SENATE JOURNAL

TWENTY-SIXTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

FIRST SPECIAL SESSION

1946

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CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal of the First Special Session of the Twenty-sixth 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 August 5, 1946, and continuing for six legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL

CLINTON D. VERNON,
Secretary of the Senate.

HENDRIK ROMEYN,
Docket Clerk.

FIRST SPECIAL SESSION

OF THE

TWENTY-SIXTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, August 5, 1946.

Pursuant to a proclamation issued by His Excellency, Governor Herbert B. Maw, the Senate of the Twenty-sixth Legislature of the State of Utah met in the First Special Session in the Senate Chamber at the State Capitol at 12 o'clock noon.

The Senate was called to order by President Farr.

Roll Call—All Senators present.

Prayer by the Chaplain.

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

BY THE GOVERNOR OF THE STATE OF UTAH

A PROCLAMATION

WHEREAS, the Legislative Tax Study Committee, established by the Twenty-sixth Legislature to investigate and study the taxation system of the State, has advised me that an adequate and satisfactory taxation program cannot be set up for Utah unless certain sections of the State Constitution are amended; and,

WHEREAS, said Legislative Tax Study Committee, by unanimous vote, has requested that the Legislature be called into special session soon enough to permit constitutional amendments to be submitted to the vote of the people at the general election in November of this year; and,

WHEREAS, it appears that Section 3 of Article XIX of the Constitution must be amended so as to give the Legislature the right to designate the location of certain State Institutions before Utah will be justified in applying for title to the Bushnell Hospital at Brigham City —an Institution that is needed to serve the aged, handicapped and needy of the State; and,

WHERAS, extraordinary conditions make the calling of a special session of the Legislature of the State of Utah advisable;

NOW, THEREFORE, I, HERBERT B. MAW, Governor of the State of Utah, by virtue of the authority vested in me by Section 6 of Article VII of the Constitution of Utah, do, by this proclamation, call the Legislature of the State into special session at the Capitol on the 5th day of August, 1946, at 12:00 Noon for the following purposes:

FIRST—To consider the matter of amending certain sections of the Constitution of the State of Utah relating (1) to taxation, and (2) to the location of State Institutions with a view of submitting said amendment for the vote of the people at the general election to be held in November of 1946; and,

SECOND—To make appropriations to cover the expenses of the special session.

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

Done at the Capitol, Salt Lake City, Utah, this 20th day of July, 1946.

(SEAL)

By the Governor:

(Signed) HERBERT B. MAW,
Governor.

(Signed) E. E. MONSON,
Secretary of State.

SECRETARY OF STATE'S OFFICE

I, E. E. MONSON, Secretary of State of the State of Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the proclamation made by the Governor of the State, July 20,

1946, calling the Legislature of the State of Utah, to meet in special session at and upon the date therein specified.

As appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah, at Salt Lake City, this 5th day of August, 1946.

(SEAL)

(Signed) E. E. MONSON,
Secretary of State.

On motion of Senator Elggren the rules of the Regular Session of the Twenty-sixth Legislature were adopted for the First Special Session.

On motion of Senator Elggren the Standing Committees of the Senate for the Regular Session of the Twenty-sixth Legislature were appointed to continue for the First Special Session.

On motion of Senator Hirschi the President appointed a committee consisting of Senators Ericksen, Warner, and Kelly to notify the House that the Senate is organized and ready for business, and also to act jointly with a like committee from the House to wait upon the Governor and notify him that the First Special Session of the Twenty-sixth Legislature is organized and ready to receive any communications he may wish to send.

On motion of Senator Lamoreaux the following were elected as officers and employees of the First Special Session of the Twenty-sixth legislature:

Secretary of Senate—Clinton D. Vernon.

Minute Clerk—Dorothy Fletcher.

Docket Clerk—Hendrik Romeyn.

Sergeant-at-Arms—Robert Fitts.

Head Doorman and Chaplain—Sam Tomlinson.

Doormen—W. F. Bennett, Harvey Kern and Earl Wilson.

Stenographers—Margaret Mozley and Mrs. Alice Smith.

Mailing Clerk—Mrs. Hazel Osguthorpe.

Messenger—Irma W. Wynn.

COMMUNICATIONS FROM THE HOUSE

August 5, 1946

Mr. President:

I am directed to inform your Honorable Body that the First Special Session of the 26th Session of the House of Representatives of the State of Utah has this day organized and is ready for business and that the Speaker of the House has appointed a committee, consisting of Represenatives Gardner, Jack, and Smith, to notify the Senate to this effect and to go with a like committee from the Senate to wait upon the Governor and notify him that the First Special Session of the 26th Legislature is organized and ready to receive any communication or message from him.

Respectfully,

J. WALDO PARRY,
Chief Clerk of House.

Communication filed.

The President appointed Senators Hopkin and Selvin to revise the Journal for this Special Session.

On motion of Senator Holbrook the President was authorized to appoint a special committee to meet with a like committee from the House to make arrangements for a visit to Bushnell Hospital.

The President appointed the standing committee on Public Institutions as the special committee.

A committee from the House consisting of Representatives Gardner, Jack, and Smith appeared and reported that the House is organized and ready for business.

The Special Committee consisting of Senators Ericksen, Warner, and Kelly reported that it and a like committee from the House had waited upon the Governor and informed him that the Legislature was organized and ready to receive communications from him, and that they had been advised that when the Senate and House were assembled in Joint Convention he would appear and deliver his message.

On motion of Senator Huggins the Senate recessed and 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 Chaplain of the Senate.

The President of the Senate directed the Joint Committee consisting of Senators Ericksen, Warner, and Kelly and Representatives Gardner, Jack, and Smith 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 presented to the Joint Convention by President Farr.

The Governor then delivered the following message:

Mr. President and Mr. Speaker,
Ladies and Gentlemen of the Legislature:

I have called you into special session at this time for the purpose of submitting for your consideration certain proposed amendments to the State Constitution which require your immediate attention if the best interests of the people of the State of Utah are to be served.

Your Honorable Body, during its regular session, directed the setting up of a committee to be composed of three members of the Senate, three members of the House, and three members representing agriculture, industry and labor, to study the taxation system of the State and to make recommendations of new legislation to the 27th Legislature. That committee was organized and has been functioning since the adjournment of the Legislature which created it. It has done an excellent job. I am advised that one of the major factors which resulted in the passage of the legislation setting up the committee was that of school financing. The creation of a more adequate and equitable plan of support for the public school system, to be submitted to the next legislature, therefore, became one of the first tasks of the committee. The committee soon found, I am told, that certain inhibitions must be removed from the State Constitution before satisfactory legislation of school financing might be enacted. Consequently, it requested, by unanimous vote, that I call the legislature into Special Session in time for your Honorable Body to prepare resolutions on Constitutional Amendments to be submitted to a vote of the people at the general election during November of this year. If I had not complied with the request of your committee in this matter, the people could have had no opportunity to

vote on those amendments until November of 1948. This would have delayed action on adequate legislation for financing our public school system for two years. It seemed imperative, therefore, that the Legislature be called into Special Session at this time for the purpose of considering Constitutional amendments. In order that the session might not be a lengthy one, I have limited my call and my message to the field of constitutional amendments, even though I have been strongly urged to submit other matters which have the earmarks of "emergency status".

Your Tax Study Committee has prepared a preliminary report on its proposed amendments. That report clearly states the reasons for the amendments and therefore eliminates any need on my part for elaboration. In submitting the following sections of the Constitution for your consideration, I shall, therefore, make only brief comments on each.

ARTICLE XIII, SECTIONS 3 AND 7

The above two sections are related to Public School financing and should be amended according to the recommendations of the Tax Study Committee if adequate and equitable legislation for the financing of our public schools is to be enacted.

It is my opinion that, if your Honorable Body will approve of these amendments and the people will vote favorably on them, there will be sufficient revenues in the general fund during the next biennium to take care of the normal needs of those departments, institutions and services financed from that fund, and in addition provide the means for financing post war building and veterans programs, and that can be done without additional taxation. If the committee's recommendations are not approved and appropriations must continue to be made from the general fund to partially finance public education, additional taxation will be required for post war building and other projects.

ARTICLE XIII, SECTION 4

I am advised that an amendment of this section along the lines proposed by the Tax Study Committee will be necessary if the legislature is to have authority to adequately tax whatever oils, natural gases, chemicals, minerals, and so forth are produced in this state. Large scale explorations for them are now being made.

