the Senate do now consider *H. B. No. 175*.

Motion carried.

H. B. No. 175 was read the second time.

Committee report read and adopted.

On motion of Senator Child the rules were suspended and *H. B. No. 175* was read the third time and placed on its final passage.

H. B. No. 175 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Ericksen, Farr, Hirschi, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Christensen, Dawson, Hopkin, Huggins and Kendall.

H. B. No. 175 was returned to the House.

Senator Ericksen moved that the Senate do now consider *H. B. No. 164.*

Motion carried.

H. B. No. 164 on Third Reading.

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

Page 1, line 3 of the title, strike the words "RAISE IN PRICE ON" and insert in lieu thereof the words "TAX ON".

Page 1, line 3 of the title, strike the words "AND TO BE", and strike all of lines 4 and 5 of the title, and insert in lieu thereof the words "AUTHORIZING THE STATE BOARD OF EDUCATION".

Page 1, line 8 of the title, insert before the word "POWERS" the words "PRESCRIBING THE".

Page 1, lines 9 and 10 of the title, strike the words "SUPERINTENDENT OF PUBLIC INSTRUCTION" and insert in lieu thereof "BOARD OF EDUCATION".

Page 1, line 10 of the title, insert before the word "BEING" the following: "AUTHORIZING THE STATE BOARD OF EDUCATION TO ASSUME RESPONSIBILITY FOR W.P.A. SCHOOL LUNCH SUPPLIES AND EQUIPMENT AND MAKING AN APPORTIONMENT FROM SAID FUND FOR ADMINISTERING THE SCHOOL LUNCH PROGRAM".

In the Senate amendment of Section 1, strike the word "shall" preceding the word "provide" and insert the word "may".

Page 1, line 13 and Page 2, line 1, strike the words "superintendent of public instruction" and insert in lieu thereof the words "board of education".

Page 2, line 2, strike the word "his" and insert in lieu thereof the word "its".

Page 2, lines 2 and 3, strike the words "superintendent of public instruction" and insert in lieu thereof the words "board of education".

Page 2, lines 6 and 7, strike the words "superintendent of public instruction" and insert in lieu thereof "board of education".

Page 2, line 9, strike the words "for school children where a need therefor is shown and to continue" and strike all of lines 10 and 11; insert in lieu thereof the following: "and a school lunch program in the various school districts of the State of Utah in accordance with standards to be established by the state board of education".

Page 2, line 12, strike the words "superintendent of public instruction" and insert in lieu thereof the words "board of education".

Page 2, line 14, strike the words "in accordance with the school" and line 15 strike the words "population of each of said districts, and", and insert in lieu thereof "according to the number of school children re-

ceiving school lunches in the various school districts. For that purpose, the state board of education is authorized".

Page 2, lines 17 and 18, strike the words "superintendent of public instruction" and insert in lieu thereof "board of education".

Page 2, after line 22 add the following:

"Section 4. The State Board of Education is hereby authorized and empowered to accept and assume responsibility for such assets, supplies and equipment heretofore held and used by the Federal W.P.A. as may be available for use in a state school lunch program.

"Section 5. Such amount as may be necessary not to exceed $35,000.00 annually shall be apportioned from the school lunch fund to the State Board of Education for the purpose of administration and supervision of the school lunch program as provided for by this act.

"Section 6. This act shall take effect upon approval."

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

In Section 5, strike the figures "35" and insert the figures "20".

H. B. No. 164 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly (explained vote), Lund (explained vote), McMurrin, Melich (explained vote), Miller, Morrill (explained vote), Nielsen, Rich, Richards, Romney, Warner and Mr. President.

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

H. B. No. 164 was returned to the House.

Senator Richards moved that the rules be suspended and that the Senate do now consider *S. B. No. 217.*

Motion carried.

S. B. No. 217 was read the second time.

On motion of Senator Richards the rules were suspended and *S. B. No. 217* was read the third time and placed on its final passage.

S. B. No. 217 then passed on the following roll call:

Yeas, 14; Nays, 4; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Richards and Mr. President.

Those voting in the negative were: Senators Ericksen, Miller, Romney and Warner.

Absent and not voting: Senators Bailey, Dawson, Huggins, Nielsen and Rich.

S. B. No. 217 was transmitted to the House.

Senator Richards moved that the rules be suspended and that the Senate do now consider *S. B. No. 95.*

Motion carried.

S. B. No. 95 was read the second time.

Committee report read and adopted.

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

Page 1, lines 7 and 14, strike "( ) attributable to" and insert "derived from".

Lines 8 and 15, strike the words "by the taxpayer", and after the word "state" insert "by the tax paying corporation".

Line 15, strike the words "or interest and dividends derived from".

Line 16, strike all material with the exception of the word "less".

Line 17, after the word "state", insert "provided that the allocation shall not be determined by the fact of whether or not the corporation is a domestic or foreign corporation".

On motion of Senator Richards the rules were suspended and *S. B. No. 95* was read the third time and placed on its final passage.

S. B. No. 95 then passed on the following roll call:

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

Those voting in the affirmative were: Sentors Ashton, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Morrill and Nielsen.

S. B. No. 95 was transmitted to the House.

Senator Hirschi moved that the rules be suspended and that the Senate do now consider *S. B. No. 121.*

Motion carried.

S. B. No. 121 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 121* was read the third time and placed on its final passage.

S. B. No. 121 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Huggins, Nielsen and Richards.

S. B. No. 121 was transmitted to the House.

Senator Warner moved that the rules be suspended and that the Senate do now consider *S. B. No. 58.*

Motion carried.

S. B. No. 58 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 58* was read the third time and placed on its final passage.

S. B. No. 58 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ericksen, Farr, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Dawson, Hirschi, Huggins, Nielsen and Richards.

S. B. No. 58 was transmitted to the House.

H. B. No. 113 was read the second time.

Committee report read and adopted.

H. B. No. 113 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, Christensen, Ericksen, Farr, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Child, Dawson, Hirschi, Huggins, Nielsen and Richards.

Senator Morrill moved that the rules be suspended and that the Senate do now consider *S. B. No. 98.*

Motion carried.

S. B. No. 98 was read the second time.

Committee report read and adopted.

S. B. No. 98 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 5; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Romney, Warner and Mr. President.

Voting in the negative: Senators Christensen, Ericksen, Farr, Hopkin and Rich.

Absent and not voting: Senators Dawson, Hirschi, Huggins, Nielsen and Richards.

Senator Bailey moved that the rules be suspended and that the Senate do now consider *S. B. No. 133.*

Motion carried.

S. B. No. 133 was read the second time.

Committee report read and adopted.

On motion of Senator Bailey 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, 17; Nays, 1; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Farr, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Romney, Warner and Mr. President.

Voting in the negative: Senator Ericksen (explained vote).

Absent and not voting: Senators Dawson, Hirschi, Huggins, Nielsen and Richards.

S. B. No. 133 was transmitted to the House.

H. B. No. 174 was read the second time.

Committee report read and adopted.

On motion of Senator Child the rules were suspended and *H. B. No. 174* was read the third time and placed on its final passage.

H. B. No. 174 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Rich, Richards, Romney, Warner and Mr. President.

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

H. B. No. 174 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendment to *S. B. No. 71*, by Mr. Bailey, and has appointed a conference committee consisting of Representatives Walker, Jack and Larsen, 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 Bailey, Farr and Nielsen to act with a like committee from the House.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 168*, by Highways Committee, and has appointed a conference committee consisting of Representatives Ward, Wm. C. Jensen and Mabey 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 Huggins, Richards and Hirschi to act with a like committee from the House.

March 11, 1943.

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. 191*, by Messrs. Bailey and Melich, entitled, "AN ACT REPEALING SECTIONS 42-1-98,

42-1-99, AND 42-1-100, UTAH CODE ANNOTATED 1943, RELATING TO THE ADVISORY COUNCIL OF THE INDUSTRIAL COMMISSION", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 191 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 114*, by Mrs. Loveridge, entitled, "AN ACT AMENDING SECTION 15-7-22, UTAH CODE ANNOTATED 1943, RELATING TO POWERS OF CITIES AND TOWNS; EMPOWERING THEM TO LEVY AND COLLECT TAXES ON ABUTTING PROPERTY AND PROVIDING FOR THE LETTING OF BIDS IN SPECIAL IMPROVEMENT DISTRICTS AND MAKING IMPROVEMENTS WHEN BIDS EXCEED THE COST ESTIMATE", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 114 was read the first time and referred to the Sifting Committee.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 179*, by Messrs. T. M. Rees and Mabey, entitled, "AN ACT AMENDING SECTION 50-1-1, UTAH CODE ANNOTATED 1943, RELATING TO REPRESENTATION IN THE STATE SENATE; PRESCRIBING SENATORIAL DISTRICTS AND NUMBER OF SENATORS AND BOUNDARIES OF EACH DISTRICT", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 179 was read the first time and referred to the Sifting Committee.

COMMUNICATION FROM THE GOVERNOR

March 11, 1943.

To the Senate

Ladies and Gentlemen:

Section 46-0-47, Utah Code Annotated, 1943, which created the Liquor Control Commission, provided: "Immediately after the effective date of this act, the Governor shall appoint one commissioner to hold office for a period of two years, one to hold office for a period of four years, and one to hold office for a period of six years." Inasmuch as the act became effective on July 1, 1941, I am advised by the Attorney General that the term of Mrs. Jeanette P. Garner, the two-year appointee, does not end until July 1, 1943.

I hereby nominate Mr. Lawrence A. Johnson of Salt Lake County, as a Commissioner of the Utah State Liquor Control Commission for the period beginning July 1, 1943 and ending July 1, 1949.

Respectfully yours,

HERBERT B. MAW,
Governor.

Communication filed.

Appointment referred to the Committee on Appointments.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 73,* by Mr. Dawson, entitled, "AN ACT PROVIDING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY SOLD TO THE COUNTY UNDER TAX DEED OR FOR THE POSSESSION THEREOF, TO BE KNOWN AS SECTION 104-2-5.10, UTAH CODE ANNOTATED 1943."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 81,* by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-5, UTAH CODE ANNOTATED, 1943, RELATING TO

THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR THE RECOVERY OF REAL PROPERTY."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 25*, by Committee on Judiciary, entitled, "AN ACT RECOGNIZING THE POWER OF THE SUPREME COURT OF THE STATE OF UTAH TO PRESCRIBE, ALTER AND REVISE, BY RULES, FOR ALL COURTS OF THE STATE OF UTAH, THE FORMS OF PROCESS, WRITS, PLEADINGS AND MOTIONS AND THE PRACTICE AND PROCEDURE IN ALL CIVIL ACTIONS AND PROCEEDINGS, INCLUDING DIVORCE, PROBATE AND GUARDIANSHIP PROCEEDINGS, AND PROVIDING FOR THE PROMULGATION OF SUCH RULES AND THE EFFECT THEREOF TO BE KNOWN AS SECTION 20-2-4.10, UTAH CODE ANNOTATED 1943."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 32*, by Committee on Judiciary, entitled, "AN ACT AMENDING SECTION 80-12-7, UTAH CODE ANNOTATED 1943, RELATING TO DETERMINATION OF NET ESTATES FOR INHERITANCE TAX PURPOSES."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 82*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 104-2-6, UTAH CODE ANNOTATED 1943, RELATING TO ACTIONS, DEFENSES AND COUNTERCLAIMS FOUNDED UPON TITLE TO REAL ESTATE AND THE TIME WITHIN WHICH SUCH

ACTIONS MAY BE COMMENCED AND DEFENSES AND COUNTERCLAIMS INTERPOSED."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 197*, by Mr. Dawson, entitled, "AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, RELATING TO CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED OR LEASED BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATION FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 105*, by Mr. Meador.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 11, 1943.

Mr. President:

Your Conference Committee to which was referred *S. B. No. 71*, begs leave to report that they have met with the House Committee and after conference do hereby recommend that the Senate concur in the House amendments.

Respectfully submitted,

J. ARTHUR BAILEY,
DEXTER FARR,
EMIL K. NIELSEN.

Report adopted and filed.

S. B. No. 71 failed of passage on the following roll call:

Yeas, 0; Nays, 14; Absent, 9.

Those voting in the negative were: Senators Bailey, Ericksen, Farr, Hirschi, Hopkin, Kelly, Kendall, Melich, Miller, Morrill, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Dawson, Huggins, Lund, McMurrin, Nielsen and Warner.

S. B. No. 71 was filed.

Senator Hirschi moved that the rules be suspended and that the Senate ask the House to return to this body *H. B. No. 82.*

Motion carried.

REPORTS OF STANDING COMMITTEE

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 125,* by Mr. Child, entitled, "AN ACT RELATING TO THE GUARDIANSHIP OF INCOMPETENT VETERANS AND OTHER INCOMPETENT AND MINOR BENEFICIARIES OF THE VETERANS ADMINISTRATION, AND COMMITMENT TO THE VETERANS ADMINISTRATION OR OTHER AGENCY OF THE UNITED STATES OF PERSONS ELIGIBLE FOR CARE OR TREATMENT, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, BEING PART OF TITLE 98, UTAH CODE ANNOTATED 1943, AND REPEALING CHAPTER 5, TITLE 98, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 125 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 140*, by Mr. Warner, entitled, "AN ACT AMENDING SECTION 88-1A-6 UTAH CODE ANNOTATED 1943, RELATING TO THE DISTRIBUTION OF UTAH CODE ANNOTATED 1943 BY THE SECRETARY OF STATE," together with a like committee of the House has examined and 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.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced.

S. B. No. 218 By Mr. Miller

AN ACT AMENDING SECTION 25-2-8, UTAH CODE ANNOTATED, 1943, PROVIDING FOR REGISTRATION OF ABSENT VOTERS ENGAGED IN MILITARY SERVICE OF THE UNITED STATES, was read the first time, ordered mimeographed and referred to the Sifting Committee.

Senator Rich moved that the rules be suspended and that the Senate do now consider Senate Bills on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 100 was read the second time.

Committee report read and adopted.

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

Line 5 of the title at the end of the line, insert ", BEING PART OF TITLE 35, UTAH CODE ANNOTATED, 1943 AND REPEALING CHAPTER 6, TITLE 35, UTAH CODE ANNOTATED, 1943."

Page 2, strike line 28.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 100* was read the third time and placed on its final passage.

S. B. No. 100 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Dawson, Ericksen, Farr, Hopkin, Kelly, Kendall, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Hirschi, Huggins, Lund, McMurrin and Warner.

S. B. No. 100 was transmitted to the House.

S. B. No. 101 was read the second time.

Committee report read and adopted.

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

Page 1, line 4, in "( )" insert "a".

Page 3, line 21 at the end of the line, change "resopn" to read "respon".

Page 4, strike line 11.

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

Page 3, line 18, after the word "the" insert the words "county or district".

On motion of Senator Ericksen 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, 12; Nays, 1; Absent, 10.

Those voting in the affirmaitve were: Senators Bailey, Dawson, Ericksen, Farr, Hopkin, Melich, Miller, Morrill, Rich, Richards, Romney and Mr. President.

Voting in the negative: Senator Kelly.

Absent and not voting: Senators Ashton, Child, Christensen, Hirschi, Huggins, Kendall, Lund, McMurrin, Nielsen and Warner.

S. B. No. 101 was transmitted to the House.

S. B. No. 111 was read the second time.

Committee report read and adopted.

On motion of Senator Ericksen the bill was amended as follows.

Page 2, strike lines 27 and 28 and insert in lieu thereof the words "Section 8. All acts or parts of acts in conflict with the provisions of this act are hereby repealed."

Strike line 29.

Line 7 of the title, beginning with the word "BEING" strike the balance of the title and insert in lieu thereof the words "AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH."

S. B. No. 111 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 Bailey, Dawson, Ericksen, Farr, Hopkin, Kelly, Melich, Miller, Morrill, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Hirschi, Huggins, Kendall, Lund, McMurrin, Nielsen and Warner.

S. B. No. 167 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, strike the word "Section".

On motion of Senator Richards the rules were suspended and *S. B. No. 167* was read the third time and placed on its final passage.

S. B. No. 167 then passed on the following roll call:

Yeas, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Bailey, Dawson, Ericksen, Farr, Hopkin, Kendall, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Hirschi, Huggins, Kelly, Lund, McMurrin and Warner.

S. B. No. 167 was transmitted to the House.

S. B. No. 208 was read the second time.

Committee report read and adopted.

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

Page 1, strike lines 1 to 4, inclusive, and renumber the following sections accordingly.

Page 2, line 1, after the word "chickens" insert the words "or turkeys".

Line 17, after the word "chicks" insert the word "poults".

