SENATE JOURNAL

TWENTY-SEVENTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

FIRST SPECIAL SESSION

1948

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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-seventh Legislature of the State of Utah, do hereby certify that herein contained is a full, true and correct record of the proceedings of the session commencing March 8, 1948, and continuing for twelve legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL

JAMES A. MCMURRIN,
Secretary of the Senate.

CLINTON D. VERNON,
Minute Clerk.

HENDRIK ROMEYN,
Docket Clerk.

FIRST SPECIAL SESSION

OF THE

TWENTY-SEVENTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol

Salt Lake City, Utah, March 8, 1948.

Pursuant to a Proclamation issued by His Excellency, Governor Herbert B. Maw, the Senate of the Twenty-seventh 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 Hopkin.

Roll call—All Senators present.

Prayer by the Chaplain.

Secretary of State Heber Bennion, Jr., read the following proclamation:

BY THE GOVERNOR OF THE STATE OF UTAH

A PROCLAMATION

WHEREAS, the Public Assistance laws of the State of Utah are inadequate to provide for the minimum requirements of the aged and needy of the State, and much suffering is resulting therefrom; and

WHEREAS, this extraordinary condition makes 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 7 of the Constitution of Utah, do, by this proclamation, call the Legislature of the State into special session at the Capitol on the 8th day of March 1948, at twelve noon for the following purposes:

FIRST—To consider the matter of amending the Public Welfare laws of the State and to provide for the adequate administration of a public welfare program;

SECOND—To make appropriations to cover the expenses of a special session; and

THIRD—To consider whatever other matters are presented to the special session by the Governor.

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

(SEAL)

Done at the State Capitol this 17th day of February, 1948, Salt Lake City, Utah.

By the Governor:

HERBERT B. MAW,
Governor.

HEBER BENNION, JR.
Secretary of State

SECRETARY OF STATE'S OFFICE

I, HEBER BENNION, JR., 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, February 17, 1948, calling the Legislature of the State of Utah, to meet in special session at and upon the date herein 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 8th day of March, 1948.

(SEAL)

HEBER BENNION, JR.
Secretary of State.

On motion of Senator Farr the Senate approved the Joint and Senate Rules of the Regular Session of the Twenty-seventh Legislature as the rules of the First Special Session.

On motion of Senator Farr the Standing Committees of the Senate for the Regular Session of the Twenty-seventh Legislature were appointed to serve during the First Special Session.

On motion of Senator Holbrook the President appointed a committee consisting of Senators Selvin, Gibbons and Cowles to notify the House that the Senate is organized and ready for business, and to act

jointly with a committee from the House to notify the Governor that the First Special Session of the Twenty-seventh 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-seventh Legislature:

Secretary of Senate—James A. McMurrin.

Sergeant-at-Arms—Robert R. Fitts.

Reference Attorney and Minute Clerk—Clinton D. Vernon.

Docket Clerk—Hendrik Romeyn.

Chaplain—C. Clarence Neslen.

COMMUNICATIONS FROM THE HOUSE

March 8, 1948

Mr. President:

I am directed to inform your Honorable Body that the First Special Session of the Twenty-seventh Session of the House of Representatives of the State of Utah has this day organized and the Speaker has appointed Representatives Kerr, A. S. Christenson and Jack to notify the Senate the House is ready to do business.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

March 8, 1948

Mr. President:

I am directed to inform your Honorable Body that the First Special Session of the Twenty-seventh Session of the House of Representatives of the State of Utah has this day organized, and the Speaker has appointed Representatives Toronto, Mitchell and Pyne to act with a like committee from the Senate to notify the Governor that the Legislature is duly organized and ready to receive any communications from him.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

The President appointed Senators Midgley and Houston to revise the Journal for the first week of the Special Session.

A committee from the House, consisting of Representatives Kerr, Jack and A. S. Christenson was recognized by the President and reported that the House is organized and ready for business.

Senator Selvin reported that the Committee appointed by the President, together with a committee from the House, had advised the Governor that the legislature was organized and ready to receive communications from him. He further reported that the Governor would deliver his message to the legislature at 2 p.m. today.

On motion of Senator Ward the Senate recessed to meet with the House in Joint Convention to receive the Governor's message.

The proceedings of the Joint Convention appear in the House Journal for this day.

The Senate reconvened and was called to order by the President at 3 p.m.

On motion of Senator Hirschi the Senate adjourned until March 9, 1948, at 10:00 a.m.

SECOND DAY

MORNING SESSION

March 9, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 9, 1948

Mr. President:

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

Respectfully,

GRANT MIDGLEY
W. WALLACE HOUSTON

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 1 By Messrs. Selvin, Farr, Elggren, Midgley and Brockbank

AN ACT AMENDING SECTIONS 1, 2, 9, 10, 11, AND 21, CHAPTER 89, LAWS OF UTAH, 1947 PERTAINING TO THE DEFINITION OF A HOME AND LOT AND AUTHORIZING THE WELFARE DEPARTMENT TO MAKE EXCEPTIONS TO THE LEGAL LIMITATION ON REAL AND PERSONAL PROPERTY, DEFINING GENERAL ASSISTANCE, AUTHORIZING THE WELFARE DEPARTMENT TO ESTABLISH MINIMUM STANDARDS OF ASSISTANCE AND TO ADJUST STANDARDS OF ASSISTANCE AND RESTRICT ELIGIBILITY FOR GENERAL ASSISTANCE, AUTHORIZING THE WELFARE DEPARTMENT TO RECOVER MONEY FRAUDULENTLY OBTAINED; ENACTING NEW SECTIONS TO BE KNOWN AS SECTION 9a, 9b, AND 19 PROVIDING FOR FUNERAL EXPENSE, AUTHORIZING THE WELFARE DEPARTMENT TO OPERATE A MEDICAL PROGRAM AND CANCELING ALL LIEN AGREEMENTS; AND REPEALING SECTIONS 5 AND 19, CHAPTER 89, LAWS OF UTAH, 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 2 By Messrs. Selvin, Elggren, Farr and Midgley

AN ACT APPROPRIATING ADDITIONAL FUNDS TO THE DEPARTMENT OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3 By Messrs. Selvin and Elggren

AN ACT AUTHORIZING, EMPOWERING AND DIRECTING THE BOARD OF EXAMINERS TO TRANSFER FUNDS FROM THE EMERGENCY RELIEF RESERVE FUND TO THE PUBLIC WELFARE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 4 By Messrs. Selvin, Farr, Midgley, Elggren and Knight

AN ACT AMENDING SECTION 76-5-25 UTAH CODE ANNOTATED 1943 AS AMENDED BY SECTION 4 OF CHAPTER 105 LAWS OF UTAH 1945 RELATING TO THE TRANSPORTATION OF PERSONS AND PROPERTY BY MOTOR VEHICLE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5 By Mr. Cowles

AN ACT AUTHORIZING THE EXCHANGE OF PROPERTY BELONGING TO CARBON COLLEGE FOR OTHER PROPERTY BELONGING TO PRICE CITY AND DIRECTING THE GOVERNOR TO EXECUTE THE DEED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6 By Messrs. Hirschi, Farr, Fowles, Lund, Cowles and Vest

AN ACT MAKING AN APPROPRIATION FOR CARBON JUNIOR COLLEGE IN THE SUM OF $16,920, SNOW JUNIOR COLLEGE IN THE SUM OF $15,000, DIXIE JUNIOR COLLEGE IN THE SUM OF $10,000, AND WEBER JUNIOR COLLEGE IN THE SUM OF $108,000, AND SUPPLEMENTING ALL OTHER APPROPRIATIONS MADE TO SAID COLLEGES FOR THE BIENNIUM JULY 1, 1947, to JUNE 30, 1949, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7 By Messrs. Lund and Selvin

AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, SESSION LAWS OF UTAH 1945, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8 By Messrs. Jolley and Vest

AN ACT AUTHORIZING THE TAXING UNITS IN UTAH COUNTY AND ADJOINING COUNTIES TO CONTRIBUTE FUNDS FOR PURCHASING A VOCATIONAL EDUCATIONAL BUILDING SITE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Messrs. Hirschi, Holbrook, Jolley and Fowles

AN ACT AMENDING SECTION 76-2-1 UTAH CODE ANNOTATED, 1943, RELATING TO DEFINITIONS OF WORDS AND PHRASES, AND TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 1 By Messrs. Elggren, Selvin, Brockbank, Knight and Midgley

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH BY ADDING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 13 AND 14, RELATING TO SALES AND USE TAX AND DECLARING THE AMOUNT TO BE COLLECTED AND THE DISPOSITION OF THE REVENUES, was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF MEMORIALS

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

A CONCURRENT MEMORIAL URGING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO ELIMINATE THE INEQUITABLE TAX DISCRIMINATIONS BETWEEN RESIDENTS OF THE SO-CALLED COMMUNITY PROPERTY STATES AND THE SO-CALLED COMMON LAW STATES, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Hirschi introduced George Romney, formerly of Salt Lake City, Manager of the National Automobile Manufacturers' Association. Mr. Romney briefly spoke to the Senate.

On motion of Senator Holbrook the President appointed a special committee, consisting of Senators Brockbank, Day and Jolley, to prepare and introduce appropriate resolutions or memorials to the families of the late Secretary of State E. E. Monson, Mrs. Emily Eleanor Kenner Lund, mother of Senator Lund; and Andrew Fred Elggren, brother of Senator Elggren.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

On motion of Senator Knight a communication addressed to him by the Attorney General of Utah was read by the Secretary.

On motion of Senator Day the Senate ordered that the communication be printed in the Senate Journal.

COMMUNICATION FROM THE ATTORNEY GENERAL

March 8, 1948

Hon. Newell Knight, State Senator
1326 Green Street
Salt Lake City 4, Utah

Dear Senator Knight:

Reference is made to your communication of March 2, 1948, wherein you request an opinion as to whether or not it will be neces-

sary for the Governor to submit to the Special Session of the Legislature called for March 8, 1948, nominations for confirmation to offices wherein vacancies occurred since the last session of the Legislature and for which offices interim appointments were made by the Governor.

Section 10 of Article VII of the Constitution of the State of Utah, insofar as it relates to this problem, reads:

> "If, during the recess of the Senate, a vacancy occur in any State or district office, the Governor shall appoint some fit person to discharge the duties thereof *until the next meeting of the Senate*, when he shall nominate some person to fill such office. * *"

The only question for determination is as to whether or not the phrase "next meeting of the Senate" means the meeting of the Senate in a special as well as a regular session, or whether or not such phraseology refers only to a meeting of the Senate in regular session and excludes a meeting of the Senate in a special session.

This office has previously held that the term of an interim appointee expires as quickly as the Senate at its next meeting acts either favorably or unfavorably upon a nominee for the unexpired term and in any event not later than the end of the Legislative session where the Governor either refuses or neglects to submit a name to the Senate for appointment to the unexpired term. (See the opinion of this office dated March 3, 1947, to the Honorable Milton Twitchell.) Hence, with regard to the terms of the interim appointees appointed to fill vacancies occurring during the recess of the Senate, these terms of office will expire at least at the end of the special Legislative session which has now been called and prior thereto if during that session the Senate should act upon a nomination for the unexpired term of the offices in question.

A review of the cases and authorities with regard to the power of appointment in connection with state offices discloses the rule to be unanimous that a Governor of a state has only such appointive powers as are specifically given to him by the Constitution or Statutes of that state, and that in filling vacancies in office such Constitutional and Statutory provisions must be followed very closely. See 42 Am. Jur. Page 951, Section 93; page 981, Section 141; page 982, Section 142. As pointed out by many cases and authorities, the purpose for such a provision as regards requiring senatorial confirmation of gubernatorial appointees is to give the people of the state, through their elected representatives in the Senate the power to appraise persons chosen by the Governor to fill public offices and to determine whether or not they concur with the Governor in the belief that such person is fit and qualified to perform the functions of such office. With this purpose in mind let us consider the language of Section 10 of Article VII above quoted. Obviously it is important that state offices not go unfilled. Under our system of government the Legislature is not in session at all times. Hence, it became important that provision be made for the filling of vacancies during recess of the Senate. On the other hand, in view of the recognized wholesome purpose in having the Senate pass upon and determine the

qualifications of persons appointed to public office, provision was made that the people's representatives, namely the members of the State Senate, should consider such fitness and qualifications at the earliest possible date after the appointments are made, namely at the "next meeting of the Senate."

Section 6 of Article VII of the Constitution of Utah provides as follows:

> "On extraordinary occasions, the Governor may convene the Legislature by proclamation, in which shall be stated the purpose for which the Legislature is to be convened, and it shall transact no legislative business except that for which it was especially convened, or such other legislative business as the Governor may call to its attention while in session. The Legislature, however, may provide for the expenses of the session and other matters incidental thereto. The Governor may also by proclamation convene the Senate in extraordinary session for the transaction of executive business."

It is uniformly held, however, that the confirmation of gubernatorial appointees by the Senate is not "Legislative business," but is an administrative or executive act. See State vs. Williams, 222 Mo. 268; also 42 Am. Jur., Public Officers, Section 113. Hence, the fact that the Legislative call does not refer to the confirmation of appointees to state offices does not exclude the Senate from considering such nominations for confirmation nor does it relieve the Governor from the duty of submitting names of nominees to fill vacancies occurring during the Senate's recess. Section 113 of the Title on Public Offices, of 42 Am. Jur. reads in part as follows:

> "As stated above, confirmation by the Senate of appointments made by the Governor is not a Legislative Act. Consequently such confirmation may be made as well at a special as at a regular session and it is immaterial for what purpose the Legislative Body may have been called in session, for whenever that body is lawfully convened for Legislative purposes, it has the right to act for administrative purposes, even without mention of such purposes in the call for a special session."

It should likewise be noted from Section 6 of Article VII above quoted that the Governor may by proclamation bring the Senate in extraordinary session for the transaction of executive business. Hence the Senate might meet, without the entire Legislature being called into session for Legislative purposes. It is pertinent to note that Section 10 of Article VII does not refer to the next meeting of the Legislature, but requires nomination to fill vacancies to be made at the "next meeting of the *Senate*."

This provision is in the same Article of the Constitution as the provision providing for the calling of the Senate into extraordinary session. Certainly it must be presumed that the framers of the Constitution were aware of these two provisions and should it have been

the intention of the framers of the Constitution to provide that nominations to fill such vacancies need be submited for confirmation only to the Senate when meeting in regular session, such would have been stated.

One of the cardinal rules of Statutory and Constitutional interpretation is that language should be construed in its commonly understood and accepted meaning. With this rule in mind it is difficult for us to construe the phrase "next meeting of the Senate" to mean meetings of the Senate in regular session only.

There has been some reference in the press to Section 87-2-2 with the suggestion that such section might have a bearing upon the question presented by you. That section reads as follows:

> "Within ten days after the meeting of the legislature, the governor must transmit to the senate a list of all appointments made by him under the provisions of the constitution or of law during the recess of the legislature."

This office has heretofore on other occasions held that such section has no relationship whatsoever to the nomination for Senate confirmation of persons to fill vacancies in state office. As we have pointed out in previous opinions the provisions of Section 87-2-2 require the Governor to transmit to the Senate a list of appointments made by him during the recess of the Legislature. This list of appointments is submitted only for the information of the Legislature and to inform that body as to who have been serving as its public officers as interim appointees. Such names are not submitted for the purpose of confirmation and of course the persons appointed to serve as interim appointees might not even be the same ones as those whom the Governor might choose to nominate for Senate confirmation to fill unexpired terms.