ARTICLE XIX, SECTION 3

The Bushnell Hospital at Brigham City, Utah has been abandoned as an Army hospital and has been turned over to the War Assets Ad-

ministration for disposal. At my request it has been frozen for a short time for the State of Utah, in order that we might decide whether we desire to exercise our priority and purchase it for public use. If the State finds that it can put all of the hospital to proper beneficial use, it can be purchased for a nominal amount, perhaps as low as one dollar. In order that the whole property might be purchased for so nominal a sum, however, it must all be used for the public welfare.

Utah cannot fully put it to beneficial use because of its extensiveness unless it moves certain of its welfare institutions such as the State Hospital and/or the State Training School, and/or the T.B. Hospital and/or the State Industrial School to Brigham City.

It is true that the State Hospital at Provo, the Training School at American Fork and the Industrial School at Ogden are each in great need of new buildings and extensive repair work on old buildings. The 27th Legislature will be confronted with the necessity of appropriating large sums of money for those purposes if adequate facilities for the wards of the State who reside therein are to be provided. Then again, the acquisition of the Geneva Steel Plant at Provo will result in the areas surrounding the State Hospital and the Training School becoming highly industrialized. This will place the state in direct competition with strongly organized industry for labor to staff those institutions and will undoubtedly result in higher operating costs if they remain where they are.

On the other hand there are many factors to consider before changing locations of State Institutions. In order that the legislature might be fully advised in the matter, I have arranged for the appointment of a large committee of representative citizens to investigate the whole proposition and to prepare data and make recommendations to the 27th Legislature on the advisability of acquiring the Bushnell properties for the purpose of housing one or several State Institutions now located in other places, if this legislature acts favorably on the proposed amendment to Article XIX, Section 3 of the Constitution.

Favorable action by your Honorable Body on that Section must be had, before any investigation by a committee would be profitable because neither the State Hospital nor the Industrial School could be moved from their present location unless that section of the Constitution is amended. Without the removal of at least one of those institutions to Bushnell a full use of the properties could not probably be attained.

The proposed amendment would give the legislature authority to determine the location of State Institutions. If your Honorable Body, therefore, approves the amendment, the investigation by the committee mentioned above will be made so that in case the voters amend

that section of the Constitution at the next general election, a full report will be available for the 27th Legislature. That Body can then decide what should be done regarding Bushnell and regarding the removal of already existing state institutions. Action on this amendment is necessary at this time in order that Utah might exercise its priority before the hospital and its equipment is offered for public sale.

ARTICLE VIII, SECTION 12 AND ARTICLE VII, SECTION 20

Because of numerous requests from members of the bar and other citizens and groups of citizens from most parts of the State, I submit, herewith, the above sections for your consideration.

The 26th Legislature, in regular session, increased the salaries of Judges and certain other elective officials. The above sections of the Constitution make increases in salaries ineffective during the time for which the holders of those offices were elected. Consequently a very inequitable condition has developed particularly with the Judiciary. The Supreme Court is made up of five justices, each elected for a term of 10 years and one member being elected each two years. The Justice of that Court who is elected in November of this year will receive a salary of $7200 per year while the other four Justices who were elected before the law increasing salaries for judges was passed will have to serve until the end of their respective terms for $5000 unless the proposed amendment is approved. Every two years during the next eight years the salaries of the newly elected judge will be raised. In six years from next January four of the judges will be receiving $7200 per year each while the Chief Justice who presides over them will have an annual salary of $5000.

The District Court Judges now receive $4000 per year. The 26th Legislature increased their salaries to $5400. Since the passage of that legislation raising salaries, several vacancies on the District Bench have been filled by appointment. That creates a condition wherein the older judges who were elected by the people a year and one-half ago will receive a salary of $4000 per year until January of 1949 while their newly appointed associates will most likely be entitled to $5400. Such inequalities are obviously most unfair. Inasmuch as the salaries of all elective officials as well as of the Judiciary of the State are very much lower than prevailing salaries for like positions in other States, I submit for your consideration the matter of proposing for a vote of the people, an amendment of the above Sections of the Constitution deleting the provision forbidding an increase in the salaries of Judges and elective officials during the terms for which they were elected. If that amendment is approved it will bring our Constitution in harmony with the provisions of the Federal Constitution on such matters.

The above proposals seem to warrant your immediate and careful consideration. I, therefore, hereby submit them to you and urge your favorable consideration.

Resolutions covering all of the amendments referred to above have been properly prepared and will be made available to the legislature if you desire. Every department of the State Government holds itself in readiness to serve you as you might direct.

Thank you.

The Joint Committee then escorted Governor Maw to his chambers.

On motion of Senator Macfarlane, the Joint Convention was dissolved.

The Senate reconvened and was called to order by the President at 1:05 p.m.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 1 By Tax Study Committee

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO PROPORTION OF STATE CONTRIBUTION TO SUPPORT MINIMUM SCHOOL PROGRAM IN PORTION OF PUBLIC SCHOOL SYSTEM.

S. J. R. No. 1 was read the first time, and referred to the Committee on Revision and Enrolling.

S. J. R. No. 2 By Tax Study Committee

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO ALLOCATION OF REVENUES RECEIVED FROM TAXES ON INCOME AND ON INTANGIBLE PROPERTY.

S. J. R. No. 2 was read the first time, and referred to the Committee on Revision and Enrolling.

S. J. R. No. 3 By Tax Study Committee

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO ASSESSMENT OF MINES, MINING CLAIMS, OIL, OIL SHALE, NATURAL GAS, COAL, HYDROCARBONS, SALT, CHEMICALS, METALLIFEROUS ORES AND OTHER VALUABLE MINERAL DEPOSITS.

S. J. R. No. 3 was read the first time, and referred to the Committee on Revision and Enrolling.

S. J. R. No. 4 By Tax Study Committee

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIX OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO LOCATION OF PUBLIC INSTITUTIONS.

S. J. R. No. 4 was read the first time, and referred to the Committee on Revision and Enrolling.

On motion of Senator Vest the Senate recessed until 1:30 p.m.

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

REPORTS OF STANDING COMMITTEES

August 5, 1946

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 1*, by the Tax Study Committee, with a few minor changes assented to by the author, and recommends that the resolution be mimeographed.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. No. 1 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

August 5, 1946

Mr. President:

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

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

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

August 5, 1946

Mr. President:

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

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. No. 3 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

August 5, 1946

Mr. President:

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

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. No. 4 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

On motion of Senator Lamoreaux the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m.

Roll Call—All Senators present.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 5 By Committee on Judiciary

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 20 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO COMPENSATION OF STATE OFFICERS.

S. J. R. No. 5 was read the first time, and referred to the Committee on Revision and Enrolling.

S. J. R. No. 6 By Committee on Judiciary

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 12 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO SALARIES OF THE JUDGES OF THE SUPREME AND DISTRICT COURTS.

S. J. R. No. 6 was read the first time, and referred to the Committee on Revision and Enrolling.

Senator Holbrook announced that the special committee had conferred with the special committee of the House and arrangements made for the Legislature to visit Bushnell Hospital on Wednesday, August 7, 1946.

Senator Lamoreaux announced that the Committee on Revenue and Taxation recommended that the Senate accept an invitation extended by the House to meet with it as a Joint Committee to hear members of the Tax Study Committee discuss *S. J. R. No. 1, S. J. R. No. 2, S. J. R. No. 3, and S. J. R. No. 4.*

On motion of Senator Hopkin it was ordered that when the Senate adjourns for the day it adjourn until August 6, 1946 at 9 a.m.

On motion of Senator Warner, *S. J. R. No. 5*, and *S. J. R. No. 6*, were withdrawn from the Committee on Revision and Enrolling, and referred to the Committee on Judiciary.

On motion of Senator Macfarlane the Senate recessed to meet with the House as a Joint Committee to hear members of the Tax Study Committee discuss *S. J. R. No. 1*, *S. J. R. No. 2*, *S. J. R. No. 3*, and *S. J. R. No. 4*.

The Senate reconvened at 5:00 p.m.

On motion of Senator Hirschi, the Senate adjourned until August 6, 1946, at 9:00 a.m.

SECOND DAY

MORNING SESSION

Salt Lake City, Utah, August 6, 1946.