Line 18, after the word "chicks" insert the word "started".

Line 21, after the word "agencies" insert the words "and hatcheries".

After line 28, insert the following:

"Section 6. The state board of Agriculture shall administer and enforce the provisions of this act, and to prevent the spread and introduction and to otherwise control and eradicate the pullorum disease within the boundaries of the state. The state board of Agriculture may confiscate all chicks, poults, and eggs not entering the state in compliance with this act and may either destroy said chicks, poults, or eggs, or return the same to the shipper at the shipper's expense.

Section 7. Any person violating the provisions of this act, or any person, firm, association, or corporation selling, or offering for sale, or causing to be sold, or offered for sale, any chicks, poults, or eggs, which have not originated from flocks authoratively participating in the pullorum control as provided for herein, or fails in compliance with any other requirements herein, is guilty of a misdemeanor."

On motion of Senator Hopkin the rules were suspended and *S. B. No. 208* was read the third time and placed on its final passage.

S. B. No. 208 then passed on the following roll call:

Yeas, 12; Nays, 0; Absent, 11.

Those voting in the affirmative were: Senators Bailey, Dawson, Farr, Hopkin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, Christensen, Ericksen, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin and Warner.

S. B. No. 208 was transmitted to the House.

REPORTS OF STANDING COMMITTEES

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 132*, by Messrs. Huggins and Richards, entitled, "AN ACT AMENDING SECTION 80-12-9, UTAH CODE ANNOTATED 1943, RELATING TO THE ASSESSMENT FOR INHERITANCE TAX OF PROPERTY BELONGING TO A FOREIGN ESTATE AND PROVIDING FOR RECIPROCAL EXEMPTION FROM SUCH TAX OF PERSONAL PROPERTY OTHER THAN TANGIBLE PERSONAL

PROPERTY HAVING AN ACTUAL SITUS IN UTAH", together with a like committee of the House has examined and 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 186*, by Committee on Revision and Enrolling, entitled, "AN ACT AMENDING SECTION 87-2-7, UTAH CODE ANNOTATED 1943, RELATING TO THE BUDGET", together with a like committee of the House has examined and 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.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 196*, by Committee on Social Relations and Relief, entitled, "AN ACT AMENDING SECTIONS 80-15-21 AND 80-15-23, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF CERTAIN REVENUE COLLECTED BY THE STATE TAX COMMISSION AND THE USE THEREOF BY THE PUBLIC WELFARE COMMISSION", together with a like committee of the House has examined and 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.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 64*, by Mr. Nielson.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 11, 1943.

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 Irrigation Committee.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the present of the House, *S. J. R. No. 4*, by Committee on Appropriations and Claims, entitled, "RELATING TO LEGISLATIVE BUDGET COMMITTEE TO ASCERTAIN FACTS OF FUNCTION, ECONOMY AND FINANCE OF STATE GOVERNMENT. A JOINT RESOLUTION AMENDING THE JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH BY ADDING JOINT RULE NO. 45, CREATING A JOINT LEGISLATIVE BUDGET COMMITTEE, DEFINING ITS POWERS AND DUTIES, AND MAKING AN APPROPRIATION OUT OF THE CONTINGENT FUNDS THEREFOR", 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. 4 was transmitted to the Secretary of State.

March 11, 1943.

Mr. President:

Pursuant to your request I am returning herewith *H. B. No. 82,* by Messrs. Milliman and Stevens, for your further consideration.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

Senator Hirschi moved that the rules be suspended and that *H. B. No. 82* be referred to the Sifting Committee.

March 11, 1943.

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. 103,* by Mr. Farr, entitled, "AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION FOR THE DURATION OF THE PRESENT WAR EMERGENCY TO SHORTEN THE MINIMUM SCHOOL TERM, ADJUST THE SCHOOL PROGRAM AND CREDIT THEREFOR IN ANY SCHOOL DISTRICT AND IN ANY GRADE OR GRADES THEREOF WHERE THE LABOR OF STUDENTS IS NECESSARY TO PRODUCTION, HARVESTING OR PROCESSING OF AGRICULTURAL PRODUCTS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 103 was transmitted to the Governor.

March 11, 1943.

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. 130,* by Messrs. Richards and Melich, entitled, "AN ACT AMENDING SECTION 49-4-1, UTAH CODE ANNOTATED 1943, RELATING

TO EMPLOYMENT OF MINORS AND FEMALES IN MINES OR SMELTERS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 130 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 180,* by Committee on Social Relations and Relief, and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 180 was filed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 181,* by Mr. Milliman, entitled, "AN ACT AMENDING SECTION 57-7-78, UTAH CODE ANNOTATED 1943, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS; DEFINITIONS; CHANGING THE ADMINISTRATION OF THE LAW RELATING THERETO FROM THE STATE TAX COMMISSION TO THE DRIVERS LICENSE DIVISION OF THE STATE HIGHWAY PATROL", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 181 was read the first time and referred to the Sifting Committee.

March 11, 1943.

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 Mr. Warner, entitled, "AN ACT AMENDING SECTION 88-1A-6 UTAH CODE ANNOTATED 1943, RELATING TO THE DISTRIBUTION OF UTAH CODE ANNOTATED 1943 BY THE SECRETARY OF STATE", 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 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 125*, by Mr. Child, entitled, "AN ACT RELATING TO THE GUARDIANSHIP OF INCOMPETENT VETERANS AND OTHER INCOMPETENT AND MINOR BENEFICIARIES OF THE VETERANS ADMINISTRATION, AND TO COMMITMENT TO THE VETERANS ADMINISTRATION OR OTHER AGENCY OF THE UNITED STATES OF PERSONS ELIGIBLE FOR CARE OR TREATMENT, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, BEING PART OF TITLE 98, UTAH CODE ANNOTATED 1943, AND REPEALING CHAPTER 5, TITLE 98, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 125 was transmitted to the Governor.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced.

S. B. No. 219 By Committee on Appropriations and Claims

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1943, AND ENDING JUNE 30, 1945, was read the first time and referred to the Sifting Committee.

On motion of Senator Farr the Senate resolved itself into Executive Session.

On motion of Senator Richards the Executive Session dissolved.

REPORT OF SPECIAL COMMITTEE

March 11, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report as follows:

That the Second Reading Calendar be cleared and the following bills be now placed upon the Second Reading Calendar:

H. B. No. 176, H. B. No. 177, H. B. No. 39, H. B. No. 84, H. B. No. 85, H. B. No. 57, H. B. No. 99, H. B. No. 106, H. B. No. 173, H. B. No. 168, S. B. No. 129, H. C. R. No. 4, S. B. No. 193, H. B. No. 138, S. B. No. 134, H. B. No. 152, H. B. No. 87, S. B. No. 87, H. B. No. 148, S. B. No. 177, S. B. No. 219.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 77*, by Mrs. Jack, Messrs. Cowles, Jensen and Bell.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 11, 1943.

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. 133*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, RELATING TO THE EMPLOYMENT OF MINORS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 133 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 216*, by Mr. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9 AND 78-6a-10, UTAH CODE ANNOTATED 1943", and the same is transmitted 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. 216 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Hopkin and Kendall.

S. B. No. 216 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 188*, by Committee on Revision and Enrolling, entitled, "AN ACT RELATING TO THE PREPARATION, ISSUANCE AND DRAWING OF WARRANTS UPON THE STATE TREASURER AND TO MAKE UNIFORM

THE LAWS WITH RESPECT THERETO, BEING A PART OF UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Farr the Senate concurred in the House amendments.

S. B. No. 188 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Hopkin and Kendall.

S. B. No. 188 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 180,* by Mrs. Jack, entitled, "AN ACT PROVIDING FOR THE INSPECTION AND CONTROL BY THE STATE BOARD OF AGRICULTURE OF THE SLAUGHTERING, SALE, AND DISPOSAL OF THE MEAT PRODUCTS OF HORSES, OTHER ANIMALS AND BELOW-GRADE TURKEYS WHICH ARE TO BE USED OR SOLD FOR HUMAN FOOD, WITH POWER TO MAKE RULES AND REGULATIONS PERTAINING THERETO: DEFINITIONS AND EXEMPTIONS", 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 Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 113 was read the third time and placed on its final passage.

H. B. No. 113 then passed on the following roll call:

Yeas, 17; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Ericksen (explained vote), Farr, Hopkin, Huggins (explained vote), Kendall (explained vote), Lund, McMurrin, Miller Morrill, Nielsen, Rich, Romney, Warner (explained vote) and Mr. President.

Those voting in the negative were: Senators Child, Hirschi (explained vote), Kelly (explained vote), Melich and Richards (explained vote).

Absent and not voting: Senator Dawson.

H. B. No. 113 was returned to the House.

Senator Morrill moved that the rules be suspended and that the Senate do now consider *S. B. No. 98.*

Motion carried.

S. B. No. 98 was read the third time and placed on its final passage.

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

Page 8, line 31, strike the word "such" and insert the words "each race".

Page 9, lines 26 and 30, strike the word "of" and insert the word "or".

Page 5, line 2, at the end of the line insert "provided there shall be no racing on Sunday".

Page 11, insert the following new section:

"Section 32. This act shall take effect upon cessation of hostilities by the United States in the present war and upon declaration of the governor of the State of Utah."

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

Page 10, strike lines 19 to 22, inclusive and insert in lieu thereof the following:

"Section 27. Profits to the amount of 25% of net profits derived from any horse race meet held in the State of Utah other than that paid as a license fee, as herein provided, shall be paid into the state treasury and credited into the special fund created by the provisions of Section

20 hereof, and shall be used for the development and encouragement of livestock shows in this state."

S. B. No. 98 then passed on the following roll call:

Yeas, 13; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Romney and Mr. President.

Those voting in the negative were: Senators Christensen, Ericksen, Farr, Hopkin, McMurrin (explained vote), Rich, Richards and Warner.

Absent and not voting: Senators Dawson and Hirschi.

S. B. No. 98 was transmitted to the House.

REPORTS OF STANDING COMMITTEES

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. J. R. No. 5,* by Mr. Macfarlane, entitled, "A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE RELATING TO THE AMERICAN NATIONAL RED CROSS", together with a like committee of the House has examined and 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. 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.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 119,* by Committee on Fish and Game, entitled, "AN ACT AMENDING SECTIONS 30-0-2, 30-0-2B, 30-0-2D, 30-0-2E, 30-0-3, 30-0-5, 30-0-6, 30-0-9, 30-0-11, 30-0-13, 30-0-14, 30-0-15, 30-0-16, 30-0-18, 30-0-19, 30-0-25, 30-0-44, 30-0-48, AND 30-0-50, UTAH CODE ANNOTATED 1943, RELATING TO THE FISH AND GAME DEPARTMENT; THE FISH AND GAME COMMISSION, THE AP-

POINTMENTS, NUMBER, QUALIFICATIONS, TERMS AND SALARY OF ITS MEMBERS; THE DIRECTOR OF FISH AND GAME, HIS QUALIFICATIONS, APPOINTMENT TERM AND SALARY; THE MEETINGS OF THE COMMISSION; THE ISSUANCE OF NONRESIDENT PERMITS TO HUNT AND FISH, LICENSES TO GUIDES AND LICENSES TO TRAP FUR-BEARING ANIMALS: AND ENACTING NEW SECTIONS TO BE KNOWN AS 30-0-2A, 30-0-2G AND 30-0-3A, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE CREATION OF DISTRICTS FROM WHICH COMMISSIONERS ARE TO BE APPOINTED, AND THE POWERS AND DUTIES OF THE FISH AND GAME DIRECTOR; ALSO PROVIDING FOR THE REORGANIZATION OF THE STATE GAME REFUGE COMMITTEE AND THE STATE BOARD OF BIG GAME CONTROL," together with a like committee of the House has examined and 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. 119 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 133*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, RELATING TO THE EMPLOYMENT OF MINORS", together with a like committee of the House has examined and 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. 133 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 188,* by Committee on Revision and Enrolling, entitled, "AN ACT RELATING TO THE PREPARATION, ISSUANCE AND DRAWING OF WARRANTS UPON THE STATE TREASURER AND TO MAKE UNIFORM THE LAWS WITH RESPECT THERETO, BEING PART OF UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 188 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 191,* by Messrs. Bailey and Melich, entitled, "AN ACT REPEALING SECTIONS 42-1-98, 42-1-99 AND 42-1-100, UTAH CODE ANNOTATED 1943, RELATING TO THE ADVISORY COUNCIL OF THE INDUSTRIAL COMMISSION", together with a like committee of the House has examined and 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. 191 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 216,* by Mr. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF

ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF, TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9 AND 78-6a-10, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 216 was signed 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 11, 1943.

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. 184*, by Committee on Revision and Enrolling, entitled, "AN ACT AMENDING SECTIONS 87-4-1 AND 87-4-9, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE AUDITOR; HIS POWERS, QUALIFICATIONS, DUTIES, AND BOND AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 87-4-4.10, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION BY THE STATE AUDITOR OF CERTAIN PAYMENTS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Kelly the Senate concurred in the House amendments.

S. B. No. 184 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Ericksen, Hirschi, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Ashton, Dawson, Farr and Hopkin.

S. B. No. 184 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 128*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTIONS 57-12-6, 57-12-8, 57-12-9 AND 57-12-10, UTAH CODE ANNOTATED 1943, RELATING TO MONTHLY REPORTS OF SALES OF MOTOR FUEL, REPORTS OF CARRIERS OF MOTOR FUEL IMPORTED INTO THIS STATE, PAYMENT OF THE TAX UPON MOTOR FUEL AND THE ALLOCATION OF SUCH TAX, AND PROVIDING THE PENALTY FOR FAILURE TO MAKE PAYMENT OF SUCH TAX, AND ENACTING A NEW SECTION TO BE KNOWN AS 57-12-9.10, UTAH CODE ANNOTATED 1943, RELATING TO TRANSMISSION OF REPORTS AND TAXES BY MAIL", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 128 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 146*, by Mr. Hirschi, entitled, "AN ACT AMENDING SECTION 8-0-4, UTAH CODE ANNOTATED 1943, RELATING TO SINKING FUNDS OF CITIES, COUNTIES, SCHOOL DISTRICTS, AND OTHER TAXING UNITS AND PRESCRIBING THE SECURITIES IN WHICH SUCH FUNDS MAY BE INVESTED", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 146 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 58,* by Messrs. Huggins, Hopkin and Macfarlane, entitled, "AN ACT FOR THE REGULATION AND LICENSING OF DAY NURSERIES, PERSONS AND ORGANIZATIONS PROVIDING DAY CARE FOR CHILDREN", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 58 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 59,* by Messrs. Macfarlane, Hopkin and Huggins, entitled, "AN ACT AUTHORIZING STATE DEPARTMENTS TO PROMOTE PROGRAMS OF CARE FOR CHILDREN OF WORKING MOTHERS AND TO RECEIVE AND EXPEND FUNDS FOR THIS PURPOSE", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 59 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

Senator Ericksen moved that the rules be suspended and that the Senate do now consider *S. B. No. 111.*

Motion carried.

S. B. No. 111 was read the third time and placed on its final passage.

S. B. No. 111 then passed on the following roll call:

Yeas, 17, Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Hirschi, Kelly, Kendall, Lund, McMurrin, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson, Farr, Hopkin Huggins, Melich and Miller.

S. B. No. 111 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 176 was read the second time.

Committee report read and adopted.

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

Line 4 in the blank space insert "112,117.50".

Line 3 of the title, beginning with the word "BEING" strike the balance of the title.

Line 3 of the title, after the word "CORPORATIONS" insert "AND TO PROVIDE FOR THE TRANSFER OF MOTOR VEHICLE REGISTRATION FUNDS FOR THE ENFORCEMENT OF THE MOTOR TRANSPORT ACT".

After the figures on line 4, strike the balance of the Section and insert in lieu thereof the following:

"for the 1943-44 biennium, the same to be assessed and collected in accordance with the provisions of chapter 4a, title 76, Utah Code Annotated 1943, and there is hereby appropriated to the public service commission the sum of $25,000 from the motor vehicle registration fund for enforcement of the provisions of title 76, chapter 5, Utah Code Annotated 1943 (Motor Transport Act)."

On motion of Senator Huggins the rules were suspended and *H. B. No. 176* was read the third time and placed on its final passage.

H. B. No. 176 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Lund, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Warner and Mr. President.

Absent and not voting: Senators Dawson, Kendall and Romney.

H. B. No. 176 was returned to the House.

H. B. No. 177 was read the second time.

Committee report read and adopted.

On motion of Senator Huggins the rules were suspended and *H. B. No. 177* was read the third time and placed on its final passage.