As stated in the opinion of this office dated March 3, 1947, to Commissioner Milton Twitchell of the Tax Commission there is no requirement that an interim appointee be submitted to the Senate for confirmation. There would be no reason for such confirmation as his appointment, in the absence of any statutory provision, extends only to the next meeting of the Senate, when the Governor must nominate a person to fill the unexpired term. The Governor sends the names of interim appointees to the Legislature only for the information of the Legislature. The submission of a nominee for confirmation by the Senate is entirely separate and apart from a submission of a list of persons holding interim appointments required to be furnished to the Legislature under the provisions of Section 87-2-2 above. In any event an Act of the Legislature, such as Section 87-2-2, could not constitutionally change or in any manner modify the requirements of Article VII, Section 10 of the Constitution.

Accordingly you are advised that in the opinion of this office the persons appointed by the Governor to fill vacancies which occurred during recess of the Senate and since the last meeting of the Legislature, can hold such office only until "the next meeting of the Senate,"

which in our opinion means the meeting of the Senate in the special session of the Legislature convening this day; that the terms of office of such interim appointees will expire at least with the adjournment of this special session; and that the Governor has the duty of submitting to the Senate for confirmation during this special session, the names of nominees to fill the unexpired terms of such offices.

The above holding is in conformity to numerous opinions heretofore written by this office concerning related subjects and is in line with an opinion given informally to the Governor of the state of Utah in March, 1944, concerning the identical point covered in this opinion.

Yours very truly,

GROVER A. GILES,
Attorney General.

REPORTS OF SPECIAL COMMITTEES

March 9, 1948

Mr. President:

We, your committee on Patronage and Employees for the Senate, beg leave to recommend the following persons for the following positions in the Senate:

Mailing Clerk—Gertrude Foote.

Assistant Mailing Clerks—Merribel B. Stevenson, Kathryn Foard.

Clerks and Stenographers—Hazel Wyrick, Edna Smith, Rose Yagi, Hazel Osguthorpe.

Doorkeepers—W. T. Bennett, P. C. Geertsen, H. A. Kern, Hyrum Felt, A. H. Hibler.

Messengers—Leo Earl, Sam Tomlinson, Margaret E. Evans.

Inside Doorkeepers and Messengers—David C. Watson, Mrs. Samuel D. Winn.

Elevator Operator—F. W. Penrose.

Janitor—Adolph Sorensen.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Committee report read and adopted.

REPORTS OF STANDING COMMITTEES

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 1*, by Messrs. Selvin, Farr, Elggren, Midgley and Brockbank, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 2* by Messrs. Selvin, Elggren, Farr and Midgley, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 2 was ordered mimeographed and referred to the Committee on Welfare.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 3*, by Messrs. Selvin and Elggren, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 3 was ordered mimeographed and referred to the Committee on Welfare.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Messrs. Selvin, Farr, Midgley, Elggren and Knight, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 4 was ordered mimeographed and referred to the Committee on Judiciary.

March 9, 1948

Mr. President:

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

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 5 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 6*, by Messrs. Hirschi, Farr, Fowles, Lund, Cowles and Vest, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

On motion of Senator Farr the rules were suspended and *S. B. No. 6* was ordered mimeographed and placed on the Second Reading Calendar.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 7*, by Messrs. Selvin and Lund, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 7 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8*, by Messrs. Jolley and Vest, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 8 was ordered mimeographed and referred to the Committee on Education.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Messrs. Hirschi, Holbrook, Jolley and Fowles, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. M. No. 1*, by Mr. Holbrook, with a few minor changes assented to by the author, and recommends that the memorial be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. C. M. No. 1 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

March 9, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 1*, by Messrs. Elggren, Selvin, Brockbank, Knight and Midgley,

with a few minor changes assented to by the authors, and recommends that the resolution be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 10 By Messrs. Knight and Holbrook

AN ACT AUTHORIZING COUNTY COMMISSIONERS TO ISSUE GENERAL OBLIGATION BONDS ON PROPERTY WITHIN SPECIAL IMPROVEMENT DISTRICTS OUTSIDE OF INCORPORATED CITIES OR TOWNS FOR THE PURPOSE OF FINANCING ALL OR PART OF ANY SEWERAGE AND WATER SYSTEMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11 By Messrs. Fowles and Day

AN ACT AMENDING 98-3-1, UTAH CODE ANNOTATED 1943, PROVIDING AN ANNUAL FUND OF $1,500.00 FOR EXPENSES OF DEPARTMENT OF UTAH OF THE UNITED SPANISH-AMERICAN WAR VETERANS AND PROVIDING FUNDS FOR DEPARTMENT COMMANDER TO ATTEND ANNUAL NATIONAL ENCAMPMENT AND FOR COMPENSATION FOR SERVICES OF ADJUTANT GENERAL OF THE DEPARTMENT UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12 By Messrs. Day and Holbrook

AN ACT AMENDING CHAPTER 122 OF THE LAWS OF UTAH 1947 BY AMENDING SECTION 1 THEREOF AND BY ADDING SECTION 7 PROVIDING FOR THE PURCHASE, OR ACQUISITION OF THE FORT DOUGLAS MILITARY RESERVATION, OR ANY PART THEREOF, FOR THE UNIVERSITY OF UTAH, FROM THE UNITED STATES OF AMERICA, OR ANY ADMINISTRATION, DEPARTMENT, BUREAU, AUTHORITY, OR ANY OTHER DISPOSING AGENCY THEREOF, WHENEVER THE SAME MAY BECOME AVAILABLE, was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTIONS

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

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF UTAH BY ENACTING FOUR NEW SECTIONS TO BE KNOWN AS SECTIONS 3, 4, 5 AND 6 OF ARTICLE XV RELATING TO VETERANS' BONUS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Lamoreaux the Senate adjourned until March 10, 1948, at 10:00 a.m.

THIRD DAY

MORNING SESSION

March 10, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 10, 1948

Mr. President:

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

Respectfully,

GRANT MIDGLEY
W. WALLACE HOUSTON

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 9, 1948

Mr. President:

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

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

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

March 10, 1948

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 1*, by Messrs. Selvin, Farr, Elggren, Midgley and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

SOL J. SELVIN,
Chairman.

Report filed.

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

March 10, 1948

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 2*, by Messrs. Selvin, Elggren, Farr and Midgley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

SOL J. SELVIN,
Chairman.

Report filed.

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

March 10, 1948

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 3*, by Messrs. Selvin and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

SOL J. SELVIN,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 13 By Messrs. Knight and Cowles

AN ACT DECLARING THE NECESSITY FOR CITIES AND COUNTIES; TO UNDERTAKE PROJECTS TO PROVIDE HOUSING IN URBAN AND RURAL AREAS FOR VETERANS AND SERVICEMEN OF LOW INCOME, AND THEIR FAMILIES; TO DEFINE THE POWERS AND DUTIES OF SUCH CITIES AND COUNTIES IN CONNECTION WITH SUCH PROJECTS AND TO PROVIDE FOR THE EXERCISE OF SUCH POWERS, INCLUDING ACQUIRING PROPERTY, EXERCISING THE POWER OF EMINENT DOMAIN, ISSUING BONDS AND OTHER OBLIGATIONS AND GIVING SECURITY THEREOF; TO AUTHORIZE ANY SUCH CITY AND ANY COUNTY TO CREATE A HOUSING COMMISSION AND DELEGATE TO SUCH COMMISSION CERTAIN POWERS CONFERRED BY THIS ACT; TO DECLARE THAT THE HOUSING PROJECTS UNDERTAKEN BY SUCH CITIES AND COUNTIES SHALL BE EXEMPT FROM TAXATION; TO AUTHORIZE MUNICIPAL CORPORATIONS, COUNTIES AND OTHER POLITICAL SUBDIVISIONS TO AID PROJECTS OF CITIES OR COUNTIES BY CONVEYING OR DEDICATING PROPERTY, BY FURNISHING PARKS, PLAYGROUNDS, STREETS, ROADS, WATER, SEWER OR DRAINAGE FACILITIES, AND OTHER IMPROVEMENTS AND FACILITIES, BY EXERCISING CERTAIN OTHER POWERS AND BY MAKING AGREEMENTS RELATINNG TO SUCH AID; AND TO MAKE BONDS ISSUED FOR THE PURPOSES OF THIS ACT LEGAL INVESTMENTS AND SECURITY FOR PUBLIC DEPOSITS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

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

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

On motion of Senator Fowles the Senate resolved itself into a Committee of the Whole to hear President Aldous Dixon of Weber Junior College in connection with *S. B. No. 6.*

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

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

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

Those voting in the affirmative were: Senators Brockbank, Cowles, Day, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jones, Knight, Lund, Midgley, Vest, Ward and Mr. President.

Voting in the negative was Senator Clegg.

Absent and not voting were Senators Elggren, Jolley, Lamoreaux, McShane, Melich and Selvin.

On motion of Senator Farr the rules were suspended and it was ordered that *S. B. No. 6* retain its position on the Third Reading Calendar, but that the bill be referred to the Committee on Appropriations for its consideration and report.

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

Committee report read and adopted.

On motion of Senator Cowles the rules were suspended and *S. B. No. 5* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting was Senator Lamoreaux.

S. B. No. 5 was transmitted to the House.

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

Committee report read and adopted.

On motion of Senator Brockbank, *S. B. No. 1* was made a Special Order of Business for March 11 at 3:00 p.m.

On motion of Senator Fowles, *S. B. No. 2* was made a Special Order of Business for March 11, 1948 to follow consideration of *S. B. No. 1.*

On motion of Senator Melich *S. B. No. 3* was made a Special Order of Business for March 11, 1948 to follow consideration of *S. B. No. 2.*

On motion of Senator Farr the rules were suspended and the Committee on Revenue and Taxation was discharged from further consideration of *S. C. M. No. 1* and the memorial was placed on the Second Reading Calendar.

S. C. M. No. 1 was read the second time.

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

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

Ayes, 19; Nos, 2; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane, Melich, Midgley, Vest, Ward and Mr. President.

Those voting in the negative were: Senators Cowles and Elggren (explained vote).

Absent and not voting: Senators Lamoreaux and Selvin.

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

The President recognized former Senators Dan B. Shields and Paul Ray, who briefly spoke to the Senate.

REPORTS OF STANDING COMMITTEES

March 10, 1948

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 8*, by Messrs. Jolley and Vest, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 14 By Messrs. Melich and Selvin

AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND TO THE BOARD OF HEALTH TO PROVIDE A CONSULTANT PHYSICIAN TO ADVANCE INDUSTRIAL HYGIENE AND A VETERINARIAN TO STUDY ANIMAL DISEASES TRANSMISSI-

BLE TO MAN: AND TO PERMIT SALARY ADJUSTMENTS FOR PRESENT EMPLOYEES OF THE HEALTH DEPARTMENT DUE TO INCREASED COST OF LIVING,was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 15 By Messrs. Melich and Selvin

AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND TO THE BOARD OF HEALTH TO PERMIT EMPLOYMENT OF NURSES, SANITARIANS AND DISTRICT HEALTH OFFICERS TO CARRY OUT THE PUBLIC HEALTH PROGRAM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16 By Messrs. Day, Knight and Fowles

AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO ACCEPT CAMP KEARNS, CONSISTING OF 1037.88 ACRES OF LAND, THE GREATER PORTION OF WHICH IS DIVIDED INTO BLOCKS BY PAVED STREETS, IN SALT LAKE COUNTY, UTAH, TOGETHER WITH ALL IMPROVEMENTS AND UTILITIES THERETO PERTAINING FROM THE WAR ASSETS ADMINISTRATION OF THE UNITED STATES GOVERNMENT ON BEHALF OF THE STATE OF UTAH, AND PRESCRIBING THE CONDITIONS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Messrs. Farr, Vest and Brockbank

AN ACT CREATING WITHIN THE STATE DEPARTMENT OF PUBLIC WELFARE THE POSITION OF CONSULTANT FOR THE BLIND, DEFINING QUALIFICATIONS FOR THE OFFICE AND PRESCRIBING THE POWERS AND DUTIES THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Knight the rules were suspended and the Senate proceeded to consider *S. B. No. 8* on Second Reading.

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

Committee report read and adopted.

S. B. No. 8 was placed on the Third Reading Calendar on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Clegg, Cowles, Day, Elggren, Farr, Gibbons, Hirschi, Houston, Jolley, Jones, Knight, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Brockbank, Fowles, Holbrook and Lamoreaux.

On motion of Senator Day the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present except Senators Hirschi, Jolley, McShane and Melich, excused.

REPORTS OF STANDING COMMITTEES

March 10, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 10*, by Messrs. Knight and Holbrook, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 10, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 11*, by Messrs. Fowles and Day, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 11 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 10, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12*, by Messrs. Day and Holbrook, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 12 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 10, 1948

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 1*, by Messrs. Elggren, Selvin, Brockbank, Knight and Midgley, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 18 By Messrs. Day and Knight

AN ACT AMENDING SECTION 82-2-6, UTAH CODE ANNOTATED 1943, PROVIDING FOR AN INCREASE IN THE AMOUNT OF THE BOND OF REAL ESTATE BROKERS AND SALESMEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 19 By Messrs. Day and Knight

AN ACT AMENDING TITLE 79-5a-4, UTAH CODE ANNOTATED, 1943, PROVIDING FOR LICENSING OF CONTRACTORS, REQUIREMENTS FOR POSTING BOND, AND PROVIDING FOR RECOVERY ON SUCH BOND OR DEPOSIT BY THE ADDITION OF SUBSECTIONS 3 AND 4, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Midgley, the rules were suspended and *S. J. R. No. 1* was made a Special Order of Business for March 11, 1948 to follow consideration of *S. B. No. 3*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Farr the action of the Senate in making *S. B. No. 1* a Special Order of Business for March 11, 1948 at 3:00 p.m. was rescinded and the Senate proceeded to consider the bill on Second Reading.

On motion of Senator Fowles the Senate adjourned until March 11, 1948 at 10:00 a.m.

FOURTH DAY

MORNING SESSION

March 11, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 11, 1948

Mr. President:

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

Respectfully,

GRANT MIDGLEY
W. WALLACE HOUSTON

Report adopted and filed.

On motion of Senator Day the Senate resolved itself into a Committee of the Whole to hear President A. Ray Olpin of the University of Utah in connection with *S. B. No. 12.*

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

COMMUNICATIONS FROM THE HOUSE

March 10, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 1*, by Mrs. Jack, entitled "AN ACT AMENDING SECTION 76-5-25 UTAH CODE ANNOTATED 1943 AS AMENDED BY SECTION 4 OF CHAPTER 105 LAWS OF UTAH 1945 RELATING TO THE TRANSPORTATION OF PERSONS AND PROPERTY BY MOTOR VEHICLE; BY ADDING THERETO A PROVISION PERMITTING CASUAL OR OCCASIONAL

TRANSPORTATION OF PERSONS FOR COMPENSATION BY A FELLOW EMPLOYEE," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 1 was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE GOVERNOR

March 9, 1948

To the Senate
Building

Gentlemen:

I have this day received a communication signed by fourteen members of the State Senate requesting that I open up the subject of a repeat performance of "Promised Valley" during the summer of 1948 for Legislative consideration.