The Senate was called to order at 9:00 a.m. President Farr in the chair.

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

Prayer by the Chaplain.

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,

ALONZO F. HOPKIN,
SOL J. SELVIN.

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

August 6, 1946

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 5* by the Committee on Judiciary, has carefully considered said resolution and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. J. R. No. 5 was placed on the Second Reading Calendar.

August 6, 1946

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 6* by the Committee on Judiciary, has carefully considered said resolution and reports the same out favorably.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. J. R. No. 6 was placed on the Second Reading Calendar.

August 6, 1946

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 4*, by the Tax Study Committee, has considered said resolution and reports the same back with the recommendation that the resolution be referred to another standing committee.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report adopted and filed.

S. J. R. No. 4 was thereupon referred to the Committee on Public Institutions.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Macfarlane the rules were suspended and the Senate proceeded to consider *S. J. R. No. 5* and *S. J. R. No. 6.*

S. J. R. No. 5 was read the second time.

Committee report read and adopted.

On motion of Senator Lamoreaux 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 Child, Hopkin, McMurrin, Nielsen, and Vest, excused.

UNFINISHED BUSINESS

S. J. R. No. 5 on second reading.

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

Page 1, line 13, strike the words "by law and."

Line 19, change the word "quarterly" to read "monthly."

S. J. R. No. 5 was placed on Third Reading Calendar on the following roll call:

Ayes, 17; Nays, 0; Absent, 6.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Houston, Kelly (explained vote), Lamoreaux, Lund, Macfarlane, Melich (explained vote), Midgley, Selvin, Ward, Warner, and Mr. President.

Absent and not voting: Senators Child, Hopkin, Huggins, McMurrin, Nielsen, and Vest.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 6 was read the second time.

Committee report read and adopted.

S. J. R. No. 6 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Ericksen, Hirschi (explained vote), Holbrook, Houston, Huggins, Kelly, Lamoreaux, Macfarlane, Melich, Midgley, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Child, Hopkin, Lund, McMurrin, and Nielsen.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7 By Messrs. Holbrook, Huggins, and Melich

A JOINT RESOLUTION RECOMMENDING TO THE ELECTORS OF THE STATE OF UTAH TO VOTE AT THE NEXT GENERAL ELECTION FOR OR AGAINST A CONVENTION TO REVISE OR AMEND THE CONSTITUTION OF THE STATE OF UTAH.

S. J. R. No. 7 was read the first time, and referred to the Committee on Revision and Enrolling.

Senator Holbrook moved that the rules be suspended and that the Senate proceed with the consideration of bills on the Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 5 was read the third time and placed on its final passage.

S. J. R. No. 5 then passed on the following roll call:

Ayes, 17; Nays, 5; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Holbrook, Hopkin, Huggins, Lamoreaux, Macfarlane, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Those voting in the negative were: Senators Hirschi, Houston, Kelly, Lund, and Melich.

Absent and not voting: Senator McMurrin.

S. J. R. No. 5 was transmitted to the House.

S. J. R. No. 6 was then read the third time and placed on its final passage.

S. J. R. No. 6 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Holbrook, Hopkin, Huggins, Kelly, Lamoreaux, Macfarlane, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President

Those voting in the negative were: Senators Hirschi, Houston, and Lund.

Absent and not voting: Senator McMurrin.

S. J. R. No. 6 was transmitted to the House.

Senator Holbrook moved that the Senate request an opinion of the Attorney General whether under Section 3 of Article X of the Utah constitution the Legislature may levy an ad valorem tax against tangible property of the state for the purpose of raising funds to be made available and allocated to the Uniform School Fund.

Motion carried.

On motion of Senator Lamoreaux the Senate recessed for two hours.

The Senate reconvened at 5:15 p.m.

On motion of Senator Warner, the Senate adjourned until August 8, 1946, at 10:00 a.m.

FOURTH DAY

MORNING SESSION

Salt Lake City, Utah, August 8, 1946.

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

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

Prayer by the Chaplain.

August 8, 1946

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,

ALONZO F. HOPKIN,
SOL J. SELVIN.

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

To the Senate
Senate Chambers
Capitol Building

Ladies and Gentlemen:

Some years ago, the Legislature of Utah set up a Centennial Commission and clothed it with authority to prepare and conduct appropriate celebrations throughout the State of Utah in honor of the Hundredth Anniversary of the coming of the Pioneers. The chairman of that Commission is David O. McKay of the First Presidency of the Church of Jesus Christ of Latter-day Saints.

The Commission has prepared elaborate plans for the Centennial celebration. Inasmuch as that Commission is a creature of the Legislature and is responsible to the Legislature for what it does, I respectfully request that the two houses of the Legislature go into joint execu-

tive session long enough to permit the Centennial Commission to present its program plans to your honorable body. I am advised that it will take about one hour for it to do so.

Yours truly,

HERBERT B. MAW,
Governor.

On motion of Senator Macfarlane the Secretary was instructed to advise the Speaker of the House that the Senate respectfully invites the House to meet with it in Joint Convention at 2:00 p.m. today to hear from the Centennial Commission.

COMMUNICATIONS FROM THE HOUSE

August 8, 1946

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 Committee on Resolutions and Memorials, entitled, "A JOINT RESOLUTION OF SYMPATHY AND WELL WISHES TO HON. B. T. PYPER," 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 Hopkin 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:

Ayes, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Hirschi, Hopkin, Huggins, Kelly, Lamoreaux, Melich, Midgley, Nielsen, Selvin, Vest, and Mr. President.

Those absent and not voting: Senators Cowles, Ericksen, Holbrook, Houston, Lund, Macfarlane, McMurrin, Ward, and Warner.

H. J. R. No. 5 was returned to the House.

On motion of Senator Lamoreaux the Senate recessed until 11:55 a.m.

The Senate reconvened at 11:55 a.m.

REPORTS OF STANDING COMMITTEES

August 8, 1946

Mr. President:

Your Committee on Public Institutions, to which was referred S. J. R. No. 4, by the Tax Study Committee, has carefully considered the same and desires to report the same out favorably.

The Committee desires to express itself, however, to the effect that this action shall not be interpreted as any endorsement of the proposal that the State acquire Bushnell General Hospital and transfer various of the State's Public Institutions to Brigham City.

In connection with this report, the Committee has prepared and will introduce a bill providing for a joint legislative committee to study the advisability of acquiring Bushnell General Hospital, to be used for the housing of persons now being cared for in various State Institutions.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

S. J. R. No. 4 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 1 By Committee on Public Institutions

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO STUDY THE PROPOSED RELOCATION OF PUBLIC INSTITUTIONS IN THE STATE.

S. B. No. 1 was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Warner 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 Kelly, excused.

COMMUNICATIONS FROM THE HOUSE

August 8, 1946

Mr. President:

I am directed to inform your Honorable Body that the House will be pleased to meet with the Senate in the House Chamber in joint convention at 2:00 p.m. today to hear the chairman of the Centennial Commission, and accordingly extends your Honorable Body this invitation.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

August 8, 1946

Mr. President:

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

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. No. 7 was ordered mimeographed and referred to Committee on Judiciary.

August 8, 1946

Mr. President:

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

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. B. No. 1 was ordered mimeographed and referred to the Committee on Public Institutions.

On motion of Senator Lamoreaux, the Senate recessed and proceeded to the House chambers to meet in Joint Convention.

JOINT CONVENTION

Joint Convention was called to order by the President of the Senate at 2:00 p.m.

Roll Call—All Senators present except Senator Kelly, excused. All Representatives present except Representatives Bunce, Freer, M. V. Hatch, and Pyper, excused.

The President of the Senate introduced Honorable David O. McKay, chairman of the Centennial Commission, who spoke briefly. Chairman McKay introduced Gus P. Backman, a member of the Commission, who outlined the program of the Centennial Commission for 1947 and referred to the need for additional funds to carry out the program.

On motion of Representative Kerr, the Joint Convention was dissolved.

The Senate reconvened and was called to order by the President at 3:00 p.m. with all Senators present.

COMMUNICATION FROM THE ATTORNEY GENERAL

Mr. Clinton D. Vernon
Secretary, Utah State Senate
Capitol Building

Dear Mr. Vernon:

Reference is made to your communication wherein you advise that the Senate desires an opinion of this office as to whether or not under the provisions of Section 3, Article X of the Constitution of Utah, the Legislature may levy an ad valorem tax against tangible property of the state for the purpose of raising funds to be made available and allocated to the uniform school fund.