H. B. No. 177 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Voting in the negative: Senators McMurrin.

Absent and not voting: Senator Dawson.

H. B. No. 177 was returned to the House.

H. B. No. 39 was read the third time and placed on its final passage.

H. B. No. 39 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Hirschi and Lund.

H. B. No. 39 was returned to the House.

H. B. No. 84 was read the second time.

Committee report read and adopted.

On motion of Senator Kelly the rules were suspended and *H. B. No. 84* was read the third time and placed on its final passage.

H. B. No. 84 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Hirschi and Lund.

H. B. No. 84 was returned to the House.

H. B. No. 85 was read the second time.

Committee report read and adopted.

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

Page 3, following line 2, insert the following:

"If any provisions of this act respecting the income or the resources of recipients are in conflict with the provisions of the Federal Social Security Act as amended, or any lawful ruling or regulation thereunder, then such provision or provisions of this act shall not apply; but the provisions of the Federal Social Security Act or the rulings or regulations thereunder in conflict therewith shall prevail".

On motion of Senator Romney the rules were suspended and *H. B. No. 85* was read the third time and placed on its final passage.

H. B. No. 85 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

Absent and not voting: Senators Dawson and McMurrin.

H. B. No. 85 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the house has this day passed *H. B. No. 182,* by Committee on Appropriations, entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1943, AND ENDING JUNE 30, 1945", and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 182 was read the first time.

Senator Huggins moved that the rules be suspended and that the Senate do now consider *H. B. No. 182.*

Motion carried.

H. B. No. 182 was read the second time.

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

Page 28, strike lines 10 and 11.

Page 4, between lines 19 and 20 insert "Welfare Funds $40,000.00",

Line 20, strike the figure "6" and insert the figure "4".

Page 15, line 16, between the figures "6" and "4" strike the period and insert a comma.

Page 16, line 29, strike the words "Commission for" and insert the words "State Board of Education-".

Page 1, line 17, before the word "in" insert the following: "which are to be paid into the state treasury".

Line 18, after the word "Fund" strike the period and substitute a comma and add the following: "except where otherwise specifically provided by law and excepting also collections of the Department of Agriculture for special services".

On motion of Senator Huggins the rules were suspended and *H. B. No. 182* was read the third time and placed on its final passage.

H. B. No. 182 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Nielsen, Rich, Richards, Romney, Warner and Mr. President.

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

H. B. No. 182 was returned to the House.

COMMUNICATIONS FROM THE GOVERNOR

March 11, 1943.

To the Senate

Ladies and Gentlemen:

I have this day nominated the following persons for the office designated and hereby respectfully submit their names for your advice and consent:

For Members of the Board of Corrections:

Robert Lynch, Salt Lake County, for the term ending on the first Monday of March, 1947.

Herbert A. Snow, Salt Lake County, for the term ending on the first Monday of March, 1949.

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

Appointments referred to the Committee on Appointments.

March 11, 1943.

To the Senate:

I have today approved and transmitted to the Secretary of State, *S. B. No. 83,* by Mr. Christensen, entitled, "AN ACT AMENDING SECTION 43-3-7, UTAH CODE ANNOTATED 1943, RELATING TO THE TAXATION OF INSURANCE COMPANIES PRESCRIBING THE RATE OF TAXATION AND THE METHOD OF DETERMINATION THEREOF."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Bailey the Senate resolved itself into Executive Session.

On motion of Senator Richards the Executive Session was dissolved.

Senator Christensen moved that the rules be suspended and that the Senate do now advise and consent to the following appointments:

For Members of the Board of Corrections:

Robert Lynch, Salt Lake County, for the term ending on the first Monday of March, 1947.

Herbert A. Snow, Salt Lake County, for the term ending on the first Monday of March, 1949.

For Commissioner in the Department of Business Regulation:

Oscar W. Carlson, Salt Lake County, for term ending February 28, 1949.

For the Advisory Council of the State Department of Public Welfare:

Nels L. Peterson of Millard County, for the term ending February 28, 1944.

Ray P. Lund of Sanpete County, for the term ending February 28, 1945.

Della Loveridge of Utah County, for the term ending February 28, 1946.

Roscoe W. Bowden of Salt Lake County, for the term ending February 28, 1947.

Ray Van Noy of Salt Lake County, for the term ending February 28, 1948.

Lawrence B. Johnson of Rich County, for the term ending February 28, 1949.

For Commissioner in the Department of Publicity and Industrial Development:

Ora Bundy of Weber County, for the six-year term beginning March 1, 1943, and ending February 28, 1949.

For a Member of the Advisory Council of the Department of Publicity and Industrial Development:

James W. Wade of Salt Lake County, for the six-year term beginning March 1, 1943, and ending February 28, 1949.

For a Member of the Water Resources Development Advisory Council of the Department of Publicity and Industrial Development:

Otis Weeks of Weber County, for the seven-year period beginning March 1, 1943, and ending February 28, 1950.

For Commissioner in the Utah State Liquor Control Commission for the term ending July 1, 1949:

Lawrence A. Johnson.

For the Advisory Council of the Industrial Commission:

A. H. Nebeker, Salt Lake County, for the term ending February 28, 1944.

Fullmer Latter of Salt Lake County, for the term ending February 28, 1945.

William M. McPhie of Carbon County, for the term ending February 28, 1946.

Sol Selvin of Tooele County, for the term ending February 28, 1947.

John E. Booth of Utah County, for the term ending February 28, 1948.

David S. Romney of Weber County, for the term ending February 28, 1949.

Motion carried.

REPORT OF SPECIAL COMMITTEE

March 11, 1943.

Mr. President:

We, your Sifting Committee, beg leave to report out *H. B. No. 180* at the head of the Second Reading Calendar.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 58,* by Messrs. Huggins, Hopkin and Macfarlane, entitled, "AN ACT FOR THE REGULATION AND LICENSING OF DAY NURSERIES, PERSONS AND ORGANIZATIONS PROVIDING DAY CARE FOR CHILDREN", together with a like committee of the House has examined and 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. 58 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing, *S. B. No. 146,* by Mr. Hirschi, entitled, "AN ACT AMENDING SECTION 8-0-4, UTAH CODE ANNOTATED 1943, RE-

LATING TO SINKING FUNDS OF CITIES, COUNTIES, SCHOOL DISTRICTS, AND OTHER TAXING UNITS AND PRESCRIBING THE SECURITIES IN WHICH SUCH FUNDS MAY BE INVESTED", together with a like committee of the House has examined and 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. 146 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 184*, by Committee on Revision and Enrolling, entitled, "AN ACT AMENDING SECTIONS 87-4-1 AND 87-4-9, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE AUDITOR; HIS POWERS, QUALIFICATIONS, DUTIES, AND BOND AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 87-4-4.10, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION BY THE STATE AUDITOR OF CERTAIN PAYMENTS", together with a like committee of the House has examined and 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. 184 was signed 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 11, 1943.

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. Joseph E. Rees, entitled, "AN ACT

AMENDING SECTIONS 36-6-3, 36-6-6, 36-6-10, 36-6-11, 36-6-17, 36-6-21 AND 36-6-24, UTAH CODE ANNOTATED 1943, RELATING TO THE DESIGNATION OF CERTAIN STATE ROADS", 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.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 64*, by Mr. James L. Nielson, entitled, "AN ACT AMENDING SECTIONS 103-22-1 AND 103-22-2, UTAH CODE ANNOTATED 1943, RELATING TO EXPOSING TO FIRE OR THE FIRING OF TREES, SHRUBS, BRUSH, GRASS, UNDERGROWTH OR CROPS ON ANOTHER'S LAND, INCLUDING LIVESTOCK AND LIVESTOCK PRODUCTS, AND PROVIDING THAT IT IS A FELONY TO INTENTIONALLY OR MALICIOUSLY SET FIRE TO TREES, SHRUBS, BRUSH, GRASS, UNDERGROWTH, LIVESTOCK, LIVESTOCK PRODUCTS OR CROPS; PENALTIES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 64 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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 Irrigation Committee, entitled, "AN ACT REPEALING SECTION 100-1-14, UTAH CODE ANNOTATED 1943,

RELATING TO WATER RIGHTS APURTENANT TO LAND UNDER FEDERAL PROJECTS", 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 11, 1943.

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 Irrigation Committee entitled, "AN ACT AMENDING SECTIONS 100-9-3 AND 100-9-17, UTAH CODE ANNOTATED, 1943, RELATING TO IRRIGATION AND CONSERVATION DISTRICTS; LAND AND WATER ALLOTMENTS, CHANGES, LIMITATIONS; AND PROVIDING THAT COUNTY COMMISSIONERS SHALL DETERMINE LANDS IN DISTRICTS WHICH NEED NOT BE CONTIGUOUS; ELECTION OF BOARD OF DIRECTORS FOR EACH DISTRICT AND PROVIDING FURTHER THAT DIRECTORS SHALL DETERMINE BEFORE JULY FIRST OF EACH YEAR THE FUNDS NEEDED FOR CURRENT YEAR", 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.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 77,* by Mrs. Jack, Messrs. Cowles, Jensen and Bell, entitled, "AN ACT AMENDING SECTION 70-0-14, UTAH CODE ANNOTATED 1943, RELATING TO THE EQUIPMENT REQUIRED ON LOCOMOTIVES; SIGNALS AT CROSSINGS BY THE RINGING OF

BELLS, SOUNDING OF WHISTLES, AND PROVIDING THAT A SIREN MAY BE SOUNDED; DEFINING LOCOMOTIVES AND EMPOWERING LOCAL AUTHORITIES TO FURTHER REGULATE AND CONTROL SIGNALS AT CROSSINGS BY LOCOMOTIVES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 77 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. 88,* by Mr. Bell, entitled, "AN ACT AMENDING SECTION 54-3-1, UTAH CODE ANNOTATED 1943, RELATING TO STATE, COUNTY, MUNICIPAL CORPORATION OR GOVERNMENTAL DISTRICT EMPLOYEES WHO HAVE ENTERED OR WILL ENTER ACTIVE MILITARY FORCES OF THE UNITED STATES OR STATE MILITIA AND PROVIDING THAT THEY MAY BE RESTORED TO THEIR POSITION OF EMPLOYMENT AFTER TERMINATION OF MILITARY DUTY", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 88 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. 95,* by Messrs. Staples, Neilson, Christensen, Whittaker, Jones, Brinkerhoff and Miss Smith, entitled, "AN ACT PROVIDING FOR THE PAYMENT OF BOUNTIES ON SKINS OF CERTAIN

PREDATORY ANIMALS, A TAX LEVY ON SHEEP AND TURKEYS FOR THE PAYMENT OF BOUNTIES AND PROVIDING ADDITIONAL FUNDS FOR THE PREDATORY ANIMAL CONTROL FUND FOR THE CREATION THEREFROM OF A STATE BOUNTY FUND; ALSO PROVIDING FOR THE CREATION OF CONTROL AREAS AND THE APPOINTMENT OF INSPECTORS AND COUNTY BOARDS TO ASSIST THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THE ACT; FURTHER REQUIRING THE MAKING OF PRESCRIBED AFFIDAVITS BY THE INSPECTORS, COUNTY BOARDS AND THE CLAIMANTS FOR BOUNTY FOR FILING WITH THE COUNTY CLERK BEFORE BOUNTIES CAN BE PAID BY THE STATE AUDITOR'S OFFICE; PROVIDING FURTHER FOR THE MAINTENANCE OF RECORDS; PRESCRIBING THE VIOLATIONS AND PENALTIES, BEING A PART OF TITLE 3, CHAPTER 4, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 95 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. Meador, entitled, "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY", 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 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 164*, by Mr. Stringham, entitled, "AN ACT RELATING TO PUBLIC SCHOOLS AND CREATING SCHOOL LUNCH FUND TO BE PROVIDED FOR THROUGH A TAX ON WINES AND LIQUORS; AUTHORIZING THE STATE BOARD OF EDUCATION TO ADMINISTER SAID FUND AND TO DISTRIBUTE TO THE SCHOOL DISTRICTS FOR CONTINUATION OF THE SCHOOL LUNCH PROGRAM; PRESCRIBING THE POWERS AND DUTIES OF THE SCHOOL BOARDS AND THE STATE BOARD OF EDUCATION; AUTHORIZING THE STATE BOARD OF EDUCATION TO ASSUME RESPONSIBILITY FOR W.P.A. SCHOOL LUNCH SUPLIES AND EQUIPMENT AND MAKING AN APPORTIONMENT FROM SAID FUND FOR ADMINISTERING THE SCHOOL LUNCH PROGRAM, BEING A PART OF TITLE 75, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 164 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 174*, by Mr. Mabey, entitled, "AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH TO GIVE, GRANT AND CONVEY A PART OF THE CAMPUS OF THE UNIVERSITY OF UTAH TO THE UNITED STATES OF AMERICA AS THE SITE FOR A GOVERNMENT HOSPITAL, BEING A PART OF TITLE 75, CHAPTER 4, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 174 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. 175,* by Mr. Mabey, entitled, "AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY HOUSE BILL NO. 22, LAWS OF UTAH 1943, RELATING TO THE TIME EMPLOYER MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 175 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 176,* by Appropriations Committee.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

March 11, 1943.

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. 65,* by Messrs. McMurrin and Rich, entitled, "AN ACT PROVIDING FOR THE REFUND OF MOTOR FUEL TAX COLLECTED ON GASOLINE PURCHASED AND USED IN THE STATE OF UTAH FOR OPER-

ATING STATIONARY ENGINES, TRACTORS AND CRAFT OTHER THAN AIRCRAFT, NOT OPERATED ON PUBLIC HIGHWAYS OR STREETS, AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES FOR MAKING FALSE CLAIM OR OTHER VIOLATION OF THIS ACT, BEING A PART OF TITLE 57, CHAPTER 12, UTAH CODE ANNOTATED 1943", and the same is herewith returned for your further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

On motion of Senator Richards the Senate concurred in the House amendments.

S. B. No. 65 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Child, Christensen, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, McMurrin, Melich, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Bailey, Dawson, Hirschi, Lund, Miller, Morrill and Warner.

S. B. No. 65 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 180 was read the second time.

On motion of Senator Richards the rules were suspended and *H. B. No. 180* was read the third time and placed on its final passage.

H. B. No. 180 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Bailey, Christensen, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Nielsen, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Child, Dawson, Hirschi, Miller and Warner.

H. B. No. 180 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 47*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 105-36-17, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION OF SENTENCES AND THE SUSPENSION OF THE IMPOSITION OF EXECUTION OF SENTENCES, AND THE PLACING OF DEFENDANTS IN CRIMINAL CASES ON PROBATION, AND PROVIDING FOR THE MANNER OF TERMINATING SUCH SUSPENSION OR PROBATION", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 47 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 165*, by Messrs. Richards and Huggins, entitled, "AN ACT PROVIDING FOR THE TAKING OF ACKNOWLEDGEMENTS OF PERSONS SERVING IN OR WITH THE ARMED FORCES OF THE UNITED STATES, TO BE KNOWN AS SECTION 78-2-3.10, UTAH CODE ANNOTATED, 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 165 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 188*, by Committee on Revision and Enrolling, entitled, "AN ACT

RELATING TO THE PREPARATION, ISSUANCE AND DRAWING OF WARRANTS UPON THE STATE TREASURER AND TO MAKE UNIFORM THE LAWS WITH RESPECT THERETO, BEING PART OF UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 188 was transmitted to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 57 on Second Reading.

On motion of Senator Richards the rules were suspended and *H. B. No. 57* was read the third time and placed on its final passage.

H. B. No. 57 then passed on the following roll call:

Yeas, 14; Nays, 1; Absent, 8.

Those voting in the affirmative were: Senators Bailey, Christensen, Ericksen, Farr, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Rich and Richards.

Voting in the negative: Senator Miller.

Absent and not voting: Senators Ashton, Child, Dawson, Hirschi, Nielsen, Romney, Warner and Mr. President.

H. B. No. 57 was returned to the House.

H. B. No. 99 was read the second time.

On motion of Senator Melich the rules were suspended and *H. B. No. 99* was read the third time and placed on its final passage.

H. B. No. 99 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Child, Christensen, Farr, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Morrill, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Dawson, Ericksen, Hirschi, McMurrin, Nielsen and Warner.

H. B. No. 99 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

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 11, 1943, and passed *S. B. No. 168*, by Committee on Highways, entitled, "AN ACT AMENDING SECTIONS 57-3a-1, 57-3a-88 AND 57-3a-89, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR VEHICLES, DEFINITIONS, REGISTRATION OF NONRESIDENT AND VEHICLES IN INTERSTATE COMMERCE, PERMITTING THE GRANTING OF RECIPROCITY, AND REPEALING SECTIONS 57-3a-90 AND 57-3a-137, UTAH CODE ANNOTATED 1943", and is transmitted herewith for further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

REPORT OF SPECIAL COMMITTEE

March 11, 1943.