It is with pleasure that I comply with this request.

I therefore submit to you that proposition and recommend that legislation be passed and appropriations be made providing for the presentation during the summer of 1948 of the musical production titled, "Promised Valley."

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 10, 1948

To the Senate
Building

Gentlemen:

I have this day received a communication signed by fifteen members of the Utah State Senate requesting that I open up the matter of legislation permitting the use of the automobile entitled, "Mormon Meteor III," which is on display in the State Capitol Building, for racing purposes.

It is with pleasure that I comply with this request, and herewith submit to the Legislature that proposition for its consideration.

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

REPORTS OF STANDING COMMITTEES

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 14*, by Messrs. Melich and Selvin, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 14 was ordered mimeographed and referred to the Committee on Health and Labor.

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 15* by Messrs. Melich and Selvin, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 15 was ordered mimeographed and referred to the Committee on Health and Labor.

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Messrs. Day, Knight and Fowles, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 16 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 17*, by Messrs. Farr, Vest and Brockbank, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 17 was ordered mimeographed and referred to the Committee on Welfare.

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 18*, by Messrs. Day and Knight, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 18 was ordered mimeographed and referred to the Committee on Judiciary.

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 19*, by Messrs. Day and Knight, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 11, 1948

Mr. President:

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

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. J. R. No. 2 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

UNFINISHED BUSINESS

S. B. No. 1 being Unfinished Business was before the Senate.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

INTRODUCTION OF BILLS

S. B. No. 20 By Mr. Melich

AN ACT AMENDING SECTION 100-4-3, UTAH CODE ANNOTATED 1943. AS AMENDED BY LAWS OF UTAH 1943; SECTION 100-4-4, UTAH CODE ANNOTATED 1943; SECTION 100-4-5, UTAH CODE ANNOTATED 1943; AND ADDING TO CHAPTER 4, TITLE 100, UTAH CODE ANNOTATED 1943, FOUR NEW SECTIONS TO BE DESIGNATED AS SECTIONS 100-4-21, 100-4-22, 100-4-23 AND 100-4-24, RELATING TO THE PROCEDURE TO BE FOLLOWED BY THE DISTRICT COURTS AND STATE ENGINEER IN ACTIONS TO DETERMINE THE RIGHTS TO THE USE OF WATER IN RIVER SYSTEMS, LAKES, UNDERGROUND WATER BASINS AND OTHER SOURCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21 , By Messrs. Knight and Selvin

AN ACT AUTHORIZING THE SECRETARY OF STATE TO ALLOW AB JENKINS THE USE OF THE RACING AUTOMOBILE "MORMON METEOR III," was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF RESOLUTIONS

S. R. No. 1 By Special Committee on Resolutions, Messrs. Brockbank, Day and Jolley

RESOLUTION OF CONDOLENCE TO THE FAMILY OF ANDREW FRED ELGGREN IN MEMORIAM, was read the first time.

On motion of Senator Day 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 the following roll call:

Ayes, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

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

S. R. No. 2 By Special Committee on Resolutions
Messrs. Brockbank, Day and Jolley

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE LATE MRS. EMILY ELEANOR KENNER LUND, was read the first time.

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

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

Ayes, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

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

S. J. R. No. 3 By Special Committee on Resolutions,
Messrs. Brockbank, Day and Jolley

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE LATE SECRETARY OF STATE, E. E. MONSON, was read the first time.

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

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

Ayes, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

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

COMMUNICATIONS FROM THE GOVERNOR

March 11, 1948

To the Senate
Building

Gentlemen:

It has been brought to my attention by several Senators and Representatives that certain amendments approved by both Bodies of the Legislature were inadvertently omitted from the final draft of the bill designating State roads, which was passed during the regular session of the 27th Legislature.

Several requests have been made of me to permit the Legislature to correct this error. I am happy to do so, and therefore submit to your Honorable Body for your consideration the matter of designating State highways for the purpose of permitting you to correct the errors referred to above.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 11, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 7*, by Mr. Anderson, entitled, "AN ACT AUTHORIZING THE TAXING UNITS IN UTAH COUNTY AND ADJOINING COUNTIES TO CONTRIBUTE FUNDS FOR PURCHASING A VOCATIONAL EDUCATIONAL BUILDING SITE," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEES

March 11, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13*, by Senators Knight and Cowles, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 13 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 11, 1948

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 17*, by Messrs. Farr, Vest and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

SOL J. SELVIN,
Chairman.

Report filed.

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

UNFINISHED BUSINESS

S. B. No. 1 being Unfinished Business was before the Senate.

On motion of Senator Day the Senate recessed for 10 minutes.

The Senate reassembled.

PRESENTATION OF RESOLUTIONS

S. R. No. 3 — By Special Committee on Resolutions, Messrs. Day, Jolley and Ward

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF HEBER P. BROCKBANK, was read the first time.

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

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

Ayes, 23: Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

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

COMMUNICATIONS FROM THE GOVERNOR

March 11, 1948.

To the Senate
Building

Gentlemen:

I have this day received a communication from the Honorable Earl J. Glade, Mayor of Salt Lake City, advising me that a vacancy exists in the Office of City Judge in Salt Lake City due to the resignation of Clifford L. Ashton, and informing me that members of the legal fraternity and important business interests were requesting the City Commission not to fill that vacancy because "there is not sufficient work in the City Courts to require four judges."

Under the laws of Utah, it is mandatory that cities with a population of 75,000 or more have four city judges. In view of the fact that there appears to be insufficient work to keep four judges busy in the largest municipality of our State, it is recommended that the law be amended so as to make it discretionary for the City Commission to determine the number of judges required to carry on the City business. This matter is important to the taxpayers of Salt Lake City, for I am advised that if the present vacancy is not required to be filled, there will be a savings of at least $25,000 during the next four-year period.

I therefore submit this matter to you with the request that you give consideration to the recommendations that City Commissions in those communities with populations in excess of 75,000 be granted discretionary authority with respect to the number of judges to serve on city benches.

Copies of bills covering this matter are enclosed herewith.

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Fowles the Senate adjourned until March 12, 1948 at 10:00 a.m.

FIFTH DAY

MORNING SESSION

March 12, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 12, 1948

Mr. President:

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

Respectfully,

GRANT MIDGLEY
W. WALLACE HOUSTON

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 11, 1948

Mr. President:

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

Respectfully,

RAY P. LUND,
Chairman

Report filed.

S. B. No. 20 was ordered mimeographed and referred to the Committee on Judiciary.

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 21*, by Messrs. Knight and Selvin, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 7*, by Messrs. Lund and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 9*, by Messrs. Hirschi, Holbrook, Jolley and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

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

March 11, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 12*, by Messrs. Day and Holbrook, has carefully considered said bill and reports the same out favorably,

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 14*, by Messrs. Melich and Selvin, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 15*, by Messrs. Melich and Selvin, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 7*, by Mr. Anderson, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. GRANT VEST,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 1*, by Messrs. Brockbank, Day and Jolley of the Special Committee on Resolutions, entitled, "RESOLUTION OF CONDOLENCE TO THE FAMILY OF ANDREW FRED ELGGREN IN MEMORIAM," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 2*, by Messrs. Brockbank, Day and Jolley of Special Committee on Resolutions, entitled, "A RESOLUTION OF CONDO-

LENCE TO THE FAMILY OF THE LATE MRS. EMILY ELEANOR KENNER LUND," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 3*, by Messrs. Day, Jolley and Ward of Special Committee on Resolutions, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF HEBER P. BROCKBANK," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. R. No. 3 was signed by the President in open session in the presence of the Senate and transmitted to the Secretary of State.

INTRODUCTION OF BILLS

S. B. No. 22 By Messrs. Holbrook, Midgley and Lamoreaux

AN ACT APPROPRIATING $50,000.00 TO THE DEPARTMENT OF BUSINESS REGULATION TO BE USED FOR UTILITY RATE INVESTIGATIONS AND PROVIDING FOR A LEVY AGAINST PUBLIC UTILITIES OPERATING IN THE STATE OF UTAH TO RAISE A PORTION OF SUCH AMOUNT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Messrs. Holbrook and McShane

AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFINING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PROVIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL

CONTROL OF FUNDS: AND AMENDING SECTIONS NINE AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Ward the Senate ordered that the Senate Joint Resolution of Condolence to the family of the late Secretary of State E. E. Monson be printed in the Senate Journal.

S. J. R. No. 3 By Special Committee on Resolutions. Messrs. Brockbank, Day and Jolley

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE LATE SECRETARY OF STATE, E. E. MONSON.

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

WHEREAS, the late Secretary of State, E. E. Monson, was called from this life by his Creator on the eighth day of April, 1947, Salt Lake City, Utah, and

WHEREAS, he served with honor and fidelity the people of this state, being ever alert to render courteous and efficient service as a public servant in the discharge of the many duties in the office to which he was elected successively by the citizenry of his state, and

WHEREAS, from his many contacts with those who knew and respected him he became endeared to an ever widening circle of friends who felt a sincere and deep personal loss in his passing, and

WHEREAS, to few is granted the privilege to possess so large a capacity for friendship and to enjoy the affections and esteem of so large a circle of his fellow citizens, and

WHEREAS, the people of this state feel a profound respect for his integrity and a since admiration for his loyalty and devotion to duty, and

WHEREAS, he followed the highest ideals of public service and discharged his every trust with devotion and fidelity,

NOW THEREFORE BE IT RESOLVED, that the Legislature of the State of Utah does hereby honor and pay tribute to Secretary of State, E. E. Monson, and hereby convey to his family its condolences and sympathy in the loss of this noble character and public servant. The example which he set for others in civic responsibility and public service was a rich contribution to the state he loved.

BE IT FURTHER RESOLVED, that a copy of this resolution be delivered to the members of the family of E. E. Monson at Salt Lake City, Utah.

UNFINISHED BUSINESS

S. B. No. 1 being Unfinished Business was before the Senate.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

REPORTS OF STANDING COMMITTEES

March 11, 1948

Mr. President and Mr. Speaker:

At a meeting of the Joint Appropriations Committee held in the Governor's Board Room, March 11, 1948, it was moved and unanimously concurred in that the Joint Appropriations Committee recommend to the House and Senate that all bills proposing appropriations from the Emergency Welfare Fund be referred to the appropriate committee other than the Appropriations Committee and that the amount of the appropriations be debated and disposed of on the floor of the two houses, and that all other bills proposing appropriations from the General Fund be referred to the Joint Appropriations Committee.

Respectfully,

WARD C. HOLBROOK,
Chairman, Senate Appropriations Committee

REUEL E. CHRISTENSEN,
Chairman, House Appropriations Committee

Report filed.

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 23*, by Messrs. Holbrook and McShane, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 23 was ordered mimeographed and referred to the Committee on Welfare.

March 12, 1948

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 10*, by Messrs. Knight and Holbrook, has considered said bill and finds that it does not come within the call of the special session. We are returning it herewith to you together with a letter from the Attorney General rendering his decision on this matter.

Respectfully,

DEXTER FARR,
Chairman.

Report filed.

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

March 12, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 16*, by Messrs. Day, Knight and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

On motion of Senator Knight the rules were suspended and *S. B. No. 16* was read the second and third times and placed on its final passage.

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

Page 1, line 3 of Section 3, strike the word "Veterans."

At the end of Section 3 change the period to a comma and add the following: "giving veterans priority to buy, acquire, lease, or otherwise use and occupy said above enumerated assets and property."

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

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Farr, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Elggren, Fowles, McShane and Melich.

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

March 12, 1948

Mr. President:

We, your Committee on Judiciary beg leave to report that we have considered *H. B. No. 1*, by Mrs. Jack, and in connection therewith we have also considered *S. B. No. 4*, by Senators Selvin, Midgley, Farr,

Elggren and Knight; that the said House and Senate Bills are identical; and that after careful consideration of *H. B. No. 1*, we recommend that the said bill be amended by striking all of Section "h" of the bill representing on page 2, lines 19 to 25 inclusive. In place thereof we recommend the following language, to-wit:

(h) To a group of employees riding together in the automobile of a fellow employee to and from their employment and sharing the actual expenses of the transportation; provided that said group of employees shall not exceed 5 persons, in addition to the driver of the vehicle, and in no event to exceed 3 persons in any one seat; and provided further that this sub-section shall not apply to an individual so operating in excess of one motor vehicle.

With the above amendment we recommend the bill for favorable consideration of the Senate.

Respectfully,

WARWICK C. LAMOREAUX,
Chairman.

Report filed.

On motion of Senator Fowles the rules were suspended and the Senate proceeded to consider *H. B. No. 1* on Second Reading.

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

Committee report read and adopted and the bill was amended accordingly.

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

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

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

Those voting in the affirmative were: Senators Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Midgley, Selvin, Vest, Ward and Mr. President.

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

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

COMMUNICATIONS FROM THE HOUSE

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. J. R. No. 3*, by Special Committee on Resolutions, Messrs. Brockbank, Day and Jolley, entitled,

"A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE LATE SECRETARY OF STATE, E. E. MONSON," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed under suspension of the rules *H. J. R. No. 3*, by Messrs. Nielson and Brinkerhoff, entitled, "A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MARY P. CHRISTENSEN—IN MEMORIAM," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

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

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

Ayes, 15; Nos, 0; Absent, 8.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Fowles, Gibbons, Houston, Jolley, Knight, McShane, Midgley, Selvin, Ward and Mr. President.

Absent and not voting: Senators Cowles, Hirschi, Holbrook, Jones, Lamoreaux, Lund, Melich and Vest.

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

UNFINISHED BUSINESS

S. B. No. 1 being Unfinished Business was before the Senate.

On motion of Senator Holbrook the rules were suspended and the Senate ordered that the Committee on Welfare be discharged from consideration of *S. B. No. 23*, that the bill be placed at the head of the Second Reading Calendar and considered at this time, and that *S. B. No. 1* be made a Special Order of Business to follow consideration of *S. B. No. 23*.

On motion of Senator Day *S. B. No. 2* was made a Special Order of Business to follow *S. B. No. 1*, and *S. B. No. 3* was made a Special Order of Business to follow *S. B. No. 2*.

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

COMMUNICATIONS FROM THE GOVERNOR

March 12, 1948

To the Senate
Building

Gentlemen:

Since the last session of the Senate, I have made the following recess appointments to fill vacancies in the offices designated, and I hereby submit their names for your consent and approval.

FOR MEMBERS OF THE UTAH WATER AND POWER BOARD:

Two of whom were appointed by the President of the Senate, two by the Speaker of the House, and ten by the Governor, as provided in Section 2, Chapter 141, Laws of Utah 1947:

J. A. Howell, Ogden, Utah, for the term expiring March 1, 1950.

Raymond Hammond, Grantsville, Utah, for the term expiring March 1, 1950.

Dr. P. L. Jones, Nephi, Utah, for the term expiring March 1, 1950.

Wallace D. Yardley, Beaver, Utah, for the term expiring March 1, 1950.

B. O. Colton, Roosevelt, Utah, for the term expiring March 1, 1950.

J. W. Gillman, Orem, Utah, for the term expiring March 1, 1950.

L. B. Johnson, Randolph, Utah, for the term expiring March 1, 1950.

Charles Redd, La Sal, Utah, for the term expiring March 1, 1953.