Just prior to the receipt of your request, Senator Holbrook had discussed this matter informally with us and had given us in detail his views concerning the matter, so that we were already involved in a study of the problem.

The particular provision which might give the Legislature the power to levy such a tax is contained in Article X, Section 3 of the Constitution of Utah which provides in part as follows:

> " . . . The interest on the State School Fund, the proceeds of all property that may accrue to the state by the escheat or forfeiture, all unclaimed shares and dividends of any corporation incorporated under the laws of this state, the proceeds of the sales of timber, and the proceeds of the sale or other disposition of minerals or other property from school and state lands, other than those granted for specific purposes, shall, with such other revenues as the Legislature may from time to time allot thereto, constitute a fund to be known as the Uniform School Fund, which Uniform School Fund shall be maintained and used for the support of the common and public schools of the state and apportioned in such manner as the Legislature shall provide. The provisions of Section 7, Article XIII of this Constitution shall be construed as a limitation on the rate of taxation on tangible property for district school purposes and not on the amount of funds available therefor and, further, no moneys allocated to the Uniform School Fund shall be considered in fixing the rates of taxation specified in Section 7 of Article XIII."

The question to be determined, of course, is whether or not the limitation on the rate of taxation on tangible property as defined in Article XIII, Section 7, of the Constitution is an absolute limitation of

the rate of taxation on tangible properties for all purposes, or whether or not additional levies may be made against tangible property for purposes not specifically enumerated in said Section 7.

It is a general and uniformly accepted doctrine of law that the powers of the state legislature with regard to taxation, as well as other matters, are plenary and absolute except where expressly limited by the people through the Constitution. Hence, unless there is a limitation in the Constitution prohibiting the levy of an ad valorem tax for the uniform school fund, the Legislature would have the power to provide for such a levy.

It has been suggested that the language of Section 3 of Article X shows a specific intention that the limitations provided by Section 7 of Article XIII should not apply insofar as the uniform school fund is concerned, and that with regard to that fund the Legislature might levy a tax in such amount as it sees fit, in view of the language ". . . further, no moneys allocated to the Uniform School Fund shall be considered in fixing the rates of taxation specified in Section 7 of Article XIII."

Against the rule of law above referred to, there is, however, another cardinal rule of statutory and constitutional interpretation to the effect that the enumeration and specific designation of one power expressly eliminates all other powers in the same category. The application of such rule in the instant case would be to the effect that the people in their constitution, having in Article XIII, Section 7, set forth the rate of taxation on tangible property for certain designated purposes, and having thus spoken on the matter of the tax rate limitation on tangible property, thereby made such limitations absolute and excluded from the Legislature the power to levy for any purpose or in any amount not therein specifically designated, additional taxes on tangible property.

There is a further well established rule of interpretation known as the rule of contemporaneous administrative interpretation, which is to the effect that, in interpreting a statutory or constitutional provision, great weight will be given to the interpretation which has been placed upon it throughout the years by officers and agencies who operate under it. In the state of Utah, so far as we are aware, the Legislature has never at any time endeavored to levy a tax on tangible properties in excess of those permitted by Section 7, Article XIII, from which the inference might be drawn that the Legislature considered itself absolutely bound by those limitations.

Of course, in construing the Constitution it must, in the first place, be construed as a whole. Next, while it is true that a later amendment or enactment takes precedence over an earlier one, this is true only

if the two are inconsistent and cannot each be given full effect by reasonable interpretation. While it has been suggested that the provisions of Article X, Section 3, and particularly the last clause thereof would have no sensible meaning unless the same were construed to mean that the restrictions on the rate of taxation on tangible property as set forth in Section 7, Article XIII, have no application to a levy for the Uniform School Fund and would not prohibit such a levy, it is believed that there is an interpretation which can be placed upon it other than that indicated, so that the provision might be given effect otherwise.

As pointed out above, the controversy presented resolves itself into a clash between certain well established doctrines of interpretation. Standing alone, the principle that the Legislature has absolute power to tax, where not expressly limited by the Constitution, would compel us to conclude that such tax might be imposed, particularly in view of the wording of Article X, Section 3. On the other hand the other rules of interpretation referred to above clash with such principle, so that the matter is not sufficiently free from doubt that we could say with any certainty how the courts might rule on the matter if it were presented to them.

Under all of the circumstances, while we feel that there is considerable merit to the suggestion made that no constitutional amendments are necessary in order to permit the raising of the levy on tangible property for school purposes, nevertheless, the matter is not free from doubt, and in order to be safe and to accomplish the purpose which we understand is intended, it is felt that constitutional amendments should be submitted to the people.

In having this matter submitted to us by your body and through the informal discussions with Senator Holbrook concerning this matter, our attention has, however, been necessarily directed to the proposed amendment to Article XIII, Section 7, of the Constitution. From reading the preliminary report of the Tax Study Committee, it is our understanding that this amendment was intended to provide, in addition to the levy on tangible property for general state purposes, power to levy additional tax without limit, for school purposes, subject only to the proviso that such amount should raise not more than 75% of the state's portion of money necessary to finance a minimum school program as defined by the Legislature. We feel it our duty to state that we do not believe the proposed amendment as now written would accomplish such purpose.

It is our opinion that under the amendment as now written the courts might well conclude that the absolute limit of taxation on tangible property for all state purposes is two and four-tenths mills and that

the amount to be raised for school purposes would fall within and become a part of said two and four-tenths mills and would not be in addition thereto. While we, of course, take no position with regard to the advisability of the amendment or the policy intended to be promulgated thereby, we do suggest that the proposed amendment be changed in the following manner in order that it will properly accomplish the purpose which we understand was intended to be accomplished: After the words "The rate of taxation on tangible property shall not exceed on each dollar of valuation two and four-tenths mills for general state purposes," the period should be changed to a comma and the following words added: "and such further amount as the Legislature shall provide for the public school system."

Yours very truly,

GROVER A. GILES,
Attorney General.

Communication filed.

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

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 4 was read the second time.

Committee report read and adopted.

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

Page 1, line 6, strike the parentheses after "Sec. 3" and at the end of the line; strike the words "Each of the" and insert the word "The".

Line 7, strike the word "shall" and insert the following: "are hereby permanently located at the places hereinafter named, each to".

Line 9, after the word "provided" insert a colon, strike the balance of the line, all of lines 10, 11, 12, and 13, and insert the following: "First: The Seat of Government and the State Fair at Salt Lake City."

"Second: ( ) All other institutions of the state to be located at such places as the legislature may provide except as otherwise specifically set forth in this constitution. ( )"

On motion of Senator Warner the rules were suspended and *S. J. R. No. 4* was read the third time and placed on its final passage.

S. J. R. No. 4 then passed on the following roll call:

Ayes, 16; Nays, 6; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Lamoreaux, Macfarlane, McMurrin, Midgley, Selvin, Vest, Ward, and Mr. President.

Those voting in the negative were: Senators Houston, Huggins, Lund, Melich, Nielsen, and Warner.

Absent and not voting: Senator Kelly.

S. J. R. No. 4 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

August 8, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. R. No. 6*, by Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 12 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO SALARIES OF THE JUDGES OF THE SUPREME AND DISTRICT COURTS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 6 was referred to the Committee on Revision and Enrolling to be engrossed.

August 8, 1946

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. J. R. No. 5*, by Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTION 20 OF ARTICLE VII OF THE

CONSTITUTION OF THE STATE OF UTAH RELATING TO COMPENSATION OF STATE OFFICERS," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Macfarlane the Senate refused to concur in the House amendments.

On motion of Senator Midgley the Senate requested the House to recede from its amendments.

August 8, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 4*, by Messrs Schenk, Callister and W. C. Jensen, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIX OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO LOCATION OF PUBLIC INSTITUTIONS," 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 Public Institutions.

August 8, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 3*, by Messrs. Schenk, Callister and W. C. Jensen, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO ASSESSMENT OF MINES, MINING CLAIMS, OIL, OIL SHALE, NATURAL GAS,

COAL, HYDROCARBONS, SALT, CHEMICALS, METALLIFEROUS ORES AND OTHER VALUABLE MINERAL DEPOSITS," 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 and referred to the Committee on Revenue and Taxation.