President of the Senate:

Speaker of the House:

We, your Joint Conference Committe, to whom was referred *S. B. No. 168*, by Committee on Highways, beg leave to report that we have considered said bill and unanimously recommend that the House amendments on Page 5, Line 23 and Page 6, following Line 4 be stricken.

Respectfully submitted:

IRA A. HUGGINS,

Chairman Conference Committee of the Senate.

J. WELTON WARD,

Chairman Conference Committee of the House.

Report adopted and filed.

S. B. No. 168 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 76,* by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY RECORDERS WITH RESPECT TO SEARCHES AND ABSTRACTS", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 76 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

Upon unanimous consent of the Senate the rules were suspended and the following bill was introduced:

S. B. No. 220 By Committee on Social Relations and Relief

AN ACT AMENDING SECTIONS 76A-3-1, 76A-3-5, 76A-3-6, 76A-3-10, 76A-3-12, 76A-3-13, 76A-3-14, 76A-3-20, 76A-3-25, 76A-3-29, 76A-3-33, 76A-3-35, 76A-3-36, 76A-3-38, 76A-3-39, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC WELFARE AND THE ADMINISTRATION THEREOF; THE STATE AND COUNTY DEPARTMENTS OF PUBLIC WELFARE, THEIR POWERS AND DUTIES, DEFINING TERMS, PRESCRIBING ELIGIBILITY REQUIREMENTS FOR AND THE AMOUNT AND EXTENT OF ASSISTANCE TO CERTAIN AGED AND NEEDY PERSONS, ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76A-3-55, RELATING TO EMPLOYMENT AND REHABILITATION, AND REPEALING SECTIONS 76A-3-17, AND 76A-3-34, UTAH CODE ANNOTATED 1943, was read the first time.

Senator Richards moved that the rules be suspended and that *S. B. No. 220* be placed at the head of the Second Reading Calendar.

Motion carried.

S. B. No. 220 was placed at the head of the Second Reading Calendar.

COMMUNICATION FROM THE GOVERNOR

March 10, 1943.

To the Senate

Gentlemen:

I have this day nominated the following person for the office designated and hereby respectfully submit his name for your advice and consent:

George S. Eccles of Weber County, for the Advisory Council of the Department of Finance for the term ending February 28, 1949.

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

Appointment referred to the Committee on Appointments.

On motion of Senator Christensen the rules were suspended and *H. C. R. No. 4* was placed at the head of the Second Reading Calendar.

H. C. R. No. 4 was read the second time.

Committee report read and adopted.

On motion of Senator Christensen the rules were suspended and *H. C. R. No. 4* was read the third time and placed on its final passage.

H. C. R. No. 4 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Rich, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, McMurrin, Miller, Morrill, Nielsen, Richards and Warner.

H. C. R. No. 4 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

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. 149*, by Mr. Kendall, entitled, "AN ACT CREATING A PUBLIC WELFARE SERVICE WITHIN THE STATE DEPARTMENT OF PUBLIC WELFARE FOR REHABILITATION OF INDIGENT ALCOHOLICS, PRESCRIBING

TERMS AND CONDITIONS OF ELIGIBILITY FOR THE CARE AND TREATMENT OF INDIGENT ALCOHOLICS AND AUTHORIZING EXPENDITURE THEREFOR", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 149 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 60*, by Mr. Warner, entitled, "AN ACT RELATING TO THE STUDY AND IMPROVEMENT OF COUNTY GOVERNMENT AND TO PROVIDE FOR THE PAYMENT OF COSTS THEREOF, BEING A PART OF TITLE 19, CHAPTER 5, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 60 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, *S. B. No. 172*, by Mr. Miller, entitled, "AN ACT AMENDING SECTION 80-15-4, UTAH CODE ANNOTATED 1943, RELATING TO THE IMPOSITION OF A TAX UPON CERTAIN SALES AND SERVICES, AND PROVIDING CERTAIN EXEMPTIONS THEREFROM", 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. 172 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Bailey, Christensen, Dawson, Ericksen, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, Melich, Miller, Rich, Richards, Romney and Mr. President.

Absent and not voting: Senators Ashton, Child, McMurrin, Morrill, Nielsen and Warner.

S. B. No. 172 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *H. B. No. 48,* by Mr. Hatch, entitled, "AN ACT RELATING TO SURPLUS LINE BROKERS AND REGULATING THE SAME: CONDITIONS TO PLACING INSURANCE; LICENSES; FEES; SUBSTITUTION OF BOND; REQUIRING ANNUAL STATEMENT; FIXING TAX; PENALTIES FOR VIOLATIONS OF ACT; EXAMINATION OF RECORDS; TERMINATION OF LICENSES BEING A PART OF TITLE 43, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 43-6-4, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 48 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House *H. B. No. 113,* by Irrigation Committee, entitled, "AN ACT AMENDING SECTIONS 100-4-3 AND 100-4-18, UTAH CODE ANNOTATED 1943, RELATING TO THE PROCEEDING TO BE FOLLOWED BY THE

DISTRICT COURTS IN THE STATE 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 forwarded herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 113 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. 208*, by Messrs. Hopkin and Christensen, entitled, "AN ACT PROVIDING FOR THE CLASSIFICATION RECOGNITION, CONTROL AND ERADICATION OF PULLORUM DISEASE OF POULTRY IN UTAH; PROHIBITING IMPORTATION OF CHICKENS FOR BREEDING PURPOSES FROM FLOCKS NOT UNDER CONTROL OF THE NATIONAL POULTRY IMPROVEMENT PLAN, PROVIDING FOR LABELING CONTAINERS OF EGGS, CHICKS OR BREEDING STOCK WITH RESPECT TO TESTS FOR PULLORUM, THE REGISTRATION AND LICENSING OF SALESMEN OR SALES AGENCIES OF CHICKS, POULTS OR HATCHING EGGS IN UTAH, AND PROVIDING THAT HATCHERIES SELLING CHICKS, POULTS, OR HATCHING EGGS WITHIN THE STATE SHALL FILE CERTIFIED COPIES OF BLOOD TEST REPORTS WITH THE STATE BOARD OF AGRICULTURE, BEING PART OF TITLE 3, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 208 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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 Messrs. Huggins and Richards, entitled, "AN ACT AMENDING SECTION 80-12-9, UTAH CODE ANNOTATED 1943, RELATING TO THE ASSESSMENT FOR INHERITANCE TAX OF PROPERTY BELONGING TO A FOREIGN ESTATE AND PROVIDING FOR RECIPROCAL EXEMPTION FROM SUCH TAX OF PERSONAL PROPERTY OTHER THAN TANGIBLE PERSONAL PROPERTY HAVING AN ACTUAL SITUS IN UTAH", 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 11, 1943.

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. 133*, by Mr. Bailey, entitled, "AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, RELATING TO THE EMPLOYMENT OF MINORS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 133 was transmitted to the Governor.

March 11, 1943.

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 Social Relations and Relief, entitled, "AN ACT AMENDING SECTIONS 80-15-21 AND 80-15-23, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF CERTAIN REVENUE COLLECTED BY THE STATE TAX COMMISSION AND THE USE THEREOF BY 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. 196 was transmitted to the Governor.

March 11, 1943.

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. 191,* by Messrs. Bailey and Melich, entitled, "AN ACT REPEALING SECTIONS 42-1-98, 42-1-99, AND 42-1-100, UTAH CODE ANNOTATED 1943, RELATING TO THE ADVISORY COUNCIL OF THE INDUSTRIAL COMMISSION", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 191 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 5,* by Mr. Macfarlane, entitled, "A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE RELATING TO THE AMERICAN NATIONAL RED CROSS", 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. 5 was transmitted to the Secretary of State.

March 11, 1943.

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. 119,* by Fish and Game Committee, entitled, "AN ACT AMENDING SECTIONS 30-0-2, 30-0-2B, 30-0-2D, 30-0-2E, 30-0-3, 30-0-5, 30-0-19, 30-0-25, 30-0-44, 30-0-48, AND 30-0-50, UTAH CODE ANNOTATED 1943, RELATING TO THE FISH AND GAME DEPARTMENT; THE FISH AND GAME COMMISSION, THE APPOINTMENTS, NUMBER, QUALIFICATIONS, TERMS AND SALARY OF ITS MEMBERS; THE DIRECTOR OF FISH AND GAME, HIS QUALIFICATIONS, APPOINTMENT TERM AND SALARY: THE MEETINGS OF THE

COMMISSION; THE ISSUANCE OF NON-RESIDENT PERMITS TO HUNT AND FISH, LICENSES TO GUIDES AND LICENSES TO TRAP FUR-BEARING ANIMALS; AND ENACTING NEW SECTIONS TO BE KNOWN AS 30-0-2A, 30-0-2G AND 30-0-3A, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE CREATION OF DISTRICTS FROM WHICH COMMISSIONERS ARE TO BE APPOINTED, AND THE POWERS AND DUTIES OF THE FISH AND GAME DIRECTOR; ALSO PROVIDING FOR THE REORGANIZATION OF THE STATE GAME REFUGE COMMITTEE AND THE STATE BOARD OF BIG GAME CONTROL", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 119 was transmitted to the Governor.

March 11, 1943.

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. 186*, by Committee on Revision and Enrolling, entitled, "AN ACT AMENDING SECTION 87-2-7, UTAH CODE ANNOTATED 1943, RELATING TO THE BUDGET", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 186 was transmitted to the Governor.

March 11, 1943.

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. 216*, by Mr. Hopkin, entitled, "AN ACT RELATING TO THE RIGHTS, POWERS AND DISABILITIES OF ALIENS AND OF CERTAIN COMPANIES, ASSOCIATIONS AND CORPORATIONS WITH RESPECT TO PROPERTY IN THIS STATE, PROVIDING FOR ESCHEATS IN CERTAIN CASES, PRESCRIBING THE PROCEDURE THEREIN, PRESCRIBING PENALTIES FOR VIOLATION

OF THE PROVISIONS HEREOF, TO BE KNOWN AS SECTIONS 78-6a-1, 78-6a-2, 78-6a-3, 78-6a-4, 78-6a-5, 78-6a-6, 78-6a-7, 78-6a-8, 78-6a-9 AND 78-6a-10, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

S. B. No. 216 was transmitted to the Governor.

March 11, 1943.

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. 39,* by Mrs. Jack and Mr. Sorenson, entitled, "AN ACT AMENDING SECTION 76A-3-39, UTAH CODE ANNOTATED 1943, RELATING TO APPLICATIONS FOR ASSISTANCE, INFORMATION REQUIRED AND PROVIDING THAT ONLY THE FINANCIAL STATUS OF THE BLIND PERSON, HIS SPOUSE AND DEPENDENTS SHALL BE REQUIRED OR CONSIDERED IN DETERMINING HIS QUALIFICATIONS FOR AID", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 39 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of this House has this day signed, in open session, in the presence of the House, *H. B. No. 176,* by Appropriation Committee, by request, entitled, "AN ACT REQUIRING THE STATE TAX COMMISSION TO ASSESS AND COLLECT REGULATION FEES FOR THE YEARS 1943 AND 1944 FROM PUBLIC UTILITY CORPORATIONS, AND TO PROVIDE FOR THE TRANSFER OF MOTOR VEHICLE REGIS-

TRATION FUNDS FOR ENFORCEMENT OF THE MOTOR TRANSPORT ACT", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 176 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. 177*, by Appropriation Committee, entitled, "AN ACT AMENDING SECTION 46-0-68, UTAH CODE ANNOTATED 1943, RELATING TO THE ALLOCATION OF MONIES RECEIVED BY THE UTAH STATE LIQUOR CONTROL COMMISSION, AND REPEALING SECTION 46-0-67, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 177 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 106 was read the second time.

On motion of Senator Huggins the rules were suspended and *H. B. No. 106* was read the third time and placed on its final passage.

H. B. No. 106 then passed on the following roll call:

Yeas, 15; Nays, 1; Absent, 7.

Those voting in the affirmative were: Senators Bailey, Dawson, Ericksen, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Rich, Richards, Romney and Mr. President.

Voting in the negative: Senator Miller.

Absent and not voting: Senators Ashton, Child, Christensen, Farr, Morrill, Nielsen and Warner.

H. B. No. 106 was returned to the House.

Senator Richards moved that the Enacting Clause be stricken on all House and Senate Bills in the Sifting Committee and on the Second Reading Calendar with the exception of *H. B. No. 168* and *S. B. No. 220.*

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

The motion failed on the following roll call:

Yeas, 10; Nays, 11; Absent, 2.

Those voting in the affirmative were: Senators Christensen, Dawson, Hirschi, Kelly, Lund, McMurrin, Melich, Morrill, Rich and Richards.

Those voting in the negative were: Senators Ashton, Bailey, Child, Ericksen, Farr, Hopkin, Huggins, Kendall, Miller, Romney and Mr. President.

Absent and not voting: Senators Nielsen and Warner.

REPORTS OF STANDING COMMITTEES

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 165*, by Messrs. Richards and Huggins, entitled, "AN ACT PROVIDING FOR THE TAKING OF ACKNOWLEDGEMENTS OF PERSONS SERVING IN OR WITH THE ARMED FORCES OF THE UNITED STATES, TO BE KNOWN AS SECTION 78-2-3.10, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 165 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 128*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTIONS 57-12-6, 57-12-8, 57-12-9 AND 57-12-10, UTAH CODE ANNOTATED 1943, RELATING TO MONTHLY REPORTS OF SALES OF MOTOR FUEL, REPORTS OF CARRIERS OF MOTOR FUEL IMPORTED INTO THIS STATE, PAYMENT OF THE TAX UPON MOTOR FUEL AND THE ALLOCATION OF SUCH TAX, AND PROVIDING THE PENALTY FOR FAILURE TO MAKE PAYMENT OF SUCH TAX, AND ENACTING A NEW SECTION TO BE KNOWN AS 57-12-9.10, UTAH CODE ANNOTATED 1943, RELATING TO TRANSMISSION OF REPORTS AND TAXES BY MAIL", together with a like committee of the House has examined and 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. 128 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 59*, by Messrs. Macfarlane, Hopkin and Huggins, entitled, "AN ACT AUTHORIZING STATE DEPARTMENTS TO PROMOTE PROGRAMS OF CARE FOR CHILDREN OF WORKING MOTHERS AND TO RECEIVE AND EXPEND FUNDS FOR THIS PURPOSE", together with a like committee of the House has examined and 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. 59 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 65*, by Messrs. McMurrin and Rich, entitled, "AN ACT PROVIDING FOR THE REFUND OF MOTOR FUEL TAX COLLECTED ON GASOLINE PURCHASED AND USED IN THE STATE OF UTAH FOR OPERATING STATIONARY ENGINES, TRACTORS AND CRAFT OTHER THAN AIRCRAFT, NOT OPERATED ON PUBLIC HIGHWAYS OR STREETS; AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES FOR MAKING FALSE CLAIM OR OTHER VIOLATION OF THIS ACT, BEING A PART OF TITLE 57, CHAPTER 12, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 60*, by Mr. Warner, entitled, "AN ACT RELATING TO THE STUDY AND IMPROVEMENT OF COUNTY GOVERNMENT AND TO PROVIDE FOR THE PAYMENT OF COSTS THEREOF, BEING PART OF TITLE 19, CHAPTER 5, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 60 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 98,* by Messrs. Morrill, Kendall and Bailey, and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 98 was filed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 2,* by Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10 OF ARTICLE VII AND TO 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, QUALIFICATION OF JUDGES, JURISDICTION, JUDGES PRO TEMPORE, CHANGE OF JUDICIAL DISTRICTS BY THE LEGISLATURE, SELECTION OF JUDICIARY AND EFFECT ON INCUMBENT JUDGES", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 2 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 85,* by Mrs. Jack and Mr. Sorenson, entitled, "AN ACT AMENDING SECTIONS 76A-3-33 AND 76A-3-38, UTAH CODE

ANNOTATED 1943, RELATING TO ASSISTANCE TO PERSONS IN NECESSITOUS CIRCUMSTANCES; AMOUNT TO BE DETERMINED BY COUNTY DEPARTMENT: DEFINITION OF TERMS AND PROVIDING FOR BLIND ALLOTMENT", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

H. B. No. 85 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

Senator Christensen moved that the rules be suspended and that the Senate advise and consent to the following appointment:

For the Advisory Council of the Department of Finance:

George S. Eccles, Weber County, for the term ending February 28, 1949.