Orson Christensen, Garland, Utah, for the term expiring March 1, 1953.

William R. Wallace, Salt Lake City, Utah, for the term expiring March 1, 1953.

Lee P. Mower, Fairview, Utah, for the term expiring March 1, 1953.

Dr. John A. Widtsoe, Salt Lake City, Utah, for the term expiring March 1, 1953.

Joseph W. Johnson, Layton, Utah, for the term expiring March 1, 1953.

Wallace B. Mathis, St. George, Utah, for the term expiring March 1, 1953.

FOR MEMBERS OF THE VETERANS' COUNCIL:

Don C. James, Salt Lake City, for the term expiring April 26, 1949.

Peter G. Boam, Ogden, Utah, for the term expiring April 26, 1949.

Clarence C. Neslen, Salt Lake City, for the term expiring April 26, 1949.

J. H. Roper, Salt Lake City, Utah, for the term expiring April 26, 1951.

Frank H. Jonas, Logan, Utah, for the term expiring April 26, 1951.

Ralph E. Spencer, Salt Lake City, for the term expiring April 26, 1951.

FOR DIRECTOR OF THE UTAH DEPARTMENT OF VETERANS' AFFAIRS:

A. O. Ellett of Utah County.

FOR COMMISSIONER IN THE DEPARTMENT OF FINANCE FOR THE TERM ENDING MARCH 1, 1953:

To fill the vacancy caused by the resignation of Heber Bennion, Jr., J. Henry McGean.

FOR COMMISSIONER IN THE INDUSTRIAL COMMISSION FOR THE UNEXPIRED TERM ENDING MARCH 1, 1949:

To fill the vacancy caused by the resignation of E. M. Royle, Daniel Edwards.

FOR MEMBERS OF THE STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Al Warden, Ogden, Utah, for the term expiring January 1, 1949.

W. J. Fitzpatrick, Salt Lake City, Utah, for the term expiring January 1, 1950.

Elias J. Strong, Salt Lake City, for the term ending January 1, 1951.

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

The above appointments were referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 13*, by Messrs. Toronto, Brinkerhoff, Lunt, Christensen and Stevens, entitled, "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR

PUBLIC ASSISTANCE TO PERSONS IN NEED, STATING A DECLARATION OF POLICY, DEFINING TERMS USED IN THE ACT, DEFINING DUTIES AND POWERS OF THE PUBLIC WELFARE DEPARTMENT AND COUNTY WELFARE BOARDS PROVIDING COMPENSATION FOR MEMBERS OF COUNTY WELFARE BOARDS: PROVIDING ELIGIBILITY REQUIREMENTS FOR PUBLIC ASSISTANCE, SETTING UP STANDARDS AND LIMITATIONS ON AMOUNT OF ASSISTANCE, PROVIDING FOR LIENS ON PROPERTY OF APPLICANTS AND RECIPIENTS, DEFINING PUBLIC ASSISTANCE, PROVIDING FOR HEARINGS AND APPEALS FROM DECISIONS OF COUNTY WELFARE BOARDS AND THE PUBLIC WELFARE COMMISSION, PROVIDING APPROPRIATIONS, DEFINING RESIDENCE REQUIREMENTS, PROVIDING FOR COOPERATION WITH ORGANIZATIONS ADMINISTERING ASSISTANCE; PROVIDING LEGISLATIVE COUNCIL WITH POWER TO REQUIRE INFORMATION OF PUBLIC WELFARE DEPARTMENT; DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS 1, 10, 20, AND 23 OF CHAPTER 89, LAWS OF UTAH 1947, AND ENACTING SECTIONS 30, 31, 32, AND 33, CHAPTER 89, LAWS OF UTAH 1947," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 5*, by Messrs. Newey, Lunt, Lewis, Johnson and Frost, entitled, "AN ACT AMENDING SECTION 76-2-1 UTAH CODE ANNOTATED, 1943, RELATING TO DEFINITIONS OF WORDS AND PHRASES, AND TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OF THE STATE OF UTAH; AND PROVIDING FOR THE SALE OF SURPLUS ELECTRIC POWER OR ENERGY BY A PERSON, ASSOCIATION, COMPANY OR CORPORATION NOT ENGAGED IN BUSINESS AS A PUBLIC UTILITY AND SPECIFYING CONDITIONS," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

On motion of Senator Houston the Senate adjourned until March 13, 1948, at 10:00 a.m.

SIXTH DAY

MORNING SESSION

March 13, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 13, 1948

Mr. President:

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

Respectfully,

GRANT MIDGLEY
W. WALLACE HOUSTON

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 1*, by Mrs. Jack, entitled, "AN ACT AMENDING SECTION 76-5-25 UTAH CODE ANNOTATED 1943 AS AMENDED BY SECTION 4 OF CHAPTER 105 LAWS OF UTAH 1945 RELATING TO THE TRANSPORTATION OF PERSONS AND PROPERTY BY MOTOR VEHICLE; BY ADDING THERETO A PROVISION PERMITTING CASUAL OR OCCASIONAL TRANSPORTATION OF PERSONS FOR COMPENSATION BY A FELLOW EMPLOYEE."

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 5* by Mr. Cowles, entitled, "AN ACT AUTHORIZ-

ING THE EXCHANGE OF PROPERTY BELONGING TO CARBON COLLEGE FOR OTHER PROPERTY BELONGING TO PRICE CITY AND DIRECTING THE GOVERNOR TO EXECUTE THE DEED," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 5 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. C. M. No. 1*, by Mr. Holbrook, entitled, "A CONCURRENT MEMORIAL URGING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO ELIMINATE THE INEQUITABLE TAX DISCRIMINATIONS BETWEEN RESIDENTS OF THE SO-CALLED COMMUNITY PROPERTY STATES AND THE SO-CALLED COMMON LAW STATES," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 12, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 4*, by Messrs. Gardner, Bunce and Sperry, entitled, "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1945, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 4 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 3*, by Messrs. Brockbank, Day and Jolley, of the Special Committee on Resolutions, entitled "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE LATE SECRETARY OF STATE, E. E. MONSON," examined by this committee, has carefully compared the joint resolution as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. J. R. No. 3 was signed by the President in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 22*, by Messrs. Holbrook, Midgley and Lamoreaux, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

UNFINISHED BUSINESS

S. B. No. 23 being Unfinished Business was before the Senate.

Senator McShane moved that for the balance of this Special Session whenever a roll call is demanded in connection with a motion, amendment or other question the motion, amendment or a statement of the other question and the vote thereon shall be printed in the Journal.

Motion carried.

Senator Clegg moved that the bill be amended as follows:

Page 1, line 1, after the word "nine" insert the word "nineteen."

Between lines 15 and 16 insert the following:

Sec. 19. Pledge of Property to Secure Reimbursements.

(a) Every County Welfare Board shall require as a condition to granting assistance to any ( ) old age ( ) recipient, that all real property or interests in real property belonging to the applicant ( ) shall be pledged to the Board as a guarantee for the reimbursement of assistance received; ( ) provided, however, at the time said lien is satisfied ( ) there shall be a $300.00 assessed valuation exemption which shall represent or equal a cash exemption value of ( ) $750.00.

To evidence such pledge the county board shall require each applicant to enter into agreement in form approved by the State Department duly acknowledged so as to entitle it to be filed of record in the office of the County Recorder by which the applicant shall acknowledge and agree that such property has been assigned as security for the reimbursement of all assistance thereafter received by him.

If the applicant is a married man his wife shall be required to become a party to such agreement for the purpose of releasing her statutory right in such property and such release and joinder shall be as valid and effectual to release such statutory right as if she had joined the applicant in the conveyance of the property to a third person; provided, that when it appears to the County Board that the applicant is living apart from his wife and her joinder cannot be obtained, the agreement signed by the applicant alone may be accepted under such regulations as the State Department may prescribe.

Upon making a grant of old age assistance the Board shall forthwith file with the County Recorder of the county in which the applicant resides and with the County Recorder of any other county in which the applicant owns real property, a verified copy of such agreement to reimburse and the filing of the same shall have the same effect as a lien by judgment on any real property in which the applicant has any title or interest. All such real property shall from the time of filing of such copy of agreement be and become charged with a lien for all assistance received by the applicant as herein provided, which lien shall have priority over all unrecorded encumbrances. All such instruments shall be recorded in a special lien book kept for such purposes and no fees or costs shall be paid for such filing or recording.

(b) Upon the request of a recipient the Board shall execute and file with the county recorder a certificate in form approved by the State Department certifying as to the amount of assistance given the recipient to the date of such certificate. The amount so certified shall constitute the entire claim as of the date of such certificate against the real property of the recipient, and any person dealing with the recipient may rely upon such certificate as evidencing the amount of the existing lien against the real estate of the recipient.

The County Board shall seek foreclosure of the lien on a recipient's property when the property is transferred to a third party prior to the recipient's death.

Upon the death of any recipient the County Board shall present a verified claim for the total amount of all assistance given the recipient to the executor or administrator of the estate of such decedent and the same shall be allowed, approved, filed and paid as other claims in the administration of the estate of such decedent.

All money received from such estates or from the foreclosures of such lien shall be reported promptly by the Board receiving the same to the State Department and the proportion of such money which was paid to the recipient from state funds shall be remitted forthwith to the State Department.

The State Department shall certify promptly to the State Auditor a statement of the amounts received from such recipients or from their estates and deposit such collections with the State Treasurer. The Federal Government shall be entitled to and shall be paid a share of such collections equal to not more than one-half of the amount collected, if required as a condition to federal financial participation, and this amount shall be certified by the State Department to the state auditor and treasurer.

The County Board shall be empowered to accept voluntary conveyance of real property in lieu of issuance of execution. All real property acquired by the Welfare Board under the provisions of this act may be disposed of by public or private sale under such rules and regulations as may be prescribed by the State Department. The County Board is authorized to execute and deliver any and all documents necessary to convey title to any and all such property as may have come into its possession to a purchaser of such property as though such board constituted a corporate entity.

Effective as of July 1, 1947, all old age recipients and all those subsequently applying for assistance who are not exempt as hereinbefore provided, shall be required to enter into agreements to reimburse as hereinabove provided as a condition precedent to receiving any assistance under this act but such agreements shall constitute a charge and lien only for assistance subsequently rendered and not for assistance rendered prior to the execution of such agreements. ( ).

(c) All records relating to the administration of public assistance shall be regarded as confidential and shall be protected against misuse by rules and regulations established by the Public Welfare Commission which shall have the same force and effect as law. Any person who violates the confidential nature of public assistance records as provided herein or by the rules and regulations of the Public Welfare Commission, or who assists anyone else in such violation, shall be judged guilty of a misdemeanor and shall be fined not more than $300 or shall be imprisoned for not more than sixty days, or both.

Neither the provisions of this Section or the rules and regulations of the Public Welfare Commission shall prohibit the State Department of Public Welfare or the County Department of Public Welfare from publishing or causing to be published such statistical material or other information of general character as Welfare Commission may consider to be of public interest. The applicant or recipient and his attorney shall at all times have the right to inspect his application or other personal records after they have been filed.

Senator Cowles with the aid of four Senators demanded a roll call on the amendment proposed by Senator Clegg.

Senator Lamoreaux, with the aid of four Senators, demanded a Call of the Senate.

The Sergeant-at-Arms made his report showing all Senators present except Senator Brockbank.

On motion of Senator Day the Call was lifted.

The proposed amendment failed on the following roll call:

Ayes, 10; Nos, 12; Absent, 1.

Those voting in the affirmative were: Senators Clegg, Day, Hirschi, Houston, Jolley, Lund, McShane, Melich, Vest (explained vote) and Mr. President.

Those voting in the negative were: Senators Cowles, Elggren (explained vote), Farr, Fowles, Gibbons, Holbrook (explained vote), Jones, Knight, Lamoreaux, Midgley, Selvin and Ward (explained vote).

Absent and not voting: Senator Brockbank.

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

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m. President Hopkin in the chair.

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

COMMUNICATIONS FROM THE GOVERNOR

March 13, 1948

To the Senate
Building

Gentlemen:

I have been advised that there is the sum of $159,906.46 in the State Road Revolving Fund No. 304 which cannot be used for any purpose without legislative approval.

I hereby recommend that legislation be passed permitting the use of that sum of money for road maintenance.

Sincerely yours,

HERBERT B. MAW,
Governor.

Communication filed.

March 13, 1948

To the Senate
Building

Gentlemen:

It has just been brought to my attention that your Honorable Body, while convened in regular session, confirmed Mr. Al Warden of Ogden, Mr. W. J. Fitzpatrick of Salt Lake, and Mr. Elias J. Strong of Salt Lake City, as members of the State Highway Patrol Civil Service Commission. Action on their case is therefore unnecessary at this time because they were not recess appointments. I therefore herewith withdraw their names for your consideration during the Special Session of the Legislature.

Yours truly,

HERBERT B. MAW,
Governor.

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 13, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 16*, by Messrs. Fowles, Day and Knight, entitled: "AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO ACCEPT CAMP KEARNS, CONSISTING OF 1037.88 ACRES OF LAND, THE GREATER PORTION OF WHICH IS DIVIDED INTO BLOCKS BY PAVED STREETS, IN SALT LAKE COUNTY, UTAH, TOGETHER WITH ALL IMPROVEMENTS AND UTILITIES THERETO PERTAINING FROM THE WAR ASSETS ADMINISTRATION OF THE UNITED STATES GOVERNMENT ON BEHALF OF THE STATE OF UTAH, AND PRESCRIBING THE CONDITIONS THEREOF," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 16 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 13, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. J. R. No. 3*, by Special Committee on Resolutions—Messrs. Brockbank, Day and Jolley, entitled: "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF THE LATE SECRETARY OF STATE, E. E. MONSON," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. J. R. No. 3 was transmitted to the Secretary of State.

March 13, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. M. No. 2*, by Messrs. Feltch, Lunt, Cottrell and Anderson, entitled: "A MEMORIAL TO THE PRESIDENT OF THE UNITED STATES AND TO THE CONGRESS OF THE UNITED STATES URGING THE CONGRESS TO ENACT AND THE PRESIDENT TO APPROVE LEGISLATION WHICH WILL FIRMLY ESTABLISH THE RIGHT OF HONORABLY DISCHARGED VETERANS OF WORLD WAR II TO SELECT FLIGHT TRAINING IF THEY SO DESIRE IN LIEU OF OR IN COMMON WITH SUCH OTHER EDUCATIONAL BENEFITS AS MAY BE MADE AVAILABLE WITH USE OF FEDERAL FUNDS," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 13, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. C. M. No. 2*, by Messrs. Lunt, Murdock, Murch and Newey, entitled: "A MEMORIAL TO THE BOARD OF DIRECTORS AND OFFICERS OF THE KENNECOTT COPPER CORPORATION EXPRESSING THE APPRECIATION OF THE LEGISLATURE OF THE STATE OF UTAH FOR THE MATERIAL CONTRIBUTIONS MADE BY THE KENNECOTT COPPER

COMPANY IN ADVANCING THE ECONOMIC WELL-BEING AND GENERAL WELFARE OF THE STATE OF UTAH," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEES

March 13, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. M. No. 1*, by Mr. Holbrook, entitled, "A CONCURRENT MEMORIAL URGING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO ELIMINATE THE INEQUITABLE TAX DISCRIMINATIONS BETWEEN RESIDENTS OF THE SO-CALLED COMMUNITY PROPERTY STATES AND THE SO-CALLED COMMON LAW STATES," examined by this committee, has carefully compared the memorial as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 13, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 5*, by Mr. Cowles, entitled, "AN ACT AUTHORIZING THE EXCHANGE OF PROPERTY BELONGING TO CARBON COLLEGE FOR OTHER PROPERTY BELONGING TO PRICE CITY AND DIRECTING THE GOVERNOR TO EXECUTE THE DEED," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 5 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

UNFINISHED BUSINESS

S. B. No. 23 being Unfinished Business was before the Senate.

Senator Lamoreaux moved that the bill be amended as follows:

Page 3, line 7, strike the figure "$300,000.00" and insert in lieu thereof the figure "$530,000.00".