August 8, 1946

Mr. President:

I am directed 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 Committee on Resolutions and Memorials, entitled, "A JOINT RESOLUTION OF SYMPATHY AND WELL WISHES TO HON. B. T. PYPER," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

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.

REPORTS OF STANDING COMMITTEES

August 8, 1946

Mr. President:

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

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

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

INTRODUCTION OF MEMORIALS

S. C. M. No. 1 — By Messrs Warner, Kelly, Lund, Melich, Houston and Hopkin.

A MEMORIAL TO THE PRESIDENT AND THE SECRETARY OF THE INTERIOR OF THE UNITED STATES OF AMERICA REQUESTING THAT AN APPLICATION FOR AN EXECUTIVE ORDER WITHDRAWING CERTAIN LANDS IN WESTERN UTAH BE DENIED.

S. C. M. No. 1 was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 8 — By Mr. Melich

A RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF THE INTERIOR TO REVOKE CERTAIN ORDERS WITHDRAWING AND RESERVING PUBLIC LANDS IN THE STATE OF UTAH.

S. J. R. No. 8 was read the first time, and referred to the Committee on Revision and Enrolling.

On motion of Senator Macfarlane the Senate adjourned until August 9, 1946, at 10:00 a.m.

FIFTH DAY

MORNING SESSION

Salt Lake City, Utah, August 9, 1946.

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

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

Prayer by the Chaplain.

August 9, 1946

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,

ALONZO F. HOPKIN,
SOL J. SELVIN.

Report adopted and filed.

Senator Child moved that a special committee be appointed to ascertain which members of the House and Senate have had immediate members of their family pass on since our last session and that an appropriate resolution of sympathy and condolence be prepared and sent to them.

Motion carried.

The President appointed Senators Child, Nielsen, and McMurrin as the special committee.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m.

All Senators present.

COMMUNICATIONS FROM THE HOUSE

August 9, 1946

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment to *S. J. R. No. 5*, by the Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTION 20 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO COMPENSATION OF

STATE OFFICERS," and has appointed a conference committee consisting of Representatives Jack, Kerr and Harry B. Walker, to act with a like committee from the Senate on this bill.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Midgley the President was authorized to appoint a committee of three to confer with the House conference committee on the House amendment to *S. J. R. No. 5.*

The President appointed Senators Macfarlane, Brockbank, and Lund as the conference committee from the Senate.

REPORTS OF STANDING COMMITTEES

August 9, 1946

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. M. No. 1*, by Messrs. Warner, Kelly, Lund, Melich, Houston, and Hopkin, with a few minor changes assented to by the authors, and recommends that the memorial be mimeographed.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Kelly, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Huggins and Lamoreaux.

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

August 9, 1946

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 8*, by Mr. Melich, with a few minor changes assented to by the author, and recommends that the resolution be mimeographed.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Kelly, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senator Huggins.

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

Senator Macfarlane moved that the Senate give its consent to the suspension of Joint Rule No. 13 for this Special Session and that the Secretary be instructed to advise the House of this action.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 1, line 20, strike the period and add the following: ",provided that none of said sum shall be expended or committed until and unless *S. J. R. No. 4* is voted upon favorably by the electors of the state of Utah".

On motion of Senator Holbrook the rules were suspended and *S. B. No. 1* was read the third time and placed on its final passage.

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

Ayes, 15; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Holbrook, Hopkin, Houston, Huggins, Lamoreaux, McMurrin, Nielsen, Vest, Ward, and Mr. President.

Those voting in the negative were: Senators Hirschi, Kelly, Lund, Macfarlane, Midgley, Selvin, and Warner.

Absent and not voting: Senator Melich.

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

Senator McMurrin moved that when the Senate recess, it recess until 7:30 p.m.

Motion carried.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 9 By Messrs Lamoreaux, Kelly and Melich

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 11 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO THE ASSESSMENT OF ALL PROPERTY WITHIN THE STATE SUBJECT TO TAXATION.

S. J. R. No. 9 was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 1 By Messrs. Child, Nielsen, and McMurrin

RESOLUTION OF CONDOLENCE TO THE MEMBERS OF THE SENATE OF THE STATE OF UTAH WHO LOST SONS, BROTHERS OR OTHER FAMILY MEMBERS IN THE ARMED SERVICES OF THE UNITED STATES DURING WORLD WAR II, was read the first time.

On motion of Senator McMurrin 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:

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

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Kelly, Lamoreaux, Lund, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senator Macfarlane.

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

INTRODUCTION OF MEMORIALS

S. C. M. No. 2 By Messrs Midgley and Melich

A MEMORIAL TO THE CIVIL AERONAUTICS BOARD TO GIVE IMMEDIATE AND FAVORABLE CONSIDERATION TO AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE INSTITUTION OF DIRECT PASSENGER, MAIL AND CARGO AIR SERVICE BETWEEN UTAH AND ARIZONA.

S. C. M. No. 2 was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 2 By Committee on Rules and Contingent Expenses

AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SIXTH LEGISLATURE OF THE STATE OF UTAH, AND FOR THE PRINTING OF THE SESSION LAWS OF SUCH SPECIAL SESSION, was read the first time.

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

S. B. No. 2 then passed on the following roll call:

Ayes, 23; Nays, 0, Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Hug-

gins, Kelly, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

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

REPORTS OF STANDING COMMITTEES

August 9, 1946

Mr. President:

We, your Committee on Revenue and Taxation, respectfully report that we have carefully considered *S. J. R. No. 1*, and that it is the unanimous opinion of the Committee that the said resolution be amended as follows:

After the words "The rate of taxation on tangible property shall not exceed on each dollar of valuation two and four-tenth mills for general state purposes," the period should be changed to a comma and the following words added: "and such further amount as the Legislature shall provide for the public school system."

Your Committee further reports that the resolution, with the said recommended amendments, should be referred to the Senate without recommendation.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report filed.

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

August 9, 1946

Mr. President:

We, your Committee on Revenue and Taxation, respectfully report that we have carefully considered *S. J. R. No. 2*, and that it was the unanimous opinion of that Committee that the said resolution be amended as follows:

After the words "All revenue received from taxes on income or from taxes on intangible property shall be allocated ( )" insert the following "to the general fund.", and strike the following "to the support of the public school system as defined in Article X, Section 2 of this Constitution."

Your Committee further reports that the resolution, with the said recommended amendments, should be reported out favorably.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report filed.

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

August 9, 1946

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. J. R. No. 3*, by Messrs. Schenk, Callister, and W. C. Jensen, has carefully considered the same and reports the same out without recommendation.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report filed.

H. J. R. No. 3 was placed on the Second Reading Calendar.

August 9, 1946

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 7*, by Messrs. Holbrook, Huggins, and Melich, has carefully considered the same and reports the same out without recommendation.

Respectfully,

GRANT MACFARLANE,
Chairman.

Report filed.

S. J. R. No. 7 was placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

August 9, 1946

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 Tax

Study Committee, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIX OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO LOCATION OF PUBLIC INSTITUTIONS," 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 engrossed.

August 9, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 2*, by Messrs. Schenk, Callister, and W. C. Jensen, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO ALLOCATION OF REVENUES RECEIVED FROM TAXES ON INCOME AND ON INTANGIBLE PROPERTY," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

On motion of Senator Lamoreaux the Secretary was instructed to hold *H. J. R. No. 2.*

August 9, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 1*, by Messrs. Schenk, Callister, and W. C. Jensen, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO PROPORTION

OF STATE CONTRIBUTION TO SUPPORT MINIMUM SCHOOL PROGRAM IN PORTION OF PUBLIC SCHOOL SYSTEM," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 1 was read the first time and referred to the Committee on Revenue and Taxation.

August 9, 1946

Mr. President:

I am directed to inform your Honorable Body that the House requests the return of *H. J. R. No. 4*, by Messrs. Schenk, Callister and W. C. Jensen.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Holbrook *H. J. R. No. 4* was ordered withdrawn from the Committee on Public Institutions and returned to the House.

On motion of Senator McMurrin the Senate recessed until 7:30 p.m.