Motion carried.

Senator Child moved that the rules be suspended and that the Senate do now consider *S. B. No. 220* on Second Reading.

Motion carried.

S. B. No. 220 was read the second time.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 220* was read the third time and placed on its final passage.

S. B. No. 220 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kelly, Kendall, Lund, McMurrin, Melich, Morrill, Rich, Richards and Mr. President.

Those voting in the negative were: Senators Ericksen (explained vote), Miller and Romney.

Absent and not voting: Senators Nielsen and Warner.

S. B. No. 220 was transmitted to the House.

REPORT OF STANDING COMMITTEE

March 11, 1943.

President Grant Macfarlane,

Utah State Senate.

Mr. President:

We, your Judiciary Committee, to whom was referred the Governor's communication of March 11, 1943, concerning the Senate's request that he submit the name of a person for the office of Commissioner of Finance for the term ending March 1, 1947, begs leave to report as follows:

The law of the State of Utah requires that the Governor must within ten days after the meeting of the Legislature, transmit to the Senate a list of all appointments made by him under the provisions of the Constitution or of law during the recess of the Legislature (Section 87-2-2 Utah Code Annotated 1943.)

The Constitution of the State provides:

> "The Governor shall nominate, and by and with the consent of the Senate, appoint all State and district officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for. If, during the recess of the Senate, a vacancy occurs in any State or district office, the Governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of Justice of the supreme or district court, Secretary of the State, State Auditor, State Treasurer, Attorney-General or Superintendent of Public Instruction be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified, as may be by law provided." (Article 7, Section 10.)

The Senate's attention was called to the fact that there was a great question as to whether or not the members of the Finance Commission were lawfully appointed.

Upon being so advised, the Senate on February 10, 1943, directed a communication to the Attorney General of this State, requesting his opinion on two questions:

1. Can the State Senate advise and consent to the nomination of any person to fill an office of commissioner prior to the approval of the Act under which said commissioner is to serve and prior to the effective date of the Act?

2. Can the State Senate advise and consent to the nomination of any person to fill the office of a commissioner subsequent to the approval of the Act, but prior to the effective date of the Act under which the commissioner is to serve?

By letter of February 15, 1943, the Attorney General replied to the communication with the information that the record of the Twenty-fourth Regular and Special Session of the Legislature which convened in 1941 disclosed the fact that Gordon Taylor Hyde was approved by the Senate at the First Special Session, March 29, 1941, which session adjourned March 29, 1941, and that the Act creating the department of finance and the office of commissioner of finance was passed March 26, 1941, and not approved until April 1, 1941. By the terms of the Act, the law became effective July 1, 1941.

The Attorney General's communication cited authorities in support of his conclusion, which we quote:

> "Under all of the cases and authorities, therefore, you are advised in answer to your inquiries:
>
> 1. The Senate cannot advise and consent to the nomination of any person to fill an office of commissioner created by an act prior to the approval of the act under which said commissioner is to serve.
>
> 2. Under the holdings of the more liberal cases and particularly in view of the rule of law that where possible, acts of a Legislature are to be construed as legal and proper, the Senate can advise and consent to the nomination of a person to fill the office of commissioner created by an act subsequent to the approval of the act, but prior to the effective date of the act under which the commissioner is to serve.
>
> It is the firm opinion of this office that Mr. Hyde was and now is a de facto officer and that all acts performed by him are lawful and valid. The only effect of the above opinion, so far as Mr. Hyde is concerned, is that his appointment has not yet been properly confirmed by the Senate.

In accordance with this opinion from the Attorney General, the Senate thereupon notified the Governor of the Attorney General's opinion, and that it was the recommendation of the Senate that he submit a name for the office of Commissioner of Finance for the term ending March 1, 1947.

This request was refused by a reply of the Governor for the reason among others that he did not regard the communication as a direct request from the Senate.

The Senate immediately forwarded to the Governor its unqualified request that he submit a name for the office of Commissioner of Finance for the term ending March 1, 1947.

In the reply of the Governor to the Senate's request dated March 11, 1943, the Governor refused to submit the name of any person for the office in the following words:

> "I therefore, do not feel justified in submitting a name to the office referred to above without a court adjudication of the issue. In refusing to comply with your request, I suggest that either the Senate or some member thereof request the Attorney General to bring the issue before the courts in a proper action. After the matter has been passed on by the Supreme Court I shall act in accordance with its decision."

We, therefore, recommend that the Senate in the performance of its constitutional duty request and direct the Attorney General of this State to follow the suggestion made by the Governor to "bring the issue before the courts in a proper action" or actions, and to proceed with such remedies as in the judgment of the Attorney General may be proper to a final determination in the courts of this State and any and all actions incident or related to this matter, so as to insure the enforcement of the Constitution and laws of this State.

Respectfully submitted,

LYNN S. RICHARDS,
WM. A. DAWSON,
DEXTER FARR,
IRA A. HUGGINS,
MITCHELL MELICH;
Committee on Judiciary.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the House has this day stricken the Enacting Clause of the following Senate Bills:

S. B. No.'s 33, 54, 55, 72, 86, 95, 100, 101, 111, 121, 141, 142, 144, 148, 159, 162, 167, 178, 179, 182, 183, 187 and 217, and S. C. R. No. 1, and the same are returned herewith for your files.

Respectfully submitted,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

Bills filed.

March 11, 1943.

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. 184*, by Committee on Revision and Enrolling, entitled, "AN ACT AMENDING SECTIONS 87-4-1 AND 87-4-9, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE AUDITOR, HIS POWERS, QUALIFICATIONS, DUTIES, AND BOND AND ENACTING A NEW

SECTION TO BE KNOWN AS SECTION 87-4-4.10, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION BY THE STATE AUDITOR OF CERTAIN PAYMENTS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 184 was transmitted to the Governor.

March 11, 1943.

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. 146,* by Mr. Hirschi, entitled, "AN ACT AMENDING SECTION 8-0-4, UTAH CODE ANNOTATED 1943, RELATING TO SINKING FUNDS OF CITIES, COUNTIES, SCHOOL DISTRICTS, AND OTHER TAXING UNITS AND PRESCRIBING THE SECURITIES IN WHICH SUCH FUNDS MAY BE INVESTED", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 146 was transmitted to the Governor.

March 11, 1943.

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. 99,* by Mr. Sabin, entitled, "AN ACT AMENDING SECTION 20-4-7, UTAH CODE ANNOTATED 1943, RELATING TO COMPENSATION OF JUDGES OF THE CITY COURT, AND PROVIDING THAT IN CITIES OTHER THAN THOSE OF FIRST AND SECOND CLASS, SALARIES SHALL BE FIXED BY THE MAYOR WITH CONSENT OF GOVERNING BODY; MINIMUM AND MAXIMUM SALARIES", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 99 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF SPECIAL COMMITTEE

March 11, 1943.

Mr. President:

We, your Sifting Committee, recommend the Enacting Clause be stricken on the following bills:

S. B. No.'s 13, 23, 36, 39, 43, 56, 57, 61, 62, 64, 66, 67, 70, 74, 75, 77, 78, 79, 80, 85, 87, 88, 89, 90, 91, 92, 93, 94, 96, 99, 102, 104, 105, 106, 108, 109, 110, 112, 113, 114, 115, 116, 117, 120, 122, 123, 124, 126, 127, 129, 131, 134, 135, 136, 137, 138, 139, 143, 145, 147, 150, 151, 153, 154, 155, 156, 157, 158, 160, 161, 163, 166, 169, 170, 171, 173, 174, 175, 176, 177, 181, 190, 192, 193, 195, 198, 199, 200, 201, 202, 204, 205, 206, 207, 209, 210, 211, 212, 213, 214, 215, 218, 219, and S. C. M. No.'s 2 and 3.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed and bills filed.

March 11, 1943.

Mr. President:

We, your Sifting Committee, recommend that the Enacting Clause be stricken on the following House bills:

H. B. No.'s 8, 11, 17, 19, 26, 46, 52, 53, 59, 60, 67, 69, 73, 76, 82, 83, 87, 100, 114, 115, 116, 117, 122, 136, 138, 146, 148, 149, 151, 152, 156, 168, 179, 173, 181, and H. C. M. No.'s 2 and 3, and H. J. R. No. 4.

Respectfully,

DEXTER FARR,
Chairman.

Report adopted and filed, and bills returned to the House.

REPORTS OF STANDING COMMITTEE

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 76*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY RECORDERS WITH RE-

SPECT TO SEARCHES AND ABSTRACTS", together with a like committee of the House has examined and 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. 76 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 208*, by Messrs. Hopkin and Christensen, entitled, "AN ACT PROVIDING FOR THE CLASSIFICATION, RECOGNITION, CONTROL AND ERADICATION OF PULLORUM DISEASE OF POULTRY IN UTAH; PROHIBITING IMPORTATION OF CHICKENS FOR BREEDING PURPOSES FROM FLOCKS NOT UNDER CONTROL OF THE NATIONAL POULTRY IMPROVEMENT PLAN, PROVIDING FOR LABELING CONTAINERS OF EGGS, CHICKS OR BREEDING STOCK WITH RESPECT TO TESTS FOR PULLORUM, THE REGISTRATION AND LICENSING OF SALESMEN OR SALES AGENCIES OF CHICKS, POULTS, OR HATCHING EGGS IN UTAH, AND PROVIDING THAT HATCHERIES SELLING CHICKS, POULTS, OR HATCHING EGGS WITHIN THE STATE SHALL FILE CERTIFIED COPIES OF BLOOD TEST REPORTS WITH THE STATE BOARD OF AGRICULTURE, BEING PART OF TITLE 3, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 208 was signed 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 11, 1943.

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. 220,* by Committee on Social Relations and Relief, entitled, "AN ACT AMENDING SECTIONS 76A-3-1, 76A-3-5, 76A-3-6, 76A-3-10, 76A-3-12, 76A-3-13, 76A-3-14, 76A-3-20, 76A-3-25, 76A-3-29, 76A-3-33, 76A-3-35, 76A-3-36, 76A-3-38, 76A-3-39, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC WELFARE AND THE ADMINISTRATION THEREOF; THE STATE AND COUNTY DEPARTMENTS OF PUBLIC WELFARE, THEIR POWERS AND DUTIES, DEFINING TERMS, PRESCRIBING ELIGIBILITY REQUIREMENTS FOR AND THE AMOUNT AND EXTENT OF ASSISTANCE TO CERTAIN AGED AND NEEDY PERSONS, ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76A-3-55, RELATING TO EMPLOYMENT AND REHABILITATION, AND REPEALING SECTIONS 76A-3-17 AND 76A-3-34, UTAH CODE ANNOTATED 1943", and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,

Chief Clerk.

Communication filed.

On motion of Senator Romney the Senate concurred in the House amendments.

S. B. No. 220 then passed on the following roll call:

Yeas, 15; Nays, 1; Absent, 7.

Those voting in the affirmative were: Senators Ashton, Bailey, Child, Christensen, Dawson, Farr, Hirschi, Hopkin, Huggins, Kendall, Lund, Melich, Rich, Richards and Mr. President.

Voting in the negative: Senator Romney.

Absent and not voting: Senators Ericksen, Kelly, McMurrin, Miller, Morrill, Nielsen and Warner.

S. B. No. 220 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1943.

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. 106*, by Messrs. Durham and Cannon, entitled, "AN ACT AMENDING SECTION 103-51-18, UTAH CODE ANNOTATED 1943, RELATING TO THE CRIME OF RAPE AND PRESCRIBING THE PENALTY THEREOF", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 106 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *H. B. No. 84*, by Mr. Sorenson, entitled, "AN ACT AMENDING SECTION 76A-3-36, UTAH CODE ANNOTATED 1943, RELATING TO ASSISTANCE TO NEEDY BLIND PERSONS; AND PRESCRIBING QUALIFICATIONS OF SUCH PERSONS ENTITLED TO ASSISTANCE", and the same is forwarded 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 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 58*, by Messrs. Huggins, Hopkin and Macfarlane, entitled, "AN ACT

FOR THE REGULATION AND LICENSING OF DAY NURSERIES, PERSONS AND ORGANIZATIONS PROVIDING DAY CARE FOR CHILDREN", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 58 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 182*, by Committee on Appropriations and Claims, entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1943, AND ENDING JUNE 30, 1945", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 182 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEE

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 172*, by Mr. Miller, entitled, "AN ACT AMENDING SECTIONS 80-15-4, UTAH CODE ANNOTATED 1943, RELATING TO THE IMPOSITION OF A TAX UPON CERTAIN SALES AND SERVICES, AND PROVIDING CERTAIN EXEMPTIONS THERE-

FROM", together with a like committee of the House has examined and 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. 172 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 149*, by Mr. Kendall, entitled, "AN ACT CREATING A PUBLIC WELFARE SERVICE WITHIN THE STATE DEPARTMENT OF PUBLIC WELFARE FOR REHABILITATION OF INDIGENT ALCOHOLICS, PRESCRIBING TERMS AND CONDITIONS OF ELIGIBILITY FOR THE CARE AND TREATMENT OF INDIGENT ALCOHOLICS AND AUTHORIZING AN EXPENDITURE THEREFOR", together with a like committee of the House has examined and 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. 149 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 168*, by Committee on Highways, entitled, "AN ACT AMENDING SECTIONS 57-3a-1, 57-3a-88 AND 57-3a-89, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR VEHICLES, DEFINITIONS, REGISTRATION OF NON-RESIDENT AND VEHCLES IN INTERSTATE COMMERCE, PERMITTING THE GRANT-

ING OF RECIPROCITY, AND REPEALING SECTIONS 57-3a-90 AND 57-3a-137, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 168 was signed 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 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. J. R. No. 2*, by Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10 OF ARTICLE VII AND TO 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, JURISDICTION, JUDGES PRO TEMPORE, CHANGE OF JUDICIAL DISTRICTS BY THE LEGISLATURE, SELECTION OF JUDICIARY AND EFFECT ON INCUMBENT JUDGES", together with a like committee of the House has examined and 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. 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.

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 47*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 105-36-17, UTAH CODE ANNOTATED 1943,

PROVIDING FOR THE SUSPENSION OF SENTENCES AND THE SUSPENSION OF THE IMPOSITION OF EXECUTION OF SENTENCES, AND THE PLACING OF DEFENDANTS IN CRIMINAL CASES ON PROBATION, AND PROVIDING FOR THE MANNER OF TERMINATING SUCH SUSPENSION OR PROBATION", together with a like committee of the House has examined and 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. 47 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 11, 1943.

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. 208*, by Messrs. Hopkin and Christensen, entitled, "AN ACT PROVIDING FOR THE CLASSIFICATION, RECOGNITION, CONTROL AND ERADICATION OF PULLORUM DISEASE OF POULTRY IN UTAH; PROHIBITING IMPORTATION OF CHICKENS FOR BREEDING PURPOSES FROM FLOCKS NOT UNDER CONTROL OF THE NATIONAL POULTRY IMPROVEMENT PLAN, PROVIDING FOR LABELING CONTAINERS OF EGGS, CHICKS OR BREEDING STOCK WITH RESPECT TO TESTS FOR PULLORUM, THE REGISTRATION AND LICENSING OF SALESMEN OR SALES AGENCIES OF CHICKS, POULTS OR HATCHING EGGS IN UTAH, AND PROVIDING THAT HATCHERIES SELLING CHICKS, POULTS, OR HATCHING EGGS WITHIN THE STATE SHALL FILE CERTIFIED COPIES OF BLOOD TEST REPORTS WITH THE STATE BOARD OF AGRICULTURE, BEING PART OF TITLE 3, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 208 was transmitted to the Governor.

March 11, 1943.

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 Messrs. McMurrin and Rich, entitled, "AN ACT PROVIDING FOR THE REFUND OF MOTOR FUEL TAX COLLECTED ON GASOLINE PURCHASED AND USED IN THE STATE OF UTAH FOR OPERATING STATIONARY ENGINES, TRACTORS AND CRAFT OTHER THAN AIRCRAFT, NOT OPERATED ON PUBLIC HIGHWAYS OR STREETS, AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES FOR MAKING FALSE CLAIM OR OTHER VIOLATION OF THIS ACT, BEING A PART OF TITLE 57, CHAPTER 12, UTAH CODE ANNOTATED 1943", 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, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 59*, by Messrs. Macfarlane, Hopkin and Huggins, entitled, "AN ACT AUTHORIZING STATE DEPARTMENTS TO PROMOTE PROGRAMS OF CARE FOR CHILDREN OF WORKING MOTHERS AND TO RECEIVE AND EXPEND FUNDS FOR THIS PURPOSE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 59 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 60*, by Mr. Warner, entitled, "AN ACT RELATING TO THE

STUDY AND IMPROVEMENT OF COUNTY GOVERNMENT AND TO PROVIDE FOR THE PAYMENT OF COSTS THEREOF, BEING PART OF TITLE 19, CHAPTER 5, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 60 was transmitted to the Governor.