Senator Lamoreaux with the aid of four Senators demanded a roll call on the amendment.

The proposed amendment failed on the following roll call:

Ayes, 10; Nos, 12; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles, Lamoreaux (explained vote), Midgley, Selvin (explained vote), Ward and Mr. President.

Those voting in the negative were: Senators Clegg (explained vote), Day, Gibbons, Hirschi (explained vote), Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane (explained vote) and Melich.

Absent and not voting: Senator Vest.

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

Page 1, line 19, strike the words "churches" and "fraternal" and before the word "organizations" insert the word "other".

Line 21, strike the words "churches and".

On motion of Senator Lamoreaux the title of the bill was amended as follows:

Line 6, after the word "NINE" insert the word "TEN".

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

Page 1, line 1, after the word "nine" insert the word "ten".

Between lines 15 and 16 insert the following:

Section 10. The Public Welfare Commission, with the advice of county and district boards of public welfare, shall establish maximum standards of assistance compatible with health and well-being within the limits herein set forth, based upon studies of current living standards and costs, said standard of assistance to be applied uniformly in the determination of the need of all applicants and recipients, adjusted upward, or downward whenever cost of living index as determined by the U. S. Department of Labor shows change sufficient to warrant such adjustment, and shall reflect significant differentials in standards of liv-

ing and in cost that may exist in the various communities of the state; provided, that budgetary needs for or in behalf of any one case in any one month shall be subject to the following maximums: one-person case, $45; two-person case, $90; three-person case, $114; for each additional person in a case, $15, but the aggregate shall not exceed $175 in any case ( ); provided further that a single recipient of old age assistance may, in addition to the amount received under the budgetary needs as above provided, receive additional income from other sources up to the amount of his personal budget as determined by the Department of Public Welfare. The foregoing maximums shall be adjusted July 1st and January 1st of each year, upward or downward in direct ratio to the increases or decreases in the cost of living as shown by the U. S. Department of Labor cost of living index in the U. S. The maximums heretofore set forth shall be considered standard as of January 1, 1947.

Permissible exceptions to the foregoing maxims for the purpose of meeting the following special costs are:

(a) Assistance as provided for in Section 9 of this act;

(b) Institutional and nursing home care;

(c) Board home care;

(d) Restaurant meals for those persons without housekeeping facillties;

(e) Persons temporarily subjected to extraordinarily difficult problems of living by reason of their particular, special situations.

The county or district boards of public welfare may request grants in excess of the foregoing maximums, and the Public Welfare Commission is authorized to grant such requests wherever and whenever investigation discloses that the recipient and his family, because of illness, lack of employment or other unusual circumstances, needs funds in addition to the specified maximum grant to meet its minimum need for food, clothing, shelter, and fuel. Such special grants shall be reviewed monthly by the Commission.

The District or County Board may require of any recipient the beneficial use of available potential resources, and may deny assistance to an applicant other than an applicant for old age assistance who has total assets in excess of $500.

S. B. No. 23 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nos, 7; Absent, 1.

Those voting in the affirmative were: Senators Clegg (explained vote), Day, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane, Melich, Ward and Mr. President.

Those voting in the negative were: Senators Brockbank (explained vote), Cowles, Elggren (explained vote), Farr, Lamoreaux, Midgley, Selvin (explained vote).

Absent and not voting: Senator Vest.

COMMUNICATIONS FROM THE GOVERNOR

March 13, 1948

To the Senate
Building

Gentlemen:

A situation, concerning the exemption provided disabled war veterans from property tax under the laws of this state, has come to my attention with the request that your attention be immediately called to the matter.

The 1947 Session of the Legislature amended Sections 80-2-4 and 80-2-5, Utah Code Annotated, 1943, so as to increase the exemption from property tax for disabled veterans to a maximum of $6,000.00. Under date of April 17, 1947 the Attorney General rendered an opinion to Mr. Edward M. Morrissey, County Attorney of Salt Lake County, to the effect that the increase in the said exemption to $6,000.00 was unconstitutional in that it contravened Section 2 of Article 13 of the Constitution of the state of Utah, which provided a maximum exemption of $3,000.00.

As you are aware, the 1947 Legislature provided for the taxation of property at 40% of its reasonable fair cash value. The effect of this provision, together with the unconstitutionality of the veterans' exemption provision, is to not only deny eligible veterans the $6,000.00 maximum provided by the 1947 Legislature, but to actually reduce the $3,000.00 exemption to 40% of that amount, or $1,200.00.

I herewith submit to Your Honorable Body this matter and recommend the passage of legislation which will give to our disabled veterans the full amount of exemptions permitted by the Constitution.

Respectfully submitted,

HERBERT B. MAW,
Governor.

Communication filed.

PRESENTATION OF RESOLUTIONS

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

A JOINT RESOLUTION PROVIDING FOR AN INVESTIGATION AND AUDIT OF THE LIQUOR CONTROL COMMISSION ACCOUNTS BY THE UTAH LEGISLATIVE COUNCIL, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 24 By Committee on Highways

AN ACT DIRECTING THE DEPARTMENT OF FINANCE TO TRANSFER TO THE STATE HIGHWAY FUND FOR MAINTENANCE PURPOSES ALL MONEYS AND ACCOUNTS IN THE FUND KNOWN AS THE "STATE ROAD REVOLVING FUND," was read the first time and referred to the Commission on Revision and Enrolling.

S. B. No. 25 By Mr. Cowles

AN ACT AMENDING SECTION 80-5-66, UTAH CODE ANNOTATED, 1943, RELATING TO TAXATION OF MINES AND MINING CLAIMS, BOTH PLACER AND ROCK IN PLACE, CRUDE OIL, NATURAL GAS, SALT, COAL AND ALL OTHER NATURAL RESOURCES, PRESCRIBING THE METHOD OF MAKING ASSESSMENTS ON THE PRODUCTION OF MINES, MINING PROPERTY, BOTH METALLIFEROUS AND NON-METALLIFEROUS, OIL AND NATURAL GAS WELLS, SALT IN DEPOSITS AND SOLUTION, COAL AND OTHER HYDROCARBON DEPOSITS, AND ALL OTHER NATURAL RESOURCES; THE IMPOSING OF AN OCCUPATIONAL TAX ON ALL PERSONS, ASSOCIATIONS, CO-PARTNERSHIPS AND CORPORATIONS ENGAGED IN RECOVERING OR PRODUCING ORES, CRUDE OILS, NATURAL GAS, COAL AND OTHER HYDRO-CARBONS, SALT AND ALL OTHER NATURAL RESOURCES AND FIXING THE METHOD OR BASIS FOR THE COMPUTATION OF SUCH TAXES; AND APPROPRIATIONG SAID REVENUES TO THE WELFARE DEPARTMENT AND REPEALING CHAPTERS 15 AND 16 OF TITLE 80 UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26 By Mr. Knight

AN ACT AMENDING SECTION 80-2-4, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 101, LAWS OF UTAH, 1947, PROVIDING FOR THE EXEMPTION FROM TAXATION OF REAL AND PERSONAL TANGIBLE PROPERTY SITUATED IN THE STATE OF UTAH OWNED BY DISABLED PERSONS WHO SERVED IN ANY WAR IN THE MILITARY SERVICE OF THE UNITED STATES OR THE STATE OF UTAH AND BY THE UNMARRIED WIDOWS AND BY THE MINOR ORPHANS OF SUCH PERSONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Messrs. Lamoreaux, Selvin, Jolley, Midgley, Cowles, Brockbank, Knight, Elggren

AN ACT CREATING A COMMITTEE WITHIN THE UTAH STATE INSTITUTE OF FINE ARTS, AND PROVIDING FOR THE PRODUCTION OF THE CENTENNIAL MUSIC-DRAMA, "PROMISED VALLEY," TO BE HELD IN THE YEAR 1948; CREATING A COMMITTEE FOR SUCH PURPOSE, DESCRIBING ITS POWERS AND DUTIES AND MAKING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

March 13, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 16*, by Messrs. Day, Knight and Fowles, entitled "AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO ACCEPT CAMP KEARNS, CONSISTING OF 1037.88 ACRES OF LAND, THE GREATER PORTION OF WHICH IS DIVIDED INTO BLOCKS BY PAVED STREETS, IN SALT LAKE COUNTY, UTAH, TOGETHER WITH ALL IMPROVEMENTS AND UTIILTIES THERETO PERTAINING FROM THE WAR ASSETS ADMINISTRATION OF THE UNITED STATES GOVERNMENT ON BEHALF OF THE STATE OF UTAH, AND PRESCRIBING THE CONDITIONS THEREOF," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 16 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Senator Knight announced that on Monday, March 15, 1948, he would move to reconsider the vote by which the amendment to *S. B. No. 23* proposed by Senator Clegg failed.

On motion of Senator Melich the Senate adjourned until March 15, 1948 at 10:00 a.m.

EIGHTH DAY

MORNING SESSION

March 15, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 15, 1948

Mr. President:

We, your Committee on Revision of the Journal, beg leave to report that we have read the Journal for the sixth day and find same correct, with minor amendments noted on the final copy.

Respectfully,

GRANT MIDGLEY
W. WALLACE HOUSTON

Report adopted and filed.

President Hopkin appointed Senators Elggren and Gibbons to revise the Journal for the week beginning March 15, 1948.

Senator Elggren moved that the rules be suspended and that *S. B. No. 1* be lifted from the Special Order of Business Calendar and considered at this time on Second Reading.

Motion carried.

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

Ayes, 6; Nos, 14; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles and Selvin.

Those voting in the negative were: Senators Clegg, Day, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Lund, McShane, Melich, Vest, Ward and Mr. President.

Absent and not voting: Senators Knight, Lamoreaux and Midgley.

S. B. No. 1 was filed.

Senator Day moved that the rules be suspended and that *S. B. No. 2* and *S. B. No. 3* be lifted from the Special Order of Business Calendar and considered at this time on Second Reading.

Motion carried.

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

Committee report read and adopted.

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

Page 1, line 2, strike the figure "$3,575,000" and insert in lieu thereof the figure "$2,390,000".

S. B. No. 2 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg (explained vote), Cowles, Day (explained vote), Elggren, Farr, Fowles, Gibbons, Hirschi (explained vote), Holbrook, Houston, Jolley (explained vote), Jones, Knight, Lamoreaux, Lund, McShane, Melich, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senator Midgley.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

REPORTS OF STANDING COMMITTEES

March 15, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 24*, by Committee on Highways, with a few minor changes assented to by the authors, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 24 was ordered mimeographed and referred to the Committee on Highways.

March 15, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by Mr. Cowles, with a few minor changes assented to by the author, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 25 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

March 15, 1948

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 26*, by Mr. Knight, with a few minor changes assented to by the author, and recommends that the bill be mimeographed.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 26 was ordered mimeographed and referred to the Committee on Revenue and Taxation.

March 15, 1948

Mr. President:

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

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 27 was ordered mimeographed and referred to the Committee on State and Municipal Affairs.

March 15, 1948

Mr. President:

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

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

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

March 15, 1948

Mr. President:

Your Joint Committee on Appropriations and Claims to which was referred *S. B. No. 6*, by Messrs. Hirschi, Farr, Fowles, Lund, Cowles, and Vest, has carefully considered said bill and reports the same out favorably with the following amendments: Line 2, strike $16,920.00 and in lieu thereof insert $10,253.00; line 3, strike $10,000.00 and in lieu thereof insert $15,000.00. The Committee recommends that the title of the bill be amended as follows: Line 1, strike $16,920 and insert in lieu thereof $10,253; line 3, strike $10,000 and insert in lieu thereof $15,000.

Respectfully,

WARD C. HOLBROOK
RUEL E. CHRISTENSEN

Report filed.

Senator Farr moved that the rules be suspended and that the Senate consider *S. B. No. 6* on Third Reading.

Motion carried.

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

On motion of Senator Farr the report of the Joint Committee on Appropriations and Claims was approved and the bill was amended accordingly.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, McShane, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Lund and Melich.

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

On motion of Senator Knight the enacting clause of *S. B. No. 13* was struck.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

S. B. No. 3 then failed on the following roll call:

Ayes, 4: Nos, 17; Absent, 2.

Those voting in the affirmative were: Senators Cowles, Elggren, Midgley and Selvin.

Those voting in the negative were: Senators Brockbank, Clegg, Day, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, McShane, Vest, Ward and Mr. President.

Absent and not voting: Senators Lund and Melich.

S. B. No. 3 was filed.

On motion of Senator Day *S. J. R. No. 1* was lifted from the Special Order of Business Calendar and placed at the bottom of the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

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

Senator Vest moved that the rules be suspended and that the Senate consider *H. B. No. 7* which is identical to *S. B. No. 8*.

Motion carried.

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

Committee report read and adopted.

On motion of Senator Vest the rules were suspended and *H. B. No. 7* was read the third time and placed on its final passage.

H. B. No. 7 then passed on the following roll call:

Ayes, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

H. B. No. 7 was returned to the House.

On motion of Senator Day the enacting clause of *S. B. No. 8* was struck.

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

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

Page 1, line 14, after the word "law" insert a period and strike the balance of the sentence.

Lines 16 and 17, strike the underscoring of the words in the first sentence of Section 23.

Page 2, line 35, after the word "grants" insert the words "and eligibility".

Page 3, line 3, change the period to a comma and add the words "except under unusual circumstances."

Senator Clegg moved that the bill be amended as follows:

Page 1, after the new material amending Section 10, of Chapter 89, Laws of Utah 1947 as added between lines 15 and 16 by amendment proposed by Senator Lamoreaux on the Sixth Day, add the following:

Section 19. (a) Every County Welfare Board shall require as a condition to granting assistance to any ( ) old age ( ) recipient, that all real property or interests in real property belonging to the applicant ( ) shall be pledged to the Board as a guarantee for the reimbursement of assistance received; ( ) provided, however, at the time said lien is satisfied ( ) there shall be a $300.00 assessed valuation exemption which shall represent or equal a cash exemption value ( ) $750.00.

To evidence such pledge the county board shall require each applicant to enter into agreement in form approved by the State Department duly acknowledged so as to entitle it to be filed of record in the office of the County Recorder by which the applicant shall acknowledge and agree that such property has been assigned as security for the reimbursement of all assistance thereafter received by him.

If the applicant is a married man his wife shall be required to become a party to such agreement for the purpose of releasing her statutory right in such property and such release and joinder shall be as valid and effectual to release such statutory right as if she had joined the applicant in the conveyance of the property to a third person; provided, that when it appears to the County Board that the applicant is living apart from his wife and her joinder cannot be obtained, the agreement signed by the applicant alone may be accepted under such regulations as the State Department may prescribe.