EVENING SESSION

The Senate reconvened at 7:30 p.m.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

August 9, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 1*, by Mr. Mabey, entitled, "AN ACT MAKING AN APPROPRIATION TO THE CENTENNIAL COMMISSION OF UTAH OF THE SUM OF FIVE HUNDRED THOUSAND DOLLARS," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On the motion of Senator Midgley the rules were suspended and *H. B. No. 1* was read the first time and placed on Second Reading Calendar.

REPORTS OF STANDING COMMITTEES

August 6, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 4*, by the Tax Study Committee, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIX OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO LOCATION OF PUBLIC INSTITUTIONS," examined by this committee and a like committee from the House, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
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.

August 9, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 6*, by the Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 12 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO SALARIES OF THE JUDGES OF THE SUPREME AND DISTRICT COURTS," examined by this committee and a like committee from the House, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. 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.

August 9, 1946

Mr. President:

Your Committe on Revenue and Taxation, to which was referred *H. J. R. No. 1*, by Messrs. Schenk, Callister, and W. C. Jensen, has carefully considered the resolution and reports the same out with the recommendation that the rules be suspended and that this resolution be placed on the Second Reading Calendar ahead of *S. J. R. No. 1*.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report filed.

On motion of Senator Lamoreaux the rules were suspended and *H. J. R. No. 1* was placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Lamoreaux the rules were suspended and *H. J. R. No. 1* was read the second time.

Committee report read and adopted.

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

Page 1, line 10, after the parentheses, strike the period and the word "For" and insert a comma and then the following: "and such additional levy as the legislature may provide for the state's share of the".

Line 13, strike the comma and the word "the" following said comma and insert a period and the word "The".

Senator Hopkin moved to strike the figures "75%" in line 13 and insert in lieu thereof the figures "65%".

Senator Cowles with the aid of more than four other Senators demanded a roll call on Senator Hopkin's proposed amendment.

The proposed amendment failed on the following roll call:

Ayes, 6; Nays, 17; Absent, 0.

Those voting in the affirmative were: Senators Hopkin, Huggins, Lamoreaux, Macfarlane, Melich, and Mr. President.

Those voting in the negative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Houston, Kelly, Lund, McMurrin, Midgley, Nielsen, Selvin, Vest, Ward, and Warner.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin (explained vote), Houston, Huggins (explained vote), Kelly (explained vote), Lund, Macfarlane (explained vote), McMurrin (explained vote), Melich (explained vote), Midgley, Nielsen, Selvin (explained vote), Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senator Lamoreaux.

Senator Holbrook gave notice that on the next legislative day he would move a reconsideration of the vote by which *H. J. R. No. 1* was passed.

On motion of Senator Macfarlane the Senate adjourned until August 10, 1946, at 10:00 a.m.

SIXTH DAY

MORNING SESSION

Salt Lake City, Utah, August 10, 1946.

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

Roll Call—All Senators present.

Prayer by the Chaplain.

August 10, 1946

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,

ALONZO F. HOPKIN,
SOL J. SELVIN.

Report adopted and filed.

Senator Holbrook announced that he would not move a reconsideration of the vote by which *H. J. R. No. 1* was passed by the Senate.

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

Senator Midgley moved that the enacting clause of *S. J. R. No. 1* be stricken.

Motion carried.

S. J. R. No. 1 was filed.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Huggins the rules were suspended and *H. J. R. No. 2* was ordered placed at the head of the Second Reading Calendar.

On motion of Senator Huggins 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:

Ayes, 23; Nays, 0; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Kelly, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

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

Senator Hirschi moved that the enacting clause of *S. J. R. No. 2* be stricken.

Motion carried.

S. J. R. No. 2 was filed.

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

Committee report read and adopted.

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

H. J. R. No. 3 then failed of passage on the following roll call:

Ayes, 6; Nays, 17; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Child, Cowles, Elggren, Ericksen, and Midgley.

Those voting in the negative were: Senators Hirschi (explained vote), Holbrook, Hopkin, Houston, Huggins, Kelly, Lamoreaux, Lund, Macfarlane, McMurrin, Melich (explained vote), Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

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

S. J. R. No. 7 was read the second time.

Committee report read and adopted.

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

Page 1, line 10, strike the word "second" and insert the word "first"; strike "1947" and insert "1946".

Line 14, strike "1947" and insert "1946".

On motion of Senator Ericksen the rules were suspended and *S. J. R. No. 7* was read the third time and placed on its final passage.

S. J. R. No. 7 then passed on the following roll call:

Ayes, 21; Nays, 1; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Voting in the negative was: Senator Cowles.

Absent and not voting: Senator Kelly.

S. J. R. No. 7 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 1*, by Committee on Public Institutions, entitled, "AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO STUDY THE PROPOSED RELOCATION OF PUBLIC INSTITUTIONS IN THE STATE AND CARRYING AN APPROPRIATION THEREFOR," and the same is returned herewith for your further action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

Senator Holbrook moved that the Senate concur in the House amendments to *S. B. No. 1.*

Motion carried.

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

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

Those voting in the affirmative were: Senators Brockbank, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Child, Cowles, and Kelly.

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

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *S. B. No. 2*, by Committee on Rules and Contingent Expenses, entitled, "AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SIXTH LEGISLATURE OF THE STATE OF UTAH, AND FOR THE PRINTING OF THE SESSION LAWS OF SUCH SPECIAL SESSION AND FOR THE PUBLICATION OF THE AMENDMENTS AS REQUIRED BY THE CONSTITUTION," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

On motion of Senator Elggren the Senate concurred in the House amendments to *S. B. No. 2.*

S. B. No. 2 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, La-

moreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Cowles and Kelly.

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

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. C. M. No. 1*, by Messrs. Warner, Kelly, Lund, Melich, Houston, and Hopkin, entitled, "A MEMORIAL TO THE PRESIDENT AND THE SECRETARY OF THE INTERIOR OF THE UNITED STATES OF AMERICA REQUESTING THAT AN APPLICATION FOR AN EXECUTIVE ORDER WITHDRAWING CERTAIN LANDS IN WESTERN UTAH BE DENIED," 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 engrossed.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. R. No. 8*, by Mr. Melich, entitled, "A RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF THE INTERIOR TO REVOKE CERTAIN ORDERS WITHDRAWING AND RESERVING PUBLIC LANDS IN THE STATE OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 8 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 9*, by Messrs. Lamoreaux, Kelly, and Melich, with a few minor changes assented to by the authors, and recommends that the resolution be mimeographed.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. No. 9 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. M. No. 2*, by Messrs. Midgley and Melich, with a few minor changes assented to by the authors, and recommends that the memorial be mimeographed.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. C. M. No. 2 was ordered mimeographed.

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

S. C. M. No. 2 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Cowles, Kelly, and Lamoreaux.

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

On motion of Senator Warner 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 Houston, Kelly, and McMurrin, excused.

REPORTS OF STANDING COMMITTEES

August 10, 1946

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 9*, by Messrs. Lamoreaux, Kelly, and Melich, have carefully considered said resolution and refer the said resolution back to the Senate without recommendation.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report filed.

S. J. R. No. 9 was placed on the Second Reading Calendar.

REPORTS OF SPECIAL COMMITTEES

August 10, 1946

Mr. President:

Mr. Speaker:

Your conference committee on *S. J. R. No. 5* reports that we have

met with the House conference committee and recommend that the Senate concur in the House amendments to this resolution.

Respectfully,

GRANT MACFARLANE,
TAYLOR P. BROCKBANK,
RAY P. LUND,
Senate Conference Committee.

MRS. C. L. JACK,
CLIFTON KERR,
HARRY B. WALKER,
House Conference Committee.

Report filed.

On motion of Senator Macfarlane the report was adopted and the Senate thereby concurred in the House amendments.

S. J. R. No. 5 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Cowles and Kelly.

S. J. R. No. 5 was referred to the Committee on Revision and Enrolling to be engrossed.

PRESENTATION OF RESOLUTIONS

S. R. No. 2 By Messrs. Child, Nielsen, and McMurrin

RESOLUTION OF CONDOLENCE TO SENATOR EDNA C. ERICKSEN AND FAMILY ON THE DEATH OF HER SON, HOWARD BENDT ERICKSEN, was read the first time.

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

S. R. No. 2 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Hirschi, Holbrook, Hopkin, Houston, Huggins, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Cowles, Ericksen, and Kelly.