March 11, 1943.

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. 128*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTIONS 57-12-6, 57-12-8, 57-12-9 AND 57-12-10, UTAH CODE ANNOTATED 1943, RELATING TO MONTHLY REPORTS OF SALES OF MOTOR FUEL, REPORTS OF CARRIERS OF MOTOR FUEL IMPORTED INTO THIS STATE, PAYMENT OF THE TAX UPON MOTOR FUEL AND THE ALLOCATION OF SUCH TAX, AND PROVIDING THE PENALTY FOR FAILURE TO MAKE PAYMENT OF SUCH TAX, AND ENACTING A NEW SECTION TO BE KNOWN AS 57-12-9.10, UTAH CODE ANNOTATED 1943, RELATING TO TRANSMISSION OF REPORTS AND TAXES BY MAIL", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 128 was transmitted to the Governor.

March 11, 1943.

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. 165*, by Messrs. Richards and Huggins, entitled, "AN ACT PROVIDING FOR THE TAKING OF ACKNOWLEDGEMENTS OF PER-

SONS SERVING IN OR WITH THE ARMED FORCES OF THE UNITED STATES, TO BE KNOWN AS SECTION 78-2-3.10, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 165 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *H. C. R. No. 4*, by Messrs. Mabey, Jenkins and Cannon, entitled, "A HOUSE CONCURRENT RESOLUTION NOMINATING THE LATE BRIGHAM YOUNG AS ONE OF TWO OUTSTANDING AND ILLUSTRIOUS UTAHNS, TO BE COMMEMORATED BY THE ERECTION OF A SUITABLE STATUE OF MARBLE OR BRONZE IN THE NATIONAL STATUARY HALL IN WASHINGTON, D. C.; AND APPOINTING A LEGISLATIVE COMMITTEE TO INVESTIGATE AND ASCERTAIN NECESSARY PROCEDURE AND EXPENSE TO ERECT SUCH STATUE", and the same is forwarded herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. C. R. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

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. 180*, by Mrs. Jack, entitled, "AN ACT PROVIDING FOR THE INSPECTION AND CONTROL BY THE STATE BOARD OF AGRICULTURE OF THE SLAUGHTERING, SALE AND DISPOSAL OF THE MEAT PRODUCTS OF HORSES, OTHER ANIMALS AND BELOW-GRADE TURKEYS WHICH ARE TO BE USED OR

SOLD FOR HUMAN FOOD, WITH POWER TO MAKE RULES AND REGULATIONS PERTAINING THERETO: DEFINITIONS AND EXEMPTIONS", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 180 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed, in open session, in the presence of the House, *H. B. No. 57*, by Mr. T. M. Rees, entitled, "AN ACT TO AMEND SECTIONS 22-0-6, 22-0-7, AND 22-0-9, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 22-0-8, UTAH CODE ANNOTATED 1943, AND ADDING NEW SECTIONS ALL RELATING TO THE DUTIES AND FUNCTIONS OF THE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION AND PROVIDING FOR THE COMPILATION AND DISTRIBUTION OF INFORMATION TO VARIOUS PEACE OFFICERS AND OTHERS, THE DESIGNATION OF PEACE OFFICERS, THE ESTABLISHMENT OF RECORDS, PART OF WHICH ARE TO BE PRIVILEGED, AND THE PROVIDING OF PENALTIES, BEING PART OF TITLE 22, UTAH CODE ANNOTATED 1943", and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. B. No. 57 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORT OF STANDING COMMITTEE

March 11, 1943.

Mr. President:

Your Committee on Revision and Enrolling, to which was referred for engrossing *S. B. No. 220*, by Committee on Social Relations and Relief, entitled, "AN ACT AMENDING SECTIONS 76A-3-1, 76A-3-5, 76A-

3-6, 76A-3-10, 76A-3-12, 76A-3-13, 76A-3-14, 76A-3-20, 76A-3-25, 76A-3-29, 76A-3-33, 76A-3-35, 76A-3-36, 76A-3-38, 76A-3-39, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC WELFARE AND THE ADMINISTRATION THEREOF: THE STATE AND COUNTY DEPARTMENTS OF PUBLIC WELFARE, THEIR POWERS AND DUTIES, DEFINING TERMS, PRESCRIBING ELIGIBILITY REQUIREMENTS FOR THE AMOUNT AND EXTENT OF ASSISTANCE TO CERTAIN AGED AND NEEDY PERSONS, ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76A-3-55, RELATING TO EMPLOYMENT AND REHABILITATION, AND REPEALING SECTIONS 76A-3-17 AND 76A-3-34, UTAH CODE ANNOTATED 1943", together with a like committee of the House has examined and 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. 220 was signed 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 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 172*, by Mr. Miller, entitled, "AN ACT AMENDING SECTIONS 80-15-4, UTAH CODE ANNOTATED 1943, RELATING TO THE IMPOSITION OF A TAX UPON CERTAIN SALES AND SERVICES, AND PROVIDING CERTAIN EXEMPTIONS THEREFROM", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 172 was transmitted to the Governor.

March 11, 1943.

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. 149*, by Mr. Kendall, entitled, "AN ACT CREATING A PUBLIC WELFARE SERVICE WITHIN THE STATE DEPARTMENT OF PUBLIC WELFARE FOR REHABILITATION OF INDIGENT ALCOHOLICS, PRESCRIBING TERMS AND CONDITIONS OF ELIGIBILITY FOR THE CARE AND TREATMENT OF INDIGENT ALCOHOLICS AND AUTHORIZING AN EXPENDITURE THEREFOR", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 149 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 47*, by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 105-36-17, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUSPENSION OF SENTENCES AND THE SUSPENSION OF THE IMPOSITION OF EXECUTION OF SENTENCES, AND THE PLACING OF DEFENDANTS IN CRIMINAL CASES ON PROBATION, AND PROVIDING FOR THE MANNER OF TERMINATING SUCH SUSPENSION OR PROBATION", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 47 was transmitted to the Governor.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 2*, by Committee on Judiciary, entitled, "A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 10 OF ARTICLE VII AND TO 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, JURISDICTION, JUDGES PRO TEMPORE, CHANGE OF JUDICIAL DISTRICTS BY THE LEGISLATURE, SELECTION OF JUDICIARY AND EFFECT ON INCUMBENT JUDGES", 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. 2 was transmitted to the Secretary of State.

March 11, 1943.

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 76,* by Mr. Huggins, entitled, "AN ACT AMENDING SECTION 19-18-15, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY RECORDERS WITH RESPECT TO SEARCHES AND ABSTRACTS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 76 was transmitted to the Governor.

March 11, 1943.

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. 168,* by Committee on Highways, entitled, "AN ACT AMENDING SECTIONS 57-3a-1, 57-3a-88 AND 57-3a-89, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR VEHICLES, DEFINITIONS, REGISTRATION OF NON-RESIDENT AND VEHICLES IN INTER-

STATE COMMERCE, PERMITTING THE GRANTING OF RECIPROCITY, AND REPEALING SECTIONS 57-3a-90 AND 57-3a-137 UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 168 was transmitted to the Governor.

March 11, 1943.

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. 220,* by Committee on Social Relations and Relief, entitled, "AN ACT AMENDING SECTIONS 76A-3-1, 76A-3-5, 76A-3-6, 76A-3-10, 76A-3-12, 76A-3-13, 76A-3-14, 76A-3-20, 76A-3-25, 76A-3-29, 76A-3-33, 76A-3-35, 76A-3-36, 76A-3-38, 76A-3-39, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC WELFARE AND THE ADMINISTRATION THEREOF; THE STATE AND COUNTY DEPARTMENTS OF PUBLIC WELFARE, THEIR POWERS AND DUTIES, DEFINING TERMS, PRESCRIBING ELIGIBILITY REQUIREMENTS FOR AND THE AMOUNT AND EXTENT OF ASSISTANCE TO CERTAIN AGED AND NEEDY PERSONS, ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76A-3-55, RELATING TO EMPLOYMENT AND REHABILITATION, AND REPEALING SECTIONS 76A-3-17 AND 76A-3-34, UTAH CODE ANNOTATED 1943", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 220 was transmitted to the Governor.

On motion of Senator Hopkin the President appointed a committee consisting of Senators Ericksen, Miller and Kelly, 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 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 had no further business to bring before the Legislature.

On motion of Senator Miller the Twenty-fifth Session of the Utah State Senate adjourned sine die.

GENERAL INDEX

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		+	+				C			+					
Bailey			+			C		+						+	
Child		+		+							+	C			
Christensen	+	+	+								C				
Dawson								+	+					+	+
Ericksen				+						C				+	+
Farr					C			+			+				+
Hirschi		+	C		+		+						+		+
Hopkin	C	+			+						+			+	
Huggins		C						+			+		+		+
Kelly	+	+			+		+				+				
Kendall			+		+	+								C	
Lund		+		+		+				+				+	
McMurrin	+	+	+	C						+	+				
Melich	+					+		+	+		+	+			
Miller							+	+	C	+				+	
Morrill	+		+	+	+		+				+				
Nielsen				+		+	+				+	+		+	
Rich	+			+							+	+			C
Richards		+				+		C	+			+			
Romney						+	+			+				+	
Warner		+			+				+	+			C		+

C Chairman of Committee + Committee Member

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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	Miller—Register Motor Vehicles by Persons in Armed Forces	52	57	68	71							79
2	Hopkin—Use of Decalcomania Stickers	53	58	75	78	79	79	88	101	119	249	
3	Miller—Office of State Control of Water	53	125									
4	Bailey—Examination of Witnesses in Criminal Cases	56	62	104	123							
5	Hopkin—Relating to Rights of Aliens	56	62	83	86	213	213	315	407	426	512	212, 582
6	Child—Deposit of Securities in Insurance Department	56	58	82	86	96	97	134	144	175	250	
7	Child—Relating to Papers and Records of Insurance Dept.	56	58	90	122	152	152	202	218	230	303	131
8	Bailey—Acts Prohibited by Corporation Directors	59	63	83	87	98	98	325	433	480	524	87, 88
9	Bailey—Redemption of Preferred Stock	59	63	83	87	97	97	325	375	393	454	
10	Richards—Relating to Consolidation of Corporations	59	63	84	99	109	109	246	284	295	408	
11	Christensen—Relating to Reciprocal Insurance	59	63	83	86	97	97	257	285	295	408	
12	Warner—Cigarette and Oleomargarine Stamps	59	64	90	122	131	165	246				164, 301
13	Nielsen—Regulation of Making of Small Loans	60	64	148	238							381, 660
14	Melich—Relating to Service and Filing of Summons	60	64	104	123							
15	Rich—Election and Number of Judges	60	64	84	100	109	110	161	168	179	248	99
16	Rich—Relating to Municipal Elections	60	68	84	110	121	122	161	177	184	249	99
17	Melich—Relating to Workmen's Compensation	60	65	107	172	211						182
18	Rev. & Enrol. Com.—Legalizing Statute Book	60		66	67	67	67	88	101	119	248	
19	Dawson—Relating to Administration Letters	65	72	104	165							131, 166
20	Dawson—Relating to Estate Appraisers	65	72	105	131	165	165	348				
21	Dawson—Relating to Conveyance of Water Right	66	72	105	132	172	172	316	375	394	464	
22	Dawson—Relating to Fees of County Clerk	66	73	103	123	131	152	338	376	394	506	
23	Christensen—Registration of Labor Organizations	66	73	107	195							205, 381, 660
24	Bailey—Relating to Divorce	68	73	106	167	171	204	302	376	394	464	193
25	Judiciary Com.—Recognizing Power of the Supreme Court	68	102	115	225	236	236	501	507	526	601	

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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
26	Judiciary Com.—Relating to Powers of District Judges	69	80	105	132	132	133	231	285	294	388	
27	Judiciary Com.—Appraisement of Estates for Inher. Tax	69	80	105	133	165	165	231	286	296	388	
28	Judiciary Com.—Appeals to the Supreme Court—Inher. Tax	69	81	106	166	166	166	232	286	296	389	
29	Judiciary Com.—Contests of Wills After Probate	69	81	106	166	166	167	232	286	296	388	
30	Judiciary Com.—Inheritance Tax Imposed on Transfers	69	81	106	167	167	167	232	287	297	389	
31	Judiciary Com.—Definition of Debts of Estate	69	73	115	225	225	225	301	377	395	464	
32	Judiciary Com.—Determining Net Estate	70	74	115	225	225	226	493	519	540	601	
33	Judiciary Com.—Relating to Homesteads	70	74	115	226	387	400	658				236, 352, 361, 381, 385, 399
34	Judiciary Com.—Interest in Husband's Real Property	70	74	116	236	257	258	493				226
35	Judiciary Com.—Relating to Instruments of Writing	70	74	116	236	236	237	316	407	425	464	226
36	Judiciary Com.—Administrative Decision by Certiorari	75	136	187								381, 660
37	Richards—Relating to Release of Inheritance Tax	75	81	116	237	237	237	409	433	481	524	226
38	Richards—Collection of Wages of Deceased	76	82	107	182	193	206	308	408	425	465	205, 317
39	Judiciary Com.—Organization of County Courts	76	219	261								381, 660
40	Melich, Richards—Relating to Lessees in Metal Mining	76	90	107	182	194	194	409	468	481	565	
41	Richards, Melich—Relating to Lessees Workmen's Compensation	76	82	116	182	194	195	410	434	482	565	
42	Richards, Melich—Relating to Lessees Occupational Insurance	77	82	117	183	195	195	410	434	482	565	182
43	Richards, et.al.—Relating to Community Property	77	136	156								381, 660
44	Christensen—Annual Statement Filed with Ins. Commissioner	77	90	114	195	195	195	246	287	297	409	
45	Farr—Creating State Bond Retirement Fund	77	91	138	150	152	152	204	218	230	344	151, 206, 207, 211
46	Farr—Appropriating from Liquor Control to General Fund	78	91	138	150	151	151	185	219	231	304	
47	Huggins—Suspension of Imposition or Execution of Sentence	78	91	156	513	580	580	638	667	673		157, 381, 467, 521
48	Banking & Com. Com.—Relating to Surplus Funds of Banks	84	91	114	223	223	224	389	435	482	524	
49	Banking & Com. Com.—Lending Power of Banks	85	92	114	224	224	224	392	435	483	525	
50	Melich, et.al.—Tubercular and Bangs Disease	85	92	126	237	237	238	390	436	484	558	

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
51	Melich—Qualifications of County Attorneys	85	92	155	226	258	290	325				235, 266
52	Melich—Relating to Practice of Law	85	92	126	362							237
53	Ericksen—Relating to Pioneer Memorial Bldg.	85	93	104	110	110	110	119	134	139	249	
54	Highways Com.—Designating Streets and Highways freeways	94	125	153	345	346	346	658				
55	Highways Com.—Acquisition of Property for Highways	94	102	153	346	386	386	658				269, 381, 385
56	Hopkin, et.al.—Powers of State Defense Council	94	112	156								381, 660
57	Macfarlane, et.al.—Emergency Powers Dept. Public Welfare	95	102	155								363, 381, 660
58	Huggins, et.al.—Regulating Day Nurseries	95	102	155	596	596	596	622	629	663		363, 381, 589
59	Macfarlane, et.al.—Care of Children of Working Mothers	95	103	148	238	377	378	622	652	668		268, 307
60	Warner—Study of County Government	95	113	155	362	547	547	643	653	668		381, 504
61	Huggins—Providing a State Barber Board	95	113	200								381, 660
62	Hopkin, et.al.—Predatory Animal Bounties	96	103	127								238, 362, 381, 660
63	Banking & Com. Com.—Bank Reserves Against Deposits	96	103	147	224	224	225	393	436	484	525	
64	Dawson—Time and Manner of Probate Notices	108	113	157								381, 660
65	McMurrin, Rich—Motor Fuel Tax and Refund	108	125	197	554	578	579	636	653	668		381, 504, 563
66	Huggins—Taxation of Beer	108	113	188								381, 660
67	Hopkin—Creating and Empowering Local Defense Councils	108	114	196								381, 660
68	Huggins—Imposition or Execution of Sentences	120	125	157								
69	Morrill—Appointment of Legislators to Public Offices	120	126	154	362							
70	Hirschi, Morrill—Repealing Law Relating to Primary Elections	120	126	154	362							381, 660
71	Bailey—Municipal Civil Service Commission—Powers	121	136	154	269	368	369	567				598, 602
72	Nielsen, Warner—Municipal Planning Commissions	121	136	216	553	578	578	658				381, 504
73	Dawson—Limiting Tax Title Actions	121	177	215	269	369	378	493	507	526	600	377
74	Bailey—State Employees' Retirement Board	121	145	216								381, 504, 660
75	Huggins—Annulment of Marriages—Custody	128	145	176								381, 660