Upon making a grant of old age assistance the Board shall forthwith file with the County Recorder of the county in which the applicant resides and with the County Recorder of any other county in which the applicant owns real property, a verified copy of such agreement to reimburse and the filing of the same shall have the same effect as a lien by judgement on any real property in which the applicant has any title or interest. All such real property shall from the time of filing of such copy of agreement be and become charged with a lien for all assistance received by the applicant as herein provided, which lien shall have priority over all unrecorded encumbrances. All such instruments shall be recorded in a special lien book kept for such purposes and no fees or costs shall be paid for such filing or recording .

(b) Upon the request of a recipient the Board shall execute and file with the county recorder a certificate in form approved by the State Department certifying as to the amount of assistance given the recipient

to the date of such certificate. The amount so certified shall constitute the entire claim as of the date of such certificate against the real property of the recipient, and any person dealing with the recipient may rely upon such certificate as evidencing the amount of the existing lien against the real estate of the recipient.

The County Board shall seek foreclosure of the lien on a recipient's property when the property is transferred to a third party prior to the recipient's death.

Upon the death of any recipient the County Board shall present a verified claim for the total amount of all assistance given the recipient to the executor or administrator of the estate of such decedent and the same shall be allowed, approved, filed and paid as other claims in the administration of the estate of such decedent.

All money received from such estates or from the foreclosures of such lien shall be reported promptly by the Board receiving the same to the State Department and the proportion of such money which was paid to the recipient from state funds shall be remitted forthwith to the State Department.

The State Department shall certify promptly to the State Auditor a statement of the amounts received from such recipients or from their estates and deposit such collections with the State Treasurer. The Federal Government shall be entitled to and shall be paid a share of such collections equal to not more than one-half of the amount collected, if required as a condition to federal financial participation, and this amount shall be certified by the State Department to the state auditor and treasurer.

The County Board shall be empowered to accept voluntary conveyance of real property in lieu of issuance of execution. All real property acquired by the Welfare Board under the provisions of this act may be disposed of by public or private sale under such rules and regulations as may be prescribed by the State Department. The County Board is authorized to execute and deliver any and all documents necessary to convey title to any and all such property as may have come into its possession to a purchaser of such property as though such board constituted a corporate entity.

Effective as of July 1, 1947, all old age recipients and all those subsequently applying for assistance who are not exempt as hereinbefore provided, shall be required to enter into agreements to reimburse as hereinabove provided as a condition precedent to receiving any assistance under this act but such agreements shall constitute a charge and lien only for assistance subsequently rendered and not for assistance rendered prior to the execution of such agreements. ( ).

(c) All records relating to the administration of public assistance shall be regarded as confidential and shall be protected against misuse by rules and regulations established by the Public Welfare Commission which shall have the same force and effect as law. Any person who violates the confidential nature of public assistance records as provided

herein or by the rules and regulations of the Public Welfare Commission, or who assists anyone else in such violation, shall be judged guilty of a misdemeanor and shall be fined not more than $300 or shall be imprisoned for not more than sixty days, or both.

Neither the provisions of this Section or the rules and regulations of the Public Welfare Commission shall prohibit the State Department of Public Welfare or the County Department of Public Welfare from publishing or causing to be published such statistical material or other information of general character as Welfare Commission may consider to be of public interest. The applicant or recipient and his attorney shall at all times have the right to inspect his application or other personal records after they have been filed.

Senator Farr with the aid of four Senators demanded a roll call on the amendment proposed by Senator Clegg.

Senator Clegg's motion to amend then passed on the following roll call:

Ayes, 13; Nos, 9; Absent 1.

Those voting in the affirmative were: Senators Clegg, Day, Hirschi, Holbrook, Houston, Jolley, Jones (explained vote), Knight (explained vote), Lund, McShane, Melich, Vest and Mr. President.

Those voting in the negative were: Senators Brockbank, Elggren, Farr, Fowles, Gibbons, Lamoreaux, Midgley, Selvin and Ward (explained vote).

Absent and not voting: Senator Cowles.

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

Page 1, line 1, after the word "ten" previously added by amendment insert a comma and the word "nineteen".

On motion of Senator Knight the title was amended as follows:

Line 6 after the word "TEN" previously added by amendment insert a comma and the word "NINETEEN".

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

Page 3, line 17, at the end of the line add the following: "Unexpended balances from any such period may be carried into subsequent periods."

Senator Lamoreaux moved to amend the bill as follows:

Page 3, line 8, strike the figure "$440,000.00" and insert in lieu thereof the figure "$1,500,000.00".

Senator Lamoreaux with the aid of four Senators demanded a roll call on the above amendment.

The amendment proposed by Senator Lamoreaux failed on the following roll call:

Ayes, 9; Nos, 13; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Lamoreaux, Midgley, Selvin, Vest and Ward.

Those voting in the negative were: Senators Clegg, Day, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane, Melich and Mr. President.

Absent and not voting: Senator Fowles.

Senator Lamoreaux moved to amend the bill as follows:

Page 3, line 7, strike the figure "$300,000.00" and insert in lieu thereof the figure "$530,000.00".

Senator Melich moved to substitute the figure of "$430,000.00" for the figure of "$530,000.00" in Senator Lamoreaux' motion to amend the bill.

Senator Lamoreaux with the aid of four Senators demanded a roll call on Senator Melich's motion.

Senator Melich's motion then passed on the following roll call:

Ayes, 12; Nos, 10; Absent, 1.

Those voting in the affirmative were: Senators Clegg, Day, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane and Melich,

Those voting in the negative were: Senators Brockbank, Cowles, Elggren, Farr, Lamoreaux, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senator Fowles.

Senator Holbrook moved to substitute the figure "$460,000.00" for the figure of "$430,000.00" in Senator Lamoreaux' motion to amend the bill.

Senator Lamoreaux with the aid of four Senators demanded a roll call on Senator Holbrook's motion.

Senator Holbrook's motion then failed on the following roll call:

Ayes, 11; Nos, 11; Absent, 1.

Those voting in the affirmative were: Senator Brockbank, Day, Gibbons, Holbrook, Houston, Jolley, Jones, McShane, Melich, Ward (explained vote and Mr. President.

Those voting in the negative were: Senators Clegg, Cowles, Elggren, Farr, Hirschi, Knight, Lamoreaux, Lund, Midgley, Selvin and Vest.

Absent and not voting: Senator Fowles.

Senator Lamoreaux moved to substitute the figure "$500,000.00" for the figure "$430,000.00" in his motion to amend the bill.

Senator Lamoreaux with the aid of four Senators demanded a roll call on his motion to substitute.

Senator Lamoreaux' motion to substitute then passed on the following roll call:

Ayes, 13; Nos, 9; Absent, 1.

Those voting in the affirmative were: Senators Brockbank (explained vote), Clegg, Cowles, Elggren, Farr, Knight, Lamoreaux, Lund, Midgley, Selvin, Vest, Ward and Mr. President

Those voting in the negative were: Senators Day, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, McShane and Melich.

Absent and not voting: Senator Fowles.

Senator Lamoreaux' motion to amend the bill by striking the figure of "$300,000.00" in line 7 on page 3 and inserting in lieu thereof the figure "$500,000.00" then passed.

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

Page 2, strike all of lines 1 to 10 inclusive and insert in lieu thereof the following:

Section 30. If a recipient or applicant is a divorced or estranged spouse or a child of a divorced or estranged spouse, the public welfare department and the county welfare boards shall investigate why such recipient or applicant is not being supported by said divorced spouse. In the event the divorced or estranged spouse or parent of the recipient or applicant is not rendering adequate support, the public welfare department shall take such action, criminal, civil or otherwise, to require such divorced or estranged spouse or parent to support such child; provided, such action is not detrimental to such child.

For the purpose of enforcing this section and upon filing an affidavit setting forth the facts bringing such parent or spouse within this section, the state department of public welfare shall be a party to divorce proceedings involving the recipient or parent of a recipient.

S. B. No. 23 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day (explained vote), Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight (explained vote), Lund, McShane, Melich, Vest (explained vote), Ward and Mr. President.

Those voting in the negative were: Senators Brockbank (explained vote), Cowles, Elggren, Farr, Lamoreaux, Midgley and Selvin (explained vote).

Absent and not voting: Senator Fowles.

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

Senator Holbrook moved that the President appoint a special committee of five and request the House to authorize the appointment by the Speaker of a like committee of five to meet and try to work out the differences between the Senate and House on Welfare legislation and to recommend a course of action.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 15, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 5* by Mr. Cowles, entitled: "AN ACT AUTHORIZING THE EXCHANGE OF PROPERTY BELONGING TO CARBON COLLEGE FOR OTHER PROPERTY BELONGING TO PRICE CITY AND DIRECTING THE GOVERNOR TO EXECUTE THE DEED," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 5 was transmitted to the Governor.

March 15, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 16*, by Messrs. Day, Knight and Fowles, entitled: "AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO ACCEPT CAMP KEARNS, CONSISTING OF 1037.88 ACRES OF LAND, THE GREATER PORTION OF WHICH IS DIVIDED INTO BLOCKS BY

PAVED STREETS, IN SALT LAKE COUNTY, UTAH, TOGETHER WITH ALL IMPROVEMENTS AND UTILTIES THERETO PERTAINING FROM THE WAR ASSETS ADMINISTRATION OF THE UNITED STATES GOVERNMENT ON BEHALF OF THE STATE OF UTAH, AND PRESCRIBING THE CONDITIONS THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 15, 1948

Mr. President:

I am directed 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. 1*, by Mr. Holbrook, entitled, "A CONCURRENT MEMORIAL URGING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO ELIMINATE THE INEQUITABLE TAX DISCRIMINATIONS BETWEEN RESIDENTS OF THE SO-CALLED COMMUNITY PROPERTY STATES AND THE SO-CALLED COMMON LAW STATES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 15, 1948

Mr. President:

I am directed 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 Mrs. Jack, entitled, "AN ACT AMENDING SECTION 76-5-25 UTAH CODE ANNOTATED 1943 AS AMENDED BY SECTION 4 OF CHAPTER 105 LAWS OF UTAH 1945 RELATING TO THE TRANSPORTATION OF PERSONS AND PROPERTY BY MOTOR VEHICLE; BY ADDING THERETO A PROVISION PERMITTING CASUAL OR OCCASIONAL TRANSPORTATION OF PERSONS FOR COMPENSATION BY A FELLOW EMPLOYEE," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
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.

March 15, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 3*, by Messrs. Nielson and Brinkerhoff, entitled: "A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MARY P. CHRISTENSEN—IN MEMORIAM," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

On motion of Senator Day the Senate adjourned until March 16, 1948 at 10:00 a.m.

NINTH DAY

MORNING SESSION

March 16, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 16, 1948

Mr. President:

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

Respectfully,

LORENZO E. ELGGREN
HYRUM GIBBONS

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 15, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 6*, by Messrs. Hirschi, Farr, Fowles, Lund, Cowles and Vest, entitled, "AN ACT MAKING AN APPROPRIATION FOR CARBON JUNIOR COLLEGE IN THE SUM OF $10,253.00, SNOW JUNIOR COLLEGE IN THE SUM OF $15,000, DIXIE JUNIOR COLLEGE IN THE SUM OF $15,000.00, AND WEBER JUNIOR COLLEGE IN THE SUM OF $108,000, AND SUPPLEMENTING ALL OTHER APPROPRIATIONS MADE TO SAID COLLEGES FOR THE BIENNIUM JULY 1, 1947, TO JUNE 30, 1949," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 6 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 15, 1948

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 14*, by Messrs. Melich and Selvin, has carefully considered said bill and reports the same out favorably, provided that a letter be received from the Governor calling the matter to the attention of the Legislature.

Respectfully,

WARD C. HOLBROOK
Chairman.

Report filed.

March 15, 1948

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 15*, by Messrs. Melich and Selvin, has carefully considered said bill and reports the same out favorably, provided that a letter be received from the Governor calling the matter to the attention of the Legislature.

Respectfully,

WARD C. HOLBROOK
Chairman.

Report filed.

March 15, 1948

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 24*, by the Committee on Highways, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLAUDE HIRSCHI,
Chairman.

Report filed.

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

Senator Knight moved that he and Senator Selvin be permitted to withdraw *S. B. No. 21*.

Motion carried.

S. B. No. 21 was returned to its authors.

Senator Vest moved that the Senate reconsider the vote by which *S. B. No. 23* was passed.

Motion carried.

Senator Lamoreaux moved that *S. B. No. 23* be amended as follows:

Page 3, line 8, strike the figure "$440,000.00" and insert in lieu thereof the figure "$900,000.00".

Senator Clegg moved to substitute the figure "$750,000.00" for the figure of "$900,000.00" in Senator Lamoreaux' motion.

Senator Lamoreaux with the aid of four Senators demanded a roll call on Senator Clegg's motion.

Senator Clegg's motion then failed on the following roll call:

Ayes, 4; Nos, 18; Absent, 1.

Those voting in the affirmative were: Senators Clegg, Hirschi, Holbrook and Melich.

Those voting in the negative were: Senators Brockbank, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Houston, Jolley, Jones, Knight, Lamoreaux, McShane, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senator Lund.

Senator Holbrook moved to substitute the figure "$2,000,000.00" for the figure of "$900,000.00" in Senator Lamoreaux' motion.

Motion failed.

Senator Lamoreaux' motion to amend the bill then passed.

S. B. No. 23 then failed on the following roll call:

Ayes, 7; Nos, 14; Absent, 2.

Those voting in the affirmative were: Senators Clegg, Day, Gibbons, Lund, McShane (explained vote), Vest and Mr. President.

Those voting in the negative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles, Hirschi, Holbrook, Houston, Jones, Knight, Lamoreaux (explained vote), Melich, Midgley and Selvin.

Absent and not voting: Senators Jolley and Ward.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

Senator Hirschi moved that the Senate reconsider the vote by which *S. B. No. 23* failed.

Motion carried.

S. B. No. 23 then passed on the following roll call:

Ayes, 16, Nos, 7; Absent, 0.

Those voting in the affirmative were: Senators Clegg, Day, Gibbons, Hirschi, Holbrook (explained vote), Houston, Jolley, Jones, Knight, Lamoreaux (explained vote), Lund, McShane, Melich, Vest, Ward and Mr. President.

Those voting in the negative were: Senators Brockbank (explained vote), Cowles, Elggren, Farr, Fowles, Midgley and Selvin (explained vote).

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

The President appointed Senators Holbrook, Vest, Selvin, McShane and Day as members of the special committee to confer with a like committee from the House to attempt to reconcile differences between the Senate and House with reference to welfare matters and to recommend a course of action.

COMMUNICATIONS FROM THE GOVERNOR

March 16, 1948

To the Senate
Building

Gentlemen:

I herewith submit to you for your consideration the matters, first, of making appropriations to the Business Regulations Department for the purpose of covering the costs of rate hearings, and second, authorizing the issuing of general revenue bonds for sewer and water projects.