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

CONSIDERATION OF BILLS ON SECOND READING

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

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

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

Those voting in the affirmative were: Senators Brockbank, Child, Elggren, Ericksen, Hirschi, Holbrook, Hopkin, Houston, Huggins, Lamoreaux, Lund, Macfarlane, McMurrin, Melich, Midgley, Nielsen, Selvin, Vest, Ward, Warner, and Mr. President.

Absent and not voting: Senators Cowles and Kelly.

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

COMMUNICATIONS FROM THE HOUSE

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. C. M. No. 2*, by Messrs. Midgley and Melich, entitled, "A MEMORIAL TO THE CIVIL AERONAUTICS BOARD TO GIVE IMMEDIATE AND FAVORABLE CONSIDERATION TO AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE INSTITUTION OF DIRECT PASSENGER, MAIL AND CARGO AIR SERVICE BETWEEN UTAH AND ARIZONA," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. C. M. No. 2 was referred to the Committee on Revision and Enrolling to be engrossed.

REPORTS OF STANDING COMMITTEES

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 1*, by the Committee on Public Institutions, entitled, "AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO STUDY THE PROPOSED RELOCATION OF PUBLIC INSTITUTIONS IN THE STATE, AND CARRYING AN APPROPRIATION THEREFOR," examined by this committee and a like committee from the House, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

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

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 2*, by Committee on Rules and Contingent Expenses, entitled, "AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SIXTH LEGISLATURE OF THE STATE OF UTAH, FOR THE PRINTING OF THE SESSION LAWS OF SUCH SPECIAL SESSION, AND FOR THE PUBLICATION OF THE AMENDMENTS AS REQUIRED BY THE CONSTITUTION," 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,

H. GRANT VEST,
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.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 5*, by the Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTION 20 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO COMPENSATION OF STATE OFFICERS," examined by this committee and a like committee from the House, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
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.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 8*, by Mr. Melich, entitled, "A RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF THE INTERIOR TO REVOKE CERTAIN ORDERS WITHDRAWING AND RESERVING PUBLIC LANDS IN THE STATE OF UTAH," examined by this committee and a like committee from the House, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. J. R. No. 8 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. M. No. 1*, by Messrs. Warner, Kelly, Lund, Melich, Houston, and Hopkin, entitled, "A MEMORIAL TO THE PRESIDENT AND THE SECRETARY OF THE INTERIOR OF THE UNITED STATES OF AMERICA REQUESTING THAT AN APPLICATION FOR AN EXECUTIVE ORDER WITHDRAWING CERTAIN LANDS IN WESTERN UTAH BE DENIED," examined by this committee and a like committee from the House, has carefully compared the memorial as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
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.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. M. No. 2*, by Messrs. Midgley and Melich, entitled, "A MEMORIAL TO THE CIVIL AERONAUTICS BOARD TO GIVE IMMEDIATE AND FAVORABLE CONSIDERATION TO AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE INSTITUTION OF DIRECT PASSENGER, MAIL AND CARGO AIR SERVICE BETWEEN UTAH AND ARIZONA," examined by this committee and a like committee from the House, has carefully compared the memorial as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

WARD C. HOLBROOK,
Acting Chairman.

Report filed.

S. C. M. No. 2 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 1*, by Messrs. Child, Nielsen, and McMurrin, entitled, "RESOLUTION OF CONDOLENCE TO THE MEMBERS OF THE SENATE OF THE STATE OF UTAH WHO LOST SONS, BROTHERS OR OTHER FAMILY MEMBERS IN THE ARMED SERVICES OF THE UNITED STATES DURING WORLD WAR II," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

S. R. No. 1 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State to be filed.

August 10, 1946

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 2*, by Messrs. Child, Nielsen, and McMurrin, entitled, "RESOLUTION OF CONDOLENCE TO SENATOR EDNA C. ERICKSEN AND FAMILY ON THE DEATH OF HER SON, HOWARD BENDT ERICKSEN," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

WARD C. HOLBROOK,
Acting Chairman.

Report filed.

S. R. No. 2 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State to be filed.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Lamoreaux the rules were suspended and *S. J. R. No. 9* was read the second and third times and put on its final passage.

S. J. R. No. 9 then failed of passage on the following roll call:

Ayes, 4; Nays, 13; Absent, 6.

Those voting in the affirmative were: Senators Child, Holbrook, Huggins, and Lamoreaux.

Those voting in the negative were: Senators Brockbank, Cowles, Elggren, Ericksen, Hirschi, Hopkin, Melich, Midgley, Nielsen, Selvin, Ward, Warner, and Mr. President.

Absent and not voting: Senators Houston, Kelly, Lund, Macfarlane, McMurrin, and Vest.

S. J. R. No. 9 was filed.

COMMUNICATIONS FROM THE HOUSE

August 10, 1946

Mr. President:

I 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. 6, by Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 12 ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO SALARIES OF THE JUDGES OF THE SUPREME AND DISTRICT COURTS," 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. 6 was transmitted to the Secretary of State.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 4*, by Tax Study Committee, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIX OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO LOCATION OF PUBLIC INSTITUTIONS," 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.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. J. R. No. 7*, by Messrs. Holbrook, Huggins, and Melich, entitled, "A JOINT RESOLUTION RECOMMENDING TO THE ELECTORS OF THE STATE OF UTAH TO VOTE AT THE NEXT GENERAL ELECTION FOR OR AGAINST A CONVENTION TO REVISE OR AMEND THE CONSTITUTION OF THE STATE OF UTAH," and the same is returned herewith.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. J. R. No. 7 was filed.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 6*, by Committee on Salaries, Fees and Contingent Expenses, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE

FIRST SPECIAL SESSION OF THE TWENTY-SIXTH REGULAR SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

H. J. R. No. 6 was read the first time.

On motion of Senator Lamoreaux the rules were suspended and *H. J. R. No. 6* was read the second and third times and placed on its final passage.

H. J. R. No. 6 then passed on the following roll call:

Ayes, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Hirschi, Holbrook, Lamoreaux, Lund, Macfarlane, Melich, Midgley, Selvin, Ward, Warner, and Mr. President.

Absent and not voting: Senators Child, Ericksen, Hopkin, Houston, Huggins, Kelly, McMurrin, Nielsen, and Vest.

H. J. R. No. 6 was returned to the House.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 1*, by Mr. Mabey, entitled, "AN ACT MAKING AN APPROPRIATION TO THE CENTENNIAL COMMISSION OF UTAH OF THE SUM OF FIVE HUNDRED THOUSAND DOLLARS," and the same is transmitted 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.

August 10, 1946

Mr. President:

I 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 Messrs. Warner, Kelly, Lund, Melich, Houston, and Hopkin, entitled, "A MEMORIAL TO THE PRESIDENT AND THE SECRETARY OF THE INTERIOR OF THE UNITED STATES OF AMERICA REQUESTING THAT AN APPLICATION FOR AN EXECUTIVE ORDER WITHDRAWING CERTAIN LANDS IN WESTERN UTAH BE DENIED," 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.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 1*, by Messrs. Schenk, Callister, and W. C. Jensen, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO PROPORTION OF STATE CONTRIBUTION TO SUPPORT MINIMUM SCHOOL PROGRAM IN PORTION OF PUBLIC SCHOOL SYSTEM," and the same is transmitted herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

August 10, 1946

Mr. President:

I am directed 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. Schenk, Callister, and W. C. Jensen, entitled, "A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO ALLOCATION OF REVENUES RECEIVED FROM TAXES ON INCOME AND ON INTANGIBLE PROPERTY," and the same is forwarded 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.

August 10, 1946

Mr. President:

I am directed 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. C. M. No. 2*, by Messrs. Midgley and Melich, entitled, "A MEMORIAL TO THE CIVIL AERONAUTICS BOARD TO GIVE IMMEDIATE AND FAVORABLE CONSIDERATION TO AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE INSTITUTION OF DIRECT PASSENGER, MAIL AND CARGO AIR SERVICE BETWEEN UTAH AND ARIZONA," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

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

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 1*, by Committee on Public Institutions, entitled, "AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO STUDY THE PROPOSED RELOCATION OF PUBLIC INSTITUTIONS IN THE STATE, AND CARRYING AN APPROPRIATION THEREFOR," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communication filed.