SENATE BILLS (Continued)

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
76	Huggins—County Recorders—Searches and Abstracts	128	137	154	362	387	387	641	661	674		385
77	Huggins—County Recorders' Revision of Maps and Plats	128	157	176								381, 660
78	Huggins, et.al.—Tenure of Office Members Armed Services	128	145	187								381, 660
79	Melich—Court Reporters' Compensation	129	137	157								381, 660
80	Ericksen—Presumption of Parking from Ownership	129	145	210								381, 660
81	Dawson—Limiting Tax Title Actions	129	177	215	269	378	379	494	508	537	600	
82	Dawson—Limiting Tax Title Actions	129	178	216	270	379	379	494	508	537	601	269
83	Christensen—Taxation of Insurance Companies	129	146	188	352	386	387	494	519	540	627	304, 381, 385
84	Agr. & Irr. Com.—Eradication of Noxious Weeds	130	137									
85	Hopkin, et.al.—Definition of Guest—Driver's Liability	130	187	262								381, 660
86	Melich—County Hospitals—Pay Patients	130	137	177	545	546	546	658				381, 504
87	Huggins—Firemen's Pension Fund	130	146	190								381, 613, 660
88	Huggins—Firemen's Benefit Payments	130	146	190								381, 660
89	Miller—Mine Assessment and Occupation Tax	140	168	282								381, 660
90	Macfarlane—Lien of Personal Property Tax	141	158	263								381, 660
91	Macfarlane—Relating to Contents of Judgment Roll	141	146	263								381, 660
92	Revenue & Taxation Com.—Income Tax Returns	141	158	190								381, 660
93	Revenue & Taxation Com.—Basis for Assessment of Mines	141	147	189								169, 381, 660
94	Revenue & Taxation Com.—Assessment of Corp. Franchise Tax	141	147	188								381, 660
95	Revenue & Taxation Com.—Allocation of Financial Income	142	147	190	595	595	595	658				381, 589
96	Bailey—Imputing Bailee's Negligence to Bailor	148	158	188								381, 660
97	Dawson—Letters of Administration—Who Entitled	148	158	263								
98	Morrill, et.al.—Breeding of Horses and Horse Racing	148	159	189	597	616	617	654				381, 504, 589
99	Health & Labor Com.—Sanitation of Works Areas and Camps	149	178	200								381, 660
100	Health & Labor Com.—Licensing Maternity Hospitals	149	264	337	604	605	605	658				381, 589

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
101	Health & Labor Com.—County and District Health Depts.	149	159	200	605	605	605	658				381, 589
102	Huggins, et.al.—Fees of County Recorder	150	159	261								381, 660
103	Farr—Shortening Minimum School Term—Emergency	162	169	214	380	389	399	572	588	610		304, 362, 381, 385
104	Health & Labor Com.—Reporting Occupational Diseases	162	169	200								381, 660
105	Health & Labor Com.—Combining Statistics Registration	162	169	199								381, 660
106	Health & Labor Com.—Regulating Fumigation & Ventilation	162	170	199								381, 660
107	Health & Labor Com.—Registration of Children's Names	162										250
108	Health & Labor Com.—Supervision of Culinary Water	163	170	199								381, 660
109	Health & Labor Com.—Supervising Disposition of Waste	163	170	199								381, 660
110	Health & Labor Com.—Sanitary Code	163	170	198								381, 660
111	Health & Labor Com.—Sanitary Supervision of Restaurants	163	171	198	605	622	623	658				381, 589
112	Bailey—Compensation of Howard Robertson	164	171	281								381, 660
113	Highways Com.—Division of Highway Space	180	185	197								381, 660
114	Highways Com.—Class "B" and "C" Roads	180	186	198								381, 660
115	Highways Com.—Construction of Flight Strips	180	186	197								381, 660
116	Highways Com.—Inspection of Motor Fuels	180	201	245								381, 660
117	Highways Com.—State Road Bids and Contracts	181	186	198								381, 660
118	Hopkin—Horse Growers' Association Fund	181	186	457								
119	Fish & Game Com.—Fish and Game Commission	181	201	261	413	445	445	585	618	647		381, 385
120	Hirschi—Prohibiting Certain Insurance Policies	181	187	337								381, 660
121	Hirschi—Maximum Levies by Counties	191	202	217	595	595	596	658				381, 504, 589
122	Huggins—Temporary Alimony, Custody, etc.	191	350	360								381, 660
123	Huggins—Special Verdicts and Interrogatories	191	350	359								381, 660
124	Huggins—Jury Instructions and Interrogatories	191	350	359								381, 660
125	Child—Incompetent Veterans Guardianship and Administration	191	202	256	522	523	523	577	603	612		381, 504

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	Social Relations Com.—Public Welfare Administration	192	209	244								381, 660
127	Social Relations Com.—County Welfare Departments	192	209	245								381, 660
128	Huggins—Motor Fuel Tax Reports	192	202	217	544	544	544	621	652	669		381, 504
129	Richards, Melich—Suspension Collar to Collar Law	204	209	282								381, 504, 589, 660
130	Richards, Melich—Employment Minors and Females—Mines	205	209	283	527	528	528	577	589	610		381, 504, 522
131	Kelly—Board of Forestry and Fire Control	205	210	282								381, 660
132	Huggins, Richards—Reciprocal Exemption—Inheritance Tax	210	219	261	523	526	527	584	608	646		381, 504
133	Bailey—Employment of Minors as Pin Boys	210	219	260	597	597	597	613	618	646		381, 589
134	Rich—Salaries of Supreme and District Court Judges	220	227	262								381, 613, 660
135	Pub. Inst. Com.—Utah State Hospital	220	264	323								381, 660
136	Pub. Inst. Com.—Admittance to Tuberculosis Sanitorum	220	227	292								381, 660
137	Pub. Inst. Com.—Sterilization of Insane Persons	220	242	292								381, 660
138	Pub. Inst. Com.—Duties of Director Tuberculosis Sanitorium	220	227	292								381, 660
139	Pub. Inst. Com.—Support of Poor by Relatives	221	242	293								381, 660
140	Warner—Distribution of Utah Code Annotated	221	227	262	514	552	552	577	604	612		381, 495, 539
141	Lund—Exemptions Franchise Tax	234	242	282	545	545	545	658				381, 504
142	Christensen—Insurance Deposit Requirements	234	242	293	352	386	386	658				304, 381, 385
143	Education Com.—Use of School Property	234	243	293								381, 660
144	Highways Com.—Airport Zoning Regulations	234	243	292	522	522	522	658				381, 504
145	Education Com.—Use of Auditorium Facilities	235	243	293								381, 660
146	Hirschi—Investment Sinking Funds of Taxing Units	235	243	324	473	491	491	621	630	659		381, 467
147	Bailey—Employment of Minors as Ushers	235	244	260								381, 660
148	Kendall—Department of Registration	250	265	365	462	484	489	658				381, 451, 487
149	Kendall—Rehabilitation of Indigent Alcoholics	250	265	336	562	562	563	642	665	673		381, 504, 554
150	Pub. Inst. Com.—Funds of Committed Persons	251	265	324								381, 660

SENATE BILLS (Continued)

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
151	Pub. Inst. Com.—Jurisdiction of Applicants of Mental Hospital	251	264	356								381, 660
152	Hopkin—State Bounty Fund	251	283	457								
153	Health & Labor Com.—Registration of Children's Names	251	266	336								381, 660
154	Health & Labor Com.—Vital Statistics Records—Inspection	252	266	336								381, 660
155	Hopkin—Fur-Bearing Animal Fee—Distribution	252	266	505								660
156	Huggins—Penalty for Rape	257	265	359								381, 660
157	Richards—Priority of Liens	267	283	356								381, 660
158	Judiciary Com.—Jury Trial in Equity Cases	267	283	358								381, 660
159	St. & Mun. Aff. Com.—Relating to Primary Elections	267	294	364	471	488	490	658				381, 467, 489
160	McMurrin—Violation OPA Rules a State Offense	268	284	345								381, 504, 660
161	Kendall—Salaries of County Officers	288	311	366								381, 660
162	Appro. Com.—Standing Legislative Budget Com.	288	396	422	470	470	470	658				451
163	Bailey—Municipal Recreation-Activity Fund	289	311	372								397, 660
164	Revision & Enrol. Com.—Department of Finance & Commission	289	294	357	403	415	428	509				381, 385, 411, 427
165	Richards, Huggins—Acknowledgments of Military Personnel	289	312	356	473	491	491	638	651	669		381, 467
166	Richards, Huggins—Disposition of Property—Simultaneous Death	289	312	358								381, 660
167	Child, et.al.—School Teachers' Retirement Association	290	312	345	606	606	606	658				381, 589
168	Highways Com.—Motor Vehicle Registration Reciprocity	304	334	405	473	491	491	573	666	674		467, 598, 640
169	Miller—Tuition Fees for Vocational Courses	305	313	345								381, 660
170	Huggins—Lien of Special Assessments	305	334	359								381, 660
171	Melich—Brand Inspection Tax on Livestock	305	313	448								660
172	Miller—Exemption from Sales Tax	305	313	357	546	546	546	643	665	672		381, 504
173	Miller—Exemption from Use Tax	305	333	355								381, 660
174	Miller—Control of Wasting Artesian Wells	306	313	448								660

SENATE BILLS (Continued)

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
175	Child—Collection of Motor Fuel Tax	306	314	355								381, 660
176	Bailey—Unemployment Compensation—Benefits Payable	306	333	422								660
177	Hopkin—State Engineer—Water Rights	310	360	448								504, 613, 660
178	Revision & Enrolling Com.—State Health Commissioner	317	348	422	452	452	452	658				385
179	Social Relations Com.—Public Welfare Commission—Depts.	317	360	397	542	543	543	658				503, 513
180	Social Relations Com.—Administration of Public Welfare	318	348	398	515	576	576	611				503, 513, 521, 528, 539, 541, 552 573
181	Warner—Liquor in Public Places	318	333	358								381, 660
182	Macfarlane—Exemption from Motor Fuel Tax	318	333	355	544	545	545	658				381, 504
183	Kendall—Repealing Public Works Program Law	319	332	357	413	445	445	658				381, 385
184	Rev. & Enrol. Com.—Powers and Duties of State Auditor	319	332	364	411	443	445	620	630	658		381, 385
185	Rev. & Enrol. Com.—Repealing Governor's Emergency Powers	319	332	364	412	412	413	566				381, 385
186	Rev. & Enrol. Com.—Submission of Governor's Budget Message	319	331	355	411	411	411	586	608	648		381, 385
187	Rev. & Enrol. Com.—State Highway Patrol	319	331	364	462	491	496	658				381, 451
188	Rev. & Enrol. Com.—Preparation, Drawing of State Warrants	320	332	356	412	412	412	614	619	638		381, 385
189	Rev. & Enrol. Com.—Centralizing State Legal Work	320	331	358	452							381, 385
190	Rev. & Tax. Com.—Property Tax Military Personnel	320	335	354								381, 660
191	Bailey, Melich—Repealing Advisory Council—Indst. Com.	320	335	423	470	487	487	598	619	647		451
192	Warner—Student Use of Transportation Equipment	320	334	405								660
193	Rev. & Enrol. Com.—Duties of Secretary of State	323	361	432								613, 660
194	Romney, Ericksen—School Lunch Program	323	330	406	544							504, 555, 575, 576
195	Richards—Enforcement Industrial Commission Orders	323	335	423								660
196	Soc. Relations Com.—Disposition of Sales Tax Revenue	326	349	398	543	575	575	584	609	646		503, 513, 552
197	Dawson—Ceding Jurisdiction over Federal Lands	327	349	360	470	474	474	502	509	537	602	381, 467
198	Hopkin—Post-War Readjustment Committee	327	349	449								660

SENATE BILLS (Continued)

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
199	St. & Mun. Affairs Com.—Hours Employment in Public Offices	339	396	449								660
200	Hopkin—Dept. of Agriculture Papers and Files	339	397	449								660
201	Miller—Taxing Dividends of Corporations	339	424	449								660
202	Richards, Kendall—Uniform Narcotic Drug Act	340	436									554, 660
203	Kendall—Uniform Narcotic Drug Act	340	437									
204	Miller—Notice of Strikes—Mediation—Labor Contracts	340	372	423								660
205	Macfarlane—Refund Motor Fuel Tax—Aircraft Fuel	340	372	423								660
206	Child, et.al.—Veteran's Rehabilitation Council	340	373	424								450, 660
207	Huggins—Defining Contract Motor Carrier	341	373	406								660
208	Hopkin, Christensen—Pullorium Disease Eradication	341	373	469	606	607	607	645	661	667		589
209	Ericksen—Regulating Milk Products	342	424	450								660
210	Education Com.—State Teacher Retirement Fund—Investment	342	374	406								660
211	Miller—Maximum Hours of Labor on Public Works	342	374	485								660
212	Lund—State Guard	342	396	450								660
213	Huggins—Candidates Names on Election Ballots	379	425									554, 660
214	Huggins—Tuition Fees in Colleges and Universities	380	397	478								660
215	Rev. & Enrol. Com.—Issuance of Warrants Upon State Treas.	538	550									554, 660
216	Hopkin—Property Rights of Certain Aliens	543	550		581	581	582	614	620	648		557
217	Rev. & Enrol. Com.—Repealing Governor's Emergency Powers	578			594	594	595	658				589
218	Miller—Registration of Voters in Military Service	604										660
219	App. Com.—General Appropriations Bill	612										613, 660
220	Soc. Relief Com.—Public Welfare Administration	641			655	655	655	662	672	675		651

SENATE RESOLUTION

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	Huggins, et.al.—Condolence to James A. Langton	259			259	259						

SENATE 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	Child, et.al.—Condolence to Senator Thomas Bailey	51			52	52						
2	Ericksen, et.al.—Condolence to Walter Romney	61			61	61						

SENATE CONCURRENT 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	Miller—Use of Water	120	124	196	252	252	252	326	374	393	455	
2	Miller—Price of Strategic Metals	339	424	468								660
3	Japanese-American Relations Com.—Favoritism in Educational Advantages	443		519								660

SENATE JOINT RESOLUTIONS

Number	AUTHOR — SUBJECT	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Communication from House	Signed by President	Signed by Speaker	Action of Governor	Further Reference
1	Miller—	66	75									
2	Judiciary Com.—Constitutional Amendment—Supreme and District Court Judges	70	124	156	363	387	398	654	666	673		381, 385
3	Rules & Cont. Ex. Com.—Compensation Employees of Legislature	93			93	109	109	118	134	138		
4	Sen. App. Com.—Joint Legislative Budget Committee	288	396	420	497	498	499	570	588	609		495
5	Macfarlane—Support of American Red Cross	564			564	564	565	584	617	647		

SENATE JOINT MEMORIAL

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	Christensen—Manufacture of Synthetic Rubber	288			288	288	288	308	467	480	523	

SENATE CONCURRENT RESOLUTION

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	Kelly—Marketing Quota Act	93			94	94	94	658				

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	Cowles—Appointment of Legislators to Public Office	173	215	253	329	329	392	392		321, 366
2	Mozley, Cannon—Opening Day of Fishing Season	89	189	206	206	206	228	228	299	223
4	Agr. Com.—Noxious Weed Eradication	117	127	131	165	165	179	179	298	142
5	Agr. Com.—Powers of State Board of Agriculture	135	310	346	461	462	567	568		361, 381, 420, 456, 506
6	Agr. Com.—Department of Agriculture Advisory Council	117	127	131	142	142	173	173	298	159
7	Agr. Com.—Rental of County Road Equipment	118	127	132	142	142				
8	Agr. Com.—Produce Dealers' Act	175	263			660				381
9	Agr. Com.—Content of Commercial Fertilizers	203	310	429	429	430	479	479	583	381, 420
11	Sorenson, et.al.—Old Age Assistance	221	244	542		660				254, 322, 381, 503, 513, 578
13	Stringham, et.al.—Predatory Animal Control Fund	178	255	430	430	430	479	479		381, 420
14	Agr. Com.—Definition of Retail Sales	222	264	513	513	514	568	568		381, 495
15	Agr. Com.—Powers and Duties of State Chemist	139	255	322	329	329	370	371		
17	Agr. Com.—Milk and Cream Tests and Reports	439	458			660				
19	Agr. Com.—Definitions and Standards of Food Products	439	457			660				
21	Midgley—Letters of Administration—Who Entitled	160		166	166	166	184	185	299	165
22	Jensen, et.al.—Time of Payment of Employees	174	201	207	212	212	371	371		223, 233, 308, 327
24	Milliman, Rees—Salaries of Certain State Officers	160	216	253	253	253	309	310	417	298
25	Stringham—Poundkeepers to Impound All Strays	179	255	329	455	455				381, 385, 386, 411, 428
26	Roberts, et.al.—Civil Service for Highway Patrol	228	256			660				381
28	Education Com.—Teachers' Salary and Bonus	268	281	342	500	527	568	568		294, 321, 381, 385, 386, 411, 428, 489, 521