Respectfully yours,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 16, 1948

Mr. President:

I am directed 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. 7*, by Mr. Anderson, entitled, "AN ACT AUTHORIZING THE TAXING UNITS IN UTAH COUNTY AND ADJOINING COUNTIES TO CONTRIBUTE FUNDS FOR PURCHASING A VOCATIONAL EDUCATIONAL BUILDING SITE," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 7 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 15*, by Highways and Aeronautics Committee, entitled: "AN ACT CURING AND CORRECTING THE DEFECTS IN CHAPTER 49, LAWS OF UTAH, 1947, WHEREIN THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS WAS OMITTED THROUGH INADVERTENCE AND MISTAKES IN ENGROSSING, ENROLLING, AND PRINTING OF SAID CHAPTER 49, LAWS OF UTAH, 1947, AFTER SAID ACT WAS DULY

PASSED BY BOTH HOUSES OF THE TWENTY-SEVENTH LEGISLATURE, BY AMENDING SECTIONS 36-6-6, 36-6-14, 36-6-21 AND 36-6-23, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS; AND BY EXPRESSLY MAKING SAID ACT RETROACTIVE IN ITS OPERATION AND EFFECT TO THE EFFECTIVE DATE OF CHAPTER 49, LAWS OF UTAH 1947", and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 15 was read the first time and placed on the Second Reading Calendar.

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 16*, by Messrs. Lunt and Doty, entitled: "AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SEVENTH LEGISLATURE OF THE STATE OF UTAH, FOR THE PRINTING OF THE SESSION LAWS OF SUCH SPECIAL SESSION; FOR DEFRAYING THE UNPAID EXPENSES OF THE REGULAR SESSION OF TWENTY-SEVENTH LEGISLATURE, AND FOR THE PUBLICATION OF THE AMENDMENTS AS REQUIRED BY THE CONSTITUTION," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 16 was read the first time.

On motion of Senator Fowles the rules were suspended and *H. B. No. 16* was read the second and third times and placed on final passage.

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

Ayes, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Elggren, Farr, Fowles, Gibbons, Hirschi, Jolley, Jones, Knight, Lamoreaux, Lund, Melich, Midgley and Mr. President.

Absent and not voting: Senators Day, Holbrook, Houston, McShane, Selvin, Vest and Ward.

H. B. No. 16 was returned to the House.

REPORTS OF STANDING COMMITTEES

March 16, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 6*, by Messrs. Hirschi, Farr, Fowles, Lund, Cowles and Vest, entitled, "AN ACT MAKING AN APPROPRIATION FOR CARBON JUNIOR COLLEGE IN THE SUM OF $10,253.00, SNOW JUNIOR COLLEGE IN THE SUM OF $15,000.00, DIXIE JUNIOR COLLEGE IN THE SUM OF $15,000.00, AND WEBER JUNIOR COLLEGE IN THE SUM OF $108,000.00, AND SUPPLEMENTING ALL OTHER APPROPRIATIONS MADE TO SAID COLLEGES FOR THE BIENNIUM JULY 1, 1947, TO JUNE 30, 1949," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 6 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 16, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 11*, by Messrs. Fowles and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

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

March 16, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 27*, by Messrs. Lamoreaux, Selvin, Jolley, Midgley, Cowles, Brockbank, Knight and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

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

March 16, 1948

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. C. M. No. 2*, by Messrs. Lunt, Murdock, Murch and Newey, has carefully considered said memorial and reports the same out without recommendation.

Respectfully,

GRANT MIDGLEY,
Chairman.

Report filed.

H. C. M. No. 2 was placed on the Second Reading Calendar.

March 16, 1948

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 22*, by Messrs. Holbrook, Midgley and Lamoreaux, has carefully considered said bill and reports the same out without recommendation subject to the receipt from the Governor of a letter calling the attention of the Legislature to this matter.

Respectfully,

WARD C. HOLBROOK,
Chairman.

Report filed.

March 16, 1948

Mr. President:

Your Committee on Welfare, to which was referred *H. B. No. 13*, by Messrs. Toronto, Brinkerhoff, Lunt, Christensen and Stevens, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

SOL J. SELVIN,
Chairman.

Report filed.

H. B. No. 13 was placed on the Second Reading Calendar.

Senator Farr moved that the rules be suspended and all bills now before Standing Committees (except Committee on Revision and Enrolling) be withdrawn from such committees and placed on the Second Reading Calendar, and that as bills are received from the House they be placed on the Second Reading Calendar without being referred to Standing Committees.

Motion carried.

Pursuant to this motion the following bills were placed on the Second Reading Calendar: *S. B. Nos. 19, 25, 26, 22, 4, 18, 20, S. J. R. No. 4, H. J. M. No. 2, S. J. R. No. 2.*

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Melich *S. B. No. 2* retained its position on the Third Reading Calendar and the Senate proceeded to consider bills on Second Reading.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 17 was read the second time.

Committee report read and adopted.

S. B. No. 17 then failed on the following roll call:

Ayes, 6; Nos, 14; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Elggren, Farr, Fowles, Midgley and Vest (explained vote).

Those voting in the negative were: Senators Clegg, Day, Gibbons, Hirschi (explained vote), Houston, Jolley (explained vote), Jones, Knight, Lamoreaux, Lund, McShane, Melich, Selvin (explained vote) and Mr. President.

Absent and not voting: Senators Cowles, Holbrook and Ward.

S. B. No. 17 was filed.

On motion of Senator Midgley the rules were suspended and *H. B. No. 4* was placed at the top of the Second Reading Calendar.

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

On motion of Senator Day the rules were suspended and *H. B. No. 4* was read the third time and placed on its final passage.

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

Page 1, line 15, strike the words "because of the present emergency".

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

Page 2, line 2, after the word "Chapter" insert a comma and the figure "35".

H. B. No. 4 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senator Knight.

H. B. No. 4 was returned to the House.

On motion of Senator Day the enacting clause of *S. B. No. 7* was struck.

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

Committee report read and adopted.

Senator Midgley moved that the rules be suspended and that *H. B. No. 5* be placed at the top of the Second Reading Calendar and considered at this time.

Motion carried.

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

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

Page 7, lines 1 and 2, strike the words "with or without" and insert in lieu thereof the words "after a public".

On motion of Senator Day the rules were suspended and *H. B. No. 5* was read the third time and placed on its final passage.

H. B. No. 5 then passed on the following roll call:

Ayes, 21; Nos, 1; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Voting in the negative was Senator Elggren (explained vote).

Absent and not voting: Senator Cowles.

H. B. No. 5 was returned to the House.

On motion of Senator Day the enacting clause of *S. B. No. 9* was struck.

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

Committee report read and adopted.

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

Page 1, line 20, after the figure "5" insert the following: "other than those for which funds have already been transferred".

On motion of Senator Day the rules were suspended and *S. B. No. 12* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Voting in the negative was Senator Lund.

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

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

Committee report read and adopted.

On motion of Senator Lamoreaux the Secretary was instructed to request an opinion from the Attorney General as to whether *S. B. Nos. 14 and 15* are within the matters submitted by the Governor to this Special Session.

Senator Hirschi moved that *S. B. Nos. 14 and 15* retain their places on the Second Reading Calendar pending the receipt of the opinion from the Attorney General.

Motion carried.

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

Committee report read and adopted.

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

Page 1, line 3, after the word "system" insert the words "or any sewerage treatment plant or water treatment plant".

Line 8, strike the first set of brackets and insert the word "two" in lieu thereof; within the second set of brackets insert the figure "2".

Page 2, line 15, strike the brackets and insert in lieu thereof the word "two".

On motion of Senator Lamoreaux *S. B. No. 10* was made a Special Order of Business for March 17, 1948 at 11:30 a.m.

Senator Melich moved that *S. J. R. No. 1* retain its place on the Second Reading Calendar and that the Senate now consider the next bill on the Calendar.

Motion carried.

On motion of Senator Hirschi, the rules were suspended and *S. B. No. 24* was read the second time.

Committee report read and adopted.

On motion of Senator Fowles the rules were suspended and *S. B. No. 24* was read the third time and placed on its final passage.

S. B. No. 24 then passed on the following roll call:

Ayes, 14; Nos, 1; Absent, 8.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles, Gibbons, Hirschi, Houston, Jolley, Jones, Lund, Melich, Ward and Mr. President.

Voting in the negative was Senator Lamoreaux.

Absent and not voting: Senators Clegg, Day, Holbrook, Knight, McShane, Midgley, Selvin and Vest.

S. B. No. 24 was transmitted to the House.

On motion of Senator Hirschi the rules were suspended and *H. B. No. 15* was read the second time.

On motion of Senator Lamoreaux the Senate adjourned until March 17, 1948, at 10:00 a.m.

TENTH DAY

MORNING SESSION

March 17, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 17, 1948

Mr. President:

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

Respectfully,

LORENZO E. ELGGREN,
HYRUM GIBBONS

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 17*, by Appropriations Committee, entitled, "AN ACT APPROPRIATING $6,470.00 FROM THE EMERGENCY RELIEF FUND TO THE UTAH COMMISSION FOR THE ADULT BLIND FOR THE PURPOSE OF PARTIAL SUBSIDY FOR WORKSHOP EMPLOYEES AND SALARIES OF PROFESSIONAL STAFF MEMBERS AND HOME TEACHERS AND TRAVELING EXPENSES FOR HOME TEACHERS," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 17 was read the first time and placed on the Second Reading Calendar.

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 20*, by Messrs. Clark and Rees, entitled, "AN ACT AUTHORIZING, EMPOWERING AND DIRECTING THE SECRETARY OF STATE OF THE STATE OF UTAH TO ALLOW AB JENKINS THE USE OF THE RACING AUTOMOBILE "MORMON METEOR III" AND TO ENTER INTO SUITABLE AGREEMENTS FOR WITHDRAWING FROM AND RETURNING SAID AUTOMOBILE TO ITS EXHIBIT PLACE IN THE UTAH STATE CAPITOL," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 20 was read the first time and placed on the Second Reading Calendar.

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 6*, by Messrs. Hirschi, Farr, Fowles, Lund, Cowles and Vest, entitled: "AN ACT MAKING AN APPROPRIATION FOR CARBON JUNIOR COLLEGE IN THE SUM OF $10,253.00, SNOW JUNIOR COLLEGE IN THE SUM OF $15,000, DIXIE JUNIOR COLLEGE IN THE SUM OF $15,000.00, AND WEBER JUNIOR COLLEGE IN THE SUM OF $108,000, AND SUPPLEMENTING ALL OTHER APPROPRIATIONS MADE TO SAID COLLEGES FOR THE BIENNIUM JULY 1, 1947, TO JUNE 30, 1949," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Kerr, Lewis, Warner, Anderson and White, to act with a like committee from the Senate to consider *S. B. No. 23* by Messrs. Holbrook and McShane, entitled: "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFINING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PROVIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS NINE, TEN, NINETEEN AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947."

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

PRESENTATION OF RESOLUTIONS

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

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE VI, SECTION 31 OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO THE LENDING OF PUBLIC CREDIT OR MONIES IN AID OF VETERANS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Farr the Senate resolved itself into a Committee of the Whole to hear the radio address of the President of the United States.

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

Senator Melich moved that all bills, resolutions and memorials on the Second Reading Calendar after *S. B. No. 11* be referred to the Sifting Committee. (Senators Fowles, Hirschi, Lamoreaux, Houston, Brockbank, Melich and Selvin.)

Motion carried.

In accordance with this motion the following were referred to the Sifting Committee: *S. B. No. 27, H. C. M. No. 2, S. B. Nos. 19, 25, 26, 22, 4, 18, and 20, S. J. R. No. 4, H. J. M. No. 2, S. J. R. No. 2, H. B. Nos. 17 and 20.*

S. B. Nos. 11, 14 and 15 and S. J. R. No. 1 remained on the Second Reading Calendar.

UNFINISHED BUSINESS

H. B. No. 15 being Unfinished Business was before the Senate.

On motion of Senator Holbrook the rules were suspended and *H. B. No. 15* was read the third time and placed on its final passage.

H. B. No. 15 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Farr, Fowles, Gibbons, Hirschi, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Ward and Mr. President.

Absent and not voting: Senators Day, Elggren, Holbrook, Selvin and Vest.

H. B. No. 15 was returned to the House.

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

On motion of Senator Ward the Executive Session was dissolved.

Senator Ward moved that the Senate advise and consent to the following appointments:

FOR MEMBERS OF THE UTAH WATER AND POWER BOARD:

Two of whom were appointed by the President of the Senate, two by the Speaker of the House, and ten by the Governor, as provided in Section 2, Chapter 141, Laws of Utah 1947:

J. A. Howell, Ogden, Utah, for the term expiring March 1, 1950.

Raymond Hammond, Grantsville, Utah, for the term expiring March 1, 1950.

Dr. P. L. Jones, Nephi, Utah, for the term expiring March 1, 1950.

Wallace D. Yardley, Beaver, Utah, for the term expiring March 1, 1950.

B. O. Colton, Roosevelt, Utah, for the term expiring March 1, 1950.

J. W. Gillman, Orem, Utah, for the term expiring March 1, 1950.

L. B. Johnson, Randolph, Utah, for the term expiring March 1, 1950.

Charles Redd, La Sal, Utah, for the term expiring March 1, 1953.

Orson Christensen, Garland, Utah, for the term expiring March 1, 1953.

William R. Wallace, Salt Lake City, Utah, for the term expiring March 1, 1953.

Lee P. Mower, Fairview, Utah, for the term expiring March 1, 1953.

Dr. John A. Widtsoe, Salt Lake City, Utah, for the term expiring March 1, 1953.

Joseph W. Johnson, Layton, Utah, for the term expiring March 1, 1953.

Wallace B. Mathis, St. George, Utah, for the term expiring March 1, 1953.

Motion carried.

Senator Ward moved that the Senate advise and consent to the following appointments:

FOR MEMBERS OF THE VETERANS' COUNCIL:

Don C. James, Salt Lake City, for the term expiring April 26, 1949.

Peter G. Boam, Ogden, Utah, for the term expiring April 26, 1949.

Clarence C. Neslen, Salt Lake City, for the term expiring April 26, 1949

J. H. Roper, Salt Lake City, Utah, for the term expiring April 26, 1951.

Frank H. Jonas, Logan, Utah, for the term expiring April 26, 1951.

Ralph E. Spencer, Salt Lake City, for the term expiring April 26, 1951.

Motion carried.

Senator Ward moved that the Senate advise and consent to the following appointment:

FOR COMMISSIONER IN THE INDUSTRIAL COMMISSION FOR THE UNEXPIRED TERM ENDING MARCH 1, 1949:

To fill the vacancy caused by the resignation of E. M. Royle: Daniel Edwards.

Motion carried.

Senator Ward moved that the Senate do not advise and consent to the following appointment:

FOR DIRECTOR OF THE UTAH DEPARTMENT OF VETERANS' AFFAIRS:

A. O. Ellett of Utah County.

Motion carried.

Senator Ward moved that the Senate do not advise and consent to the following appointment:

FOR COMMISSIONER IN THE DEPARTMENT OF FINANCE FOR THE TERM ENDING MARCH 1, 1953:

To fill the vacancy caused by the resignation of Heber Bennion, Jr., J. Henry McGean.

Motion carried.