S. B. No. 1 was transmitted to the Governor.

August 10, 1946

Mr. President:

I 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 Committee on Rules and Contingent Expenses, entitled, "AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SIXTH LEGISLATURE OF THE STATE OF UTAH, FOR THE PRINTING OF THE SESSION LAWS OF SUCH SPECIAL SESSION, AND FOR THE PUBLICATION OF THE AMENDMENTS AS REQUIRED BY THE CONSTITUTION," 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.

August 10, 1946

Mr. President:

I 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 Committee on Judiciary, entitled, "A JOINT RESOLUTION PROPOSING TO AMEND SECTION 20 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO COMPENSATION OF STATE OFFICERS," 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.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 8*, by Mr. Melich, entitled, "A RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF THE INTERIOR TO REVOKE CERTAIN ORDERS WITHDRAWING AND RESERVING PUBLIC LANDS IN 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. 8 was transmitted to the Secretary of State.

August 10, 1946

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 6*, by Committee on Salaries, Fees and Contingent Expenses, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SIXTH REGULAR SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is forwarded herewith for the signature of the President.

Respectfully,

J. WALDO PARRY,
Chief Clerk.

Communicaton filed.

H. J. R. No. 6 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

REPORTS OF STANDING COMMITTEES

August 10, 1946

Mr. President:

We, your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 3*, by the Tax Study Committee, reports the same back with the recommendation that the enacting clause be stricken.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Committee report read and adopted and accordingly the enacting clause of *S. J. R. No. 3* was stricken.

S. J. R. No. 3 was filed.

Senator Warner moved that the chair appoint a committee of three to inform the House that the Senate has completed its business and is ready to adjourn sine die, and with a like committee from the House to wait upon the Governor to ascertain whether he has any further business to bring before the Legislature.

Motion carried.

The Chair appointed Senators Warner, Melich, and Selvin.

Senator Holbrook moved that the Committee on Rules and Contingent Expenses submit to the Senate at the next session of the Legislature a proposed revision of the Senate rules and also its recommendations for simplifying procedures for the transaction of business, and that the Secretary be invited to assist the Committee in this undertaking.

Motion carried.

Senator Lamoreaux moved that the Committee on Rules and Contingent Expenses be authorized and instructed to confer with the Secretary of State and endeavor to work out some plan to improve the system of lighting in the Senate Chamber.

Motion carried.

A committee from the House appeared and notified the Senate that the House had concluded its business and was ready to adjourn sine die.

The Senate committee, appointed to wait upon the Governor, returned and presented the following communication from the Governor.

August 10, 1946

To the Senate
Senate Chambers
Building

Ladies and Gentlemen of the Senate:

May I take this means of expressing to you my sincere appreciation for the services you have rendered to the people of the State during the Special Session of the Legislature. I know that it was extremely difficult for many of you to leave your employment and responsibilities in your home communities to come to the State Capitol at this time. The fact, therefore, that you have so willingly done so, bespeaks of your integrity as public officials.

You have performed your duties expeditiously and well, and have given the people of the State an opportunity to vote on several very vital propositions. Much good will undoubtedly come from your efforts.

I am glad to advise you that I have no other matters to submit for your consideration during this session.

With kindest personal regards to each one of you, I am

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Warner the First Special Session of the Twenty-sixth Legislature of the State of Utah adjourned sine die.

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SENATORS AND COMMITTEES ON WHICH THEY SERVE

President: Dexter Farr

	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
Brockbank, Taylor P.				+		+			C					+	+
Child, Stanley N.			+				+	+			+			C	
Cowles, Val H.		+				+	+			+					+
Elggren, Lorenzo E.		+								+	+		C	+	
Ericksen, Mrs. E. E.		+		C						+				+	+
Hirschi, Claud	·	+	+				+						+		+
Holbrook, Ward C.						+		+		C		+	·	+	
Hopkin, Alonzo F.	C				+		+				+				
Houston, W. Wallace	+						+				+	+		+	
Huggins, Ira A.		+					C	+			+				+
Kelly, James A.	+				+									+	+
Lamoreaux, Warwick C.							+	+	+	+	C				
Lund, Ray P.	+			+	+	+						+			
Macfarlane, Grant		+	+					C	+		+				
McMurrin, James A.	+	+	C	+						+					
Melich, Mitchell		+	+			+		+	+						
Midgley, Grant		C	+		+						+				
Nielsen, Emil K.			+	+		+		+					+		
Selvin, Sol J.		+				C			+		+			+	
Vest, H. Grant	+			+	+						+	C			
Ward, J. Welton	+			+	C						+			+	
Warner, Elisha		+			+					+		+			C

C Chairman of Committee + Committee Member

SENATE BILLS

Number	SUBJECT	AUTHOR	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Communication From House	Signed by President	Signed by Speaker	Signed by Governor	REFERENCE
1	Committee on Relocation Public Institutions	Committe on Public Institutions	24	26	33	37	38	38	49	56	65	8/13 1946	
2	Expenses First Special Session	Committee on Rules and Contingent Expenses	39			39	39	40	50	56,57	65	8/13 1946	

SENATE CONCURRENT MEMORIALS

Number	SUBJECT	AUTHOR	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Communication From House	Signed by President	Signed by Speaker	Signed by Governor	REFERENCE
1	Land Withdrawal Western Utah	Warner, Kelly, Lund, Melich, Houston, Hopkin	34	36		36	36	36	51	58	63	8/13 1946	
2	Civil Aeronautics Board	Midgley, Melich	39	52		52	52	53	55	58	64	8/13 1946	

SENATE JOINT RESOLUTIONS

Number	SUBJECT	AUTHOR	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Communication From House	Conference Committee	Signed by President	Signed by Speaker	Filed With Secretary of State	REFERENCE
1	Amend Section 7, Article XIII	Tax Study Committee	13	14	40	(47—Enacting Clause Stricken)								16-17 [State Contribution to Minimum School Program]
2	Amend Section 3, Article XIII	Tax Study Committee	13	15	40	(48—Enacting Clause Stricken)								16-17 [Allocation of Revenues]
3	Amend Section 4, Article XIII	Tax Study Committee	14	15	67	(67—Enacting Clause Stricken)								16-17 [Assessment of Mines, etc.]
4	Amend Section 3, Article XIX	Tax Study Committee	14	15	18,24	30	31	31	41		44	61	61	16-17 [Location—Public Institutions]
5	Amend Section 20, Article VII	Committee on Judiciary	16		18	19	20	21	31	35,36 53,54	57	65,66	66	17- [Compensation State Officers]
6	Amend Section 12, Article VIII	Committee on Judiciary	16		18	20	21	21	31		45	60	60	17-
7	Constitutional Convention	Holbrook, Huggins, Melich	20	25	41	49	49	49	61					
8	Re: Withdrawing and Reserving Public Lands	Melich	34	37		37	37	37	51		57	66	66	
9	Amend Section 11, Article XIII	Lamoreaux, Kelly, Melich	38	52	53	60	60							(Assessments)

SENATE RESOLUTIONS

Number	SUBJECT	AUTHOR	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committee	Read Second Time	Read Third Time	Signed by President	Filed With Secretary of State	REFERENCE
1	Condolence to Senate Members	Child, Nielsen, McMurrin	38			38	38	59	59	
2	Condolence to Senator Ericksen	Child, Nielsen, McMurrin	54			54	54	59	59	

HOUSE BILLS

Number	SUBJECT	AUTHOR	Received From House, Read First Time	Standing Committee	Read Second Time	Read Third Time	Returned to House	Signed by President	REFERENCE
1	Appropriation—Centennial Commission	Mabey	44		55	55	55	62	

HOUSE JOINT RESOLUTIONS

Number	SUBJECT	AUTHOR	Received From House, Read First Time	Standing Committee	Read Second Time	Read Third Time	Returned to House	Signed by President	REFERENCE
1	Amend Section 7, Article XIII	Schenk, Callister and W. C. Jensen	42,43	45	45	46	47	63	47
2	Amend Section 3, Article XIII	Schenk, Callister and W. C. Jensen	42		48	48	48	64	42
3	Amend Section 4, Article XIII	Schenk, Callister and W. C. Jensen	32,33	41	48	48	48		
4	Amend Section 3, Article XIX	Schenk, Callister and W. C. Jensen	32						43
5	Sympathy, B. T. Pyper	Committee on Resolutions and Memorials	23		23	23	23	33	
6	Compensation—Officers and Employees	Committee on Salaries, Fees and Conting. Expenses	61,62		62	62	62	66,67	