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
29	Stringham—Naturopathic Physician and Surgeon License	160	201	207	290	327				211, 223, 252
30	Traffic Safety Com.—Operator's and Chauffeur's Licenses	203	245	254	258	258	347	348		324
39	Sorenson, Jack—Assistance to Blind Persons	247	314	542	624	624	649	649		381, 503, 513, 552, 578, 613
40	Hatch, Cannon—Investment of Funds by Finance Com.	184	217	268	321	321	367	367		253
41	Hatch, Cannon—Investments of Executor, etc.	300	337	429	451	451	502	503		381, 420
42	Elswood—Relating to Marriage Licenses	247	262	430	453	456	509	509		381, 420, 451, 455, 486
43	Hatch, et.al.—Financial Responsibility Act	303	335	428	453	453	516	516		381, 420
45	Robinson, et.al.—Distribution of Laws and Journals	338	357	514	514	514	569	569		381, 495, 566
46	Sorenson, et.al.—Municipal Civil Service	302	337			660				381
47	Jack—Registration of Absent Voters	229	256	521	552	552	583	583		381, 495
48	Hatch—Regulating Surplus Line Brokers	418	446	582	582	582	644	644		557, 566
49	Sabin, Cowles—Department of Registration Licenses	229	256	521	522	522	569	569		381, 495, 567
50	Cowles—Compensation of Court Reporters	221	245	322	322	322	367	367		
51	Rees—Designating Certain State Roads	367	405	589	589	589	630	631		557
52	Loveridge—Signature and Approval of Insurance Policies	247	324			660				381
53	Reed—State Insurance Fund	458	485			660				
57	Rees—Bureau of Criminal Identification—Investigation	535		590	639	639	671	671		554, 557, 613
59	Grotegut—Recordation of Chattel Mortgages	371	421			660				
60	Grotegut—Recordation of Chattel Mortgages	369	421			660				
63	Robinson—Reciprocal Fishing on Bear Lake	370	405	431	431	431	479	480		420

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
64	Nielson—Firing Trees, etc.—Penalty	439	458	590	590	590	631	631		557, 609
65	Labor Com.—Jurisdiction of Dept. of Publicity Over Labor	353								
67	Greenwood, et.al.—County Civil Service	549	558			660				
68	Irri. Com.—Water Rights Under Federal Projects	419	446	590	590	590	631	632		557
69	Irri. Com.—Reversion of Water Rights	301	446			660				
70	Irri. Com.—Irrigation and Conservation Districts	440	447	591	591	591	632	632		557, 609
73	Bell—Maximum Hours of Employment of Females	391	421			660				
76	Bell—Physical Examinations of Employees	520				660				554
77	Jack, et.al.—Locomotive Equipment and Crossing Signals	459	469	591	591	591	632	633		558, 613
79	Smith, Stringham—Daggett and Uintah Boundary	354	365	378	378	378	426	427		368
81	Rees—Assisting Disabled Voters	354	365	499	499	500	547	548		381, 495
82	Milliman, Stevens—Operators' Licenses—Highway Patrol	417	447	591	592	592				558, 610, 660
83	Education Com.—Licensing of Hairdressers	366	485			660				
84	Sorenson—Assistance to Needy Blind	390	422	624	624	624	663	663		503, 513, 542, 578, 613
85	Jack, Sorenson—Blind Allottment.	391	432	625	625	625	654	655		503, 513, 542, 578, 613
87	Milliman, Murdock—Chemical Tests of Drunk Driving	419				660				438, 466, 554, 613
88	Bell—Tenure of Office of Military Personnel	418	447	592	592	592	633	633		558
95	Stringham, et.al.—State Bounty Fund	440	447	574	574	575	633	634		557, 583
99	Sabin—Pay of City Judges—Third Class Cities	466		639	639	639	659	660		554, 558, 613

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
100	Stringham, et.al.—Assessment of Livestock and Honeybees	441	469			660				
105	Meador—Temporary Increase of Salaries of County Officers	441	468	573	581	581	634	634		557, 602
106	Durham, Cannon—Penalty for Rape	442		650	650	651	663	663		554, 558, 613
113	Irrigation Com.—Procedure in Water Litigation	520	538	596	616	616	644	645		589
114	Loveridge—Taxing Property Abutting Municipalities	599				660				
115	Cowles, et.al.—Relating to Direct Primary	510	538			660				
116	Elswood—Fixing Rentals for Prospecting Certain Lands	570				660				
117	Rees—Senatorial Representation	570				660				
122	Fish & Game Com.—Illegal Hunting Methods	548				660				
136	Mozley, et.al.—Unsealed Liquor in Public Places	486	555			660				
138	Education Com.—Vocational School at Provo, Utah	536	551			660				613
146	Cowles—Registration and Election Days	517	551			660				
148	Christensen—Appropriating for Civilian Pilot Training	486	505			660				613
149	Larsen, Noble—Creating Property Rights in Water	557				660				

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
151	Rees—School Teachers' Retirement Association	536	551			660				
152	Reed—Supervision of Credit Unions	549	555			660				613
156	Elliott, Holt—Presentation of Claims Against the State	556				660				
164	Stringham—School Lunch Fund—Finances	517	541	575	581	594	635	635		558, 593
168	Kerr, et.al.—Relating to Labor Relations and Disputes	571				660				589, 613, 651
173	Staples—Assessment and Taxation of Turkeys	442	448			660				558, 613
174	Mabey—Ceding Land for Federal Hospital	492	505	597	597	598	635	636		558
175	Mabey—Time of Paying Employees	517	550	592	592	592	636	636		558
176	App. Com.—Assessment and Collection of Regulations Fees	548	555	623	623	623	649	650		613, 636
177	Appro. Com.—Allocation of Liquor Proceeds	571		624	624	624	650	650		613
179	Rees, Mabey—Senatorial Representation	599				660				
180	Jack—Sale of Certain Meat Products	614		637	637	637	670	671		629
181	Milliman—Operator's License—State Highway Patrol	611				660				
182	App. Com.—General Appropriations Bill	625		626	626	626	664	664		

HOUSE CONCURRENT MEMORIALS

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	Midgley—Establishing a Pharmacy Corp.	351	365	430	430	430	478	478		381, 420
2	Paxton—Rights of State to Air Commerce	487	495	496		660				
3	Durham, et.al.—Emergency Labor Policies	458	505			660				

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
2	Durham, et.al.—Condolence for Geo. D. Pyper	111		111	111	112	140	140		
3	Res. Com.—Condolence for Annie Barbara Schenk	173		174	174	174	228	228		
4	Loveridge—Duration of Sessions of the Legislature	465	478			660				
5	Durham—Condolence for John C. Mackay	233		233	233	234	300	300		

HOUSE JOINT MEMORIALS

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	Roberts—Expansion of Federal Social Security	222	244	253	257	258	309	309		298
3	Loveridge—Federal Rent Control Legislation	343		343	343	343	395	395		

HOUSE CONCURRENT 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	Paxton—Modifying Marketing Quota Act	98		99	99	99	140	140	299	118
2	Mabey, Cannon—Standing Legislative Budget Committee	391	421							495
4	Mabey, et.al.—Brigham Young Statue	520	551	642	642	642	670	670		613

GOVERNOR'S ACTION ON SENATE BILLS

No.	Author	Subject	Approved	Vetoed
2	Hopkin	Use of Decalcomania Stickers	Jan. 27	
5	Hopkin	Relating to Rights of Aliens		March 4
6	Child	Deposit of Securities in Insurance Dept.		Feb. 9
7	Child	Relating to Papers and Records of Insurance Dept.	Feb. 15	
8	Bailey	Acts Prohibited by Corporation Directors	March 5	
9	Bailey	Redemption of Preferred Stock	Feb. 27	
10	Richards	Relating to Consolidation of Corporations	Feb. 23	
11	Christensen	Relating to Reciprocal Insurance	Feb. 23	
15	Rich	Election and Number of Judges	Feb. 9	
16	Rich	Relating to Municipal Elections	Feb. 9	
18	Rev.,Enr'l.Com.	Legalizing Statute Book	Jan. 27	
21	Dawson	Relating to Conveyance of Water Right	March 1	
22	Dawson	Relating to Fees of County Clerk	March 3	
24	Bailey	Relating to Divorce	March 1	
25	Jud. Com.	Recognizing Power of Supreme Court	March 11	
26	Jud. Com.	Relating to Powers of District Judges	Feb. 20	
27	Jud. Com.	Appraisement of Estates for Inheritance Tax	Feb. 20	
28	Jud. Com.	Appeals to the Supreme Court—Inheritance Tax	Feb. 20	
29	Jud. Com.	Contests of Wills After Probate	Feb. 20	
30	Jud. Com.	Inheritance Tax Imposed on Transfers	Feb. 20	
31	Jud. Com.	Definition of Debts of Estate	March 1	
32	Jud. Com.	Determining Net Estate	March 11	
35	Jud. Com.	Relating to Instruments of Writing	March 1	
37	Richards	Relating to Release of Inheritance Tax	March 5	
38	Richards	Collection of Wages of Deceased	March 1	
40	Melich,et.al.	Relating to Lessees in Metal Mining	March 8	
41	Richards,et.al.	Relating to Lessees Workmen's Compensation	March 8	
42	Richards,et.al.	Relating to Lessees Occupational Insurance	March 8	
44	Christensen	Annual Statement Filed with Insurance Commissioner	Feb. 23	
45	Farr	Creating State Bond Retirement Fund	Feb. 18	
46	Farr	Appropriating from Liquor Control to General Fund	Feb. 15	
47	Huggins	Suspension of Imposition or Execution of Sentence	March 17	

GOVERNOR'S ACTION ON SENATE BILLS—(Continued)

No.	Author	Subject	Approved	Vetoed
48	Bank.& Com.	Relating to Surplus Funds of Banks	March 5	
49	Bank.& Com.	Lending Power of Banks	March 5	
50	Melich, et.al.	Tubercular and Bangs Disease	March 6	
53	Ericksen	Relating to Pioneer Memorial Bldg.	Jan. 29	
58	Huggins, et.al.	Regulating Day Nurseries	March 17	
59	Macfarlane,et.al	Care of Children of Working Mothers	March 17	
60	Warner	Study of County Government	March 17	
63	Bank.& Com.	Bank Reserves Against Deposits	March 5	
65	McMurrin,et.al.	Motor Fuel Tax and Refund		March 22
73	Dawson	Limiting Tax Title Actions	March 11	
76	Huggins	County Recorders—Searches, Abstracts	March 17	
81	Dawson	Limiting Tax Title Actions	March 11	
82	Dawson	Limiting Tax Title Actions	March 11	
83	Christensen	Taxation of Insurance Companies	March 13	
103	Farr	Shortening Minimum School Term	March 15	
119	Fish & Game	Fish & Game Commission	March 22	
125	Child	Incompetent Veterans Guardianship and Administration	March 18	
128	Huggins	Motor Fuel Tax Reports	March 17	
130	Richards,et.al.	Employment Minors and Females in Mines	March 16	
132	Huggins,et.al.	Reciprocal Exemption—Inheritance Tax	March 18	
133	Bailey	Employment of Minors as Pin Boys	March 17	
140	Warner	Distribution of Utah Code Annotated	March 16	
146	Hirschi	Investment Sinking Funds of Taxing Units	March 17	
149	Kendall	Rehabilitation of Indigent Alcoholics	March 17	
165	Richards,et.al.	Acknowledgements of Military Personnel	March 17	
168	Highways Com.	Motor Vehicle Registration Reciprocity	March 17	
172	Miller	Exemption from Sales Tax	March 18	
184	Rev.,Enr'l.Com.	Powers & Duties of State Auditor	March 22	
186	Rev.,Enr'l.Com.	Submission of Governor's Budget Message	March 18	
188	Rev.,Enr'l.Com.	Preparation, Drawing of State Warrants	March 17	
191	Bailey, et.al.	Repealing Advisory Council—Industrial Commission	March 19	
196	Soc.Rela.Com.	Disposition of Sales Tax Revenue		March 18
197	Dawson	Ceding Jurisdiction Over Federal Lands	March 11	
208	Hopkin, et.al.	Pullorum Disease Eradication	March 17	
216	Hopkin	Property Rights of Certain Aliens	March 16	
220	Soc.Rela.Com.	Public Welfare Administration		March 18

GOVERNOR'S ACTION ON HOUSE BILLS

No.	Author	Subject	Approved	Vetoed
1	Cowles	Appointment Legislators to Public Office	March 1	
2	Mozley, et.al.	Opening Day of Fishing Season	Feb. 15	
4	Agri. Com.	Noxious Weed Eradication	Feb. 5	
5	Agri. Com.	Powers of State Board of Agriculture	March 16	
6	Agri. Com.	Dept. of Agriculture Advisory Council	Feb. 9	
9	Agri. Com.	Content of Commercial Fertilizers		March 10
13	Stringham,et.al.	Predatory Animal Control Fund	March 8	
14	Agri. Com.	Definition of Retail Sales	March 16	
15	Agri. Com.	Powers and Duties of State Chemist	Feb. 25	
21	Midgley	Letters of Administration—Who Entitled	Feb. 9	
22	Jensen, et.al.	Time of Payment of Employees	Feb. 27	
24	Milliman,et.al.	Salaries of Certain State Officers	Feb. 20	
28	Education Com.	Teachers' Salary and Bonus	March 16	
30	Traf.Saf.Com.	Operators' and Chauffers' Licenses	Feb. 25	
39	Sorenson, et.al.	Assistance to Blind Persons	March 20	
40	Hatch, et.al.	Investment of Funds by Finance Com.	Feb. 25	
41	Hatch, et.al.	Investments of Executor, etc.	March 6	
42	Elswood	Relating to Marriage Licenses	March 11	
43	Hatch, et.al.	Financial Responsibility Act	March 12	
45	Robinson, et.al.	Distribution of Laws and Journals	March 16	
47	Jack	Registration of Absent Voters	March 17	
48	Hatch	Regulating Surplus Line Brokers	March 19	
49	Sabin, et.al.	Dept. of Registration Licenses	March 16	
50	Cowles	Compensation of Court Reporters	Feb. 25	
51	Rees	Designating Certain State Roads	March 17	
57	Rees	Bureau of Criminal Identification	March 20	
63	Robinson	Reciprocal Fishing on Bear Lake	March 8	
64	Nielson	Firing Trees, etc., Penalty	March 17	
68	Irri. Com.	Water Rights Under Federal Projects	March 17	
70	Irri. Com.	Irrigation and Conservation District	March 18	
77	Jack, et.al.	Locomotive Equipment, Crossing Signals	March 18	
79	Smith, et.al.	Daggett and Uintah Boundary	March 1	
81	Rees	Assisting Disabled Voters	March 12	
84	Sorenson	Assistance to Needy Blind Persons	March 17	
85	Jack, et.al.	Blind Allottments	March 20	
88	Bell	Tenure of Office of Military Personnel	March 17	
95	Stringham,et.al.	State Bounty Fund	March 19	
99	Sabin	Pay of City Judges, 3rd Class Cities	March 17	
105	Meador	Temporary Increase Salaries County Officers	March 17	
106	Durham, et.al.	Penalty for Rape	March 17	
113	Irri. Com.	Procedure in Water Litigation	March 22	
164	Stringham	School Lunch Fund	March 18	
174	Mabey	Ceding Land for Federal Hospital	March 18	
175	Mabey	Time of Paying Employees	March 18	
176	Appro. Com.	Assessment and Collection of Regulation Fees	March 18	
177	Appro. Com.	Allocation of Liquor Proceeds	March 18	
180	Jack	Sale of Certain Meat Products	March 18	
182	Appro. Com.	General Appropriations Bill	March 22	