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

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

REPORTS OF SPECIAL COMMITTEES

March 17, 1948

Mr. President:

Mr. Speaker:

We, the Special Joint Committee appointed to study the provisions of the welfare bills heretofore passed by the Senate and by the House and to make procedural recommendations to the Legislature relative thereto, beg leave to report as follows:

In our efforts to correlate the past actions of the two bodies we have studied their expressed purposes as evidenced by the two bills which have cleared the House and Senate and the sentiment as we understand it concerning them. As a result, we recommend that the House take up for consideration *S. B. No. 23*, and we recommend its adoption subject to the following amendments. Exceptions taken by committee members to specific sections or proposals are herein noted:

Section 19. (The section relating to over-all lien provision) is recommended by the Committee with Senator Selvin registering objection thereto.

Section 31. (Relating to the matter of home ownership being considered as a resource.) The Joint Committee was not agreed on the advisability of recommending the provisions of this Section. It was, therefore, decided this matter be resolved in open debate on the House floor, and the Joint Committee recommends that the Senate concur in the action of the House whatever that action may be relative to this particular section.

Section 32. We find a motion was made but not acted upon or not recorded in the Senate to strike the first sentence from the second paragraph of Section 32. We concur and recommend the House act to accomplish this.

Section 35. The Committee is unanimous in recommending the adoption of the sum of $500,000.00 to complete this fiscal year. The majority of the Committee, six members, concurred in the sum of $500,000.00 for the second year. However, Senator Day stands for a maximum of $440,000.00; Senator Vest and Representative White favor an appropriation of $900,000.00 for the last fiscal year; Senator Selvin $1,300,000.00. The quarterly allotment of $1,700,000.00 should be amended by the House to be the equivalent of one-fourth of $6,360,000.00, the amount appropriated in the regular session plus one-quarter of the amount which is finally approved by the House for the last fiscal year. It is further agreed that in the event the House amend the bill to include a residence provision, the Joint Committee recommends that the Senate concur therein.

Respectfully,

WARD C. HOLBROOK
For Senate Committee.

CLIFTON G. M. KERR
For House Committee

Report filed.

Senator Lamoreaux moved that the above report be printed in the Journal.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 1, line 1, strike "Sec." and insert in lieu thereof "Secs.". After "98-3-1" insert the following: "and 98-3-2". Strike the word "is" and insert in lieu thereof the word "are".

Line 5, strike the word "American".

Line 8, strike the word "General".

Line 9, after the word "Utah" insert the words: "of United Spanish War Veterans".

After line ten add the following:

Sec. 98-3-2 The ( ) Adjutant ( ) of the department of Utah of the ( ) United Spanish War Veterans shall present his written requisition for such sum in quarterly payments to the state auditor, who shall draw his warrant on the state treasurer for such sums.

Section 2. Sec. 98-3-3 is enacted to read:

Sec. 98-3-3. The department of Utah of the United Spanish War Veterans shall require the Adjutant to give a good and sufficient bond in the sum of $2,000, running to the council of administration of the department of Utah, for the faithful performance of his duties. Such bond shall be filed with the state auditor, who may bring action thereon in the name of the State of Utah, should said Adjutant fail to perform his duties concerning said appropriation.

On motion of Senator Fowles the title was amended as follows:

Line 1, after "98-3-1" insert the following: "AND 98-3-2,".

Line 2, after the word "SPANISH" strike the hyphen and the word "AMERICAN".

Line 4, strike the word "GENERAL".

Line 5, change the period to a comma and add the following: "AND ENACTING A NEW SECTION REQUIRING ADJUTANT TO GIVE BOND."

On motion of Senator Fowles the rules were suspended and *S. B. No. 11* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Vest, Ward and Mr. President.

Absent and not voting: Senators Cowles and Selvin.

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

On motion of Senator Knight *S. B. No. 10* was made a Special Order of Business for March 18, 1948 at 10:30 a.m.

REPORTS OF SPECIAL COMMITTEES

March 17, 1948

Mr. President:

Your Sifting Committee hereby reports the following bills, memorials and resolutions:

S. B. No. 26, S. B. No. 27, H. B. No. 17, H. B. No. 20, S. J. R. No. 4, H. C. M. No. 2, H. J. M. No. 2.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

The above bills, resolutions and memorials were placed on Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 1 was read the second time.

Committee report read and adopted.

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

Page 1, line 16, after the word "the" insert the words "Welfare Relief Fund" and strike the words "State Department of Public Welfare".

Strike the sentence beginning with the word "Any" on line 18 and ending with the word "Fund" on line 20.

Line 20, following the word "After" insert the following: "any fiscal year in which".

Line 21, strike "$20,000,000" and insert "$10,000,000" in lieu thereof.

Line 23, strike the word "when" and insert "after any fiscal year in which" in lieu thereof. Strike the word "to" and insert "below" in lieu thereof. Strike the last word of the line.

Line 24, strike the words "tax commission shall determine the rate of sales tax" and insert in lieu thereof the words "If after the above reductions the tax is still more than".

Line 26, change the period to a comma. Strike "The" and insert in lieu thereof "the".

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

Line 7, after the word "Assistance" insert the words "Make Work Projects".

Between lines 28 and 29 insert the following new section:

"Section 2. The provisions of Secs. 13 and 14 of Article XIII shall become operative January 1, 1950".

Line 29, strike "2" and insert "3" in lieu thereof.

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

Line 7, after the word "children" insert the words "Providing for Detention Homes,".

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

Line 5, strike the words "and Use Taxes" and insert the word "Tax" in lieu thereof.

Line 6, strike the words "and Use". Strike the word "acts" and insert in lieu thereof the word "act".

On motion of Senator Fowles the title was amended as follows:

Line 3, strike the words "AND USE".

S. J. R. No. 1 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays 10; Absent 1.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles, Holbrook, Knight (explained vote), Lamoreaux, Midgley, Selvin, Vest and Ward.

Those voting in the negative were: Senators Clegg, Day, Gibbons, Hirschi, Houston, Jolley, Jones, McShane, Melich and Mr. President.

Absent and not voting: Senator Lund.

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

S. J. R. No. 1 failed of passage on the following roll call, two-thirds

of the members of the Senate not voting in favor thereof:

Ayes, 12; Nos, 10; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles, Holbrook, Knight, Lamoreaux, Midgley, Selvin, Vest and Ward.

Those voting in the negative were: Senators Clegg, Day, Gibbons, Hirschi, Houston, Jolley, Jones, McShane, Melich and Mr. President.

Absent and not voting: Senator Lund.

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

COMMUNICATIONS FROM THE GOVERNOR

To the Senate
Building

Gentlemen:

I have this day appointed the following people to the offices indicated below, and herewith submit their names to your Honorable Body for your advice and consent.

FOR COMMISSIONER IN THE DEPARTMENT OF FINANCE:

To serve during the term ending March 1, 1953. Milton B. Taylor of Weber County.

FOR DIRECTOR OF VETERANS' AFFAIRS

Edward T. O'Brien.

Very truly yours,

HERBERT B. MAW,
Governor.

Communication filed.

The above appointments were referred to the Committee on Appointments.

COMMUNICATIONS FROM THE ATTORNEY GENERAL

March 17, 1948

Honorable J. A. McMurrin
Secretary to the Senate
Building

Dear Mr. McMurrin:

Reference is made to your communication of March 16, 1948, wherein you request an opinion as to whether or not Senate Bill No. 14, entitled:

AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND TO THE BOARD OF HEALTH TO PROVIDE A CONSULTANT PHYSICIAN TO ADVANCE INDUSTRIAL HYGIENE AND A VETERINARIAN TO STUDY ANIMAL DISEASES TRANSMISSIBLE TO MAN; AND TO PERMIT SALARY ADJUSTMENTS FOR PRESENT EMPLOYEES OF THE HEALTH DEPARTMENT DUE TO INCREASED COST OF LIVING.

and Senate Bill No. 15, entitled:

AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND TO THE BOARD OF HEALTH TO PERMIT EMPLOYMENT OF NURSES, SANITARIANS AND DISTRICT HEALTH OFFICERS TO CARRY OUT THE PUBLIC HEALTH PROGRAM

may be properly considered by the special session of the Legislature now convened.

You are advised that in the opinion of this office the subject matter of each of these bills is outside the scope of the Governor's call of the special session and neither bill may properly be considered by this special session of the Legislature unless especially called to the attention of the Legislature by a communication from the Governor.

Yours very truly,

GROVER A. GILES,
Attorney General.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 16, 1948

Mr. President:

I am directed to inform your Tonorable Body that the House has this day concurred in Senate amendments to *H. B. No. 5*, by Messrs. Newey, Lunt, Lewis, Johnson and Frost, entitled, "AN ACT AMENDING SECTION 76-2-1 UTAH CODE ANNOTATED, 1943, RELATING TO DEFINITIONS OF WORDS AND PHRASES, AND TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OF THE STATE OF UTAH; AND PROVIDING FOR THE SALE OF SURPLUS ELECTRIC POWER OR ENERGY BY A PERSON, ASSOCIATION, COMPANY OR CORPORATION NOT ENGAGED IN BUSINESS AS A PUPLIC UTILITY AND SPECIFYING CONDITIONS."

Respectfully,

LELAND G. LARSEN,
Chief Clerk

Communication filed.

March 16, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 4*, by Messrs. Gardner, Bunce and Sperry, entitled: "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1945, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY."

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

March 17, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which was referred *S. J. R. No. 5*, by Mr. Brockbank, has carefully considered said resolution and reports the same out favorably, with the following amendment:

In Section 1, after "State of Utah," strike "as follows" and insert "to read".

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. J. R. No. 5 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

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

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

Page 1, line 1, strike "Sec." and insert "Secs." in lieu thereof. After "80-2-4" insert "and 80-2-5".

Line 2, strike the word "is" and insert the word "are" in lieu thereof.

Line 7, strike "($6,000.00)" and insert "($3,000.00)" in lieu thereof.

After line 8 add the following:

Sec. 80-2-5. Every person applying for such exemption must, on or before May 1st, in each year, file an application for the same with

the Board of County Commissioners of the county in which he resides, accompanied by a copy of the veteran's certificate of discharge from the military service of the United States or of this state, or a certificate from the records of the United States or of this state, or an affidavit from not less than three disinterested persons, that military service was rendered and that the disabled veteran or his unmarried widow or minor children are entitled to the exemption allowed. In case of application by veterans there shall also accompany such application a certificate from the United States Veterans' Bureau, or from such other source as the State Tax Commission may require, showing the percentage of disability of the applicant. If the applicant is one hundred per cent disabled, the full exemption shall be allowed. If the certificate shows a lesser percentage of disability the exemption allowed shall be that percentage of ( ) three thousand ( ) ($3,000.) dollars. This amount shall be allowed regardless of the amount of property owned by the person receiving the exemption, except that no exemptions shall be allowed for any disability below twenty-five per cent. Widows and minor orphans of deceased veterans shall be entitled to the full exemption.

On motion of Senator Knight the title was amended as follows:

Line 1, strike "SECTION" and insert "SECTIONS". After "80-2-4" insert "AND 80-2-5,".

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

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, Melich, Midgley, Vest, Ward and Mr. President.

Absent and not voting: Senators Cowles, McShane and Selvin.

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

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

Committee report read and adopted.

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

Page 3, strike lines 9, 10, 11 and 12 and insert in lieu thereof the following:

Section 6. To effectuate the purposes of this act, there is hereby appropriated and transferred to the Utah Institute of Fine Arts the sum of Fifty Thousand Dollars ($50,000.00) out of the unexpended monies heretofore appropriated to the Department of Publicity and Industrial Development together with the unexpended and unobligated monies in excess of the Five-Hundred-Thousand-Dollar ($500,000.00) re-

volving fund heretofore appropriated to the Utah Centennial Commission, not exceeding Twenty-five Thousand Dollars ($25,000.00).

On motion of Senator Day the rules were suspended and *S. B. No. 27* was read the third time and placed on its final passage.

S. B. No. 27 then passed on the following roll call:

Ayes, 13; Nos, 7; Absent 3.

Those voting in the affirmative were: Senators Brockbank, Day, Elggren, Fowles, Holbrook, Houston, Jolley, Lamoreaux, Melich, Midgley, Selvin, Ward and Mr. President.

Those voting in the negative were: Senators Clegg, Gibbons, Hirschi, Jones, Lund, McShane and Vest.

Absent and not voting: Senators Cowles, Farr and Knight.

S. B. No. 27 was transmitted to the House.

H. B. No. 17 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 17* was read the third time and placed on its final passage.

H. B. No. 17 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Cowles, Midgley and Selvin.

H. B. No. 17 was returned to the House.

The President recognized former Senator Ira Huggins, who spoke to the Senate.

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

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

Page 1, line 19, after the word "State" insert the words "without liability to the State of Utah".

On motion of Senator Day the rules were suspended and *H. B. No. 20* was read the third time and placed on its final passage.

H. B. No. 20 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Cowles and Midgley.

H. B. No. 20 was returned to the House.

The President recognized former Speaker of the House W. R. White.

On motion of Senator Melich, *S. J. R. No. 4* was made a Special Order of Business for March 18, 1948 at 10:15 a.m.

H. C. M. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles the rules were suspended and *H. C. M. No. 2* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Clegg, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Brockbank and Cowles.

H. C. M. No. 2 was returned to the House.

H. J. M. No. 2 was read the second time.

On motion of Senator Hirschi the rules were suspended and *H. J. M. No. 2* was read the third time and placed on its final passage.

H. J. M. No. 2 then passed on the following roll call:

Ayes, 18; Nos, 2; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Fowles, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, Melich, Midgley, Selvin, Vest and Mr. President.

Those voting in the negative were: Senators Gibbons and McShane.

Absent and not voting were Senators Cowles, Farr and Ward.

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

On motion of Senator Day the Senate adjourned until March 18, 1948 at 10:00 a.m.

ELEVENTH DAY

MORNING SESSION

March 18, 1948

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 18, 1948

Mr. President:

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

Respectfully,

LORENZO E. ELGGREN
HYRUM GIBBONS

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 16, 1948

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State Senate Bill No. 5 by Mr. Cowles authorizing the exchange of property belonging to Carbon College for other property belonging to Price City.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

March 16, 1948

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State Senate Bill No. 16 by Messrs. Day, Knight and Fowles authorizing the State Board of Examiners to accept Camp Kearns in Salt Lake County,

together with all improvements and utilities thereto pertaining, from the War Assets Administration of the United States Government on behalf of the State of Utah.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

March 16, 1948

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State *S. C. M. No. 1* by Mr. Holbrook urging the President and the Congress to eliminate inequitable tax discriminations between residents of so-called community property states and so-called common law states.

Yours truly,

HERBERT B. MAW,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 17, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 4*, by Messrs. Gardner, Bunce and Sperry, entitled, "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1945, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 17, 1948

Mr. President:

I am directed 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. 16*, by Messrs. Lunt and Doty, entitled, "AN ACT AP-

PROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SEVENTH LEGISLATURE OF THE STATE OF UTAH, FOR THE PRINTING OF THE SESSION LAWS OF SUCH SPECIAL SESSION; FOR DEFRAYING THE UNPAID EXPENSES OF THE REGULAR SESSION OF TWENTY-SEVENTH LEGISLATURE, AND FOR THE PUBLICATION OF THE AMENDMENTS AS REQUIRED BY THE CONSTITUTION," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 16 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 17, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 18* (Corrected Copy), by Messrs. Davis, Lewis, Kerr, Stevens and Miss Williams, entitled, "AN ACT AMENDING SECTIONS 80-2-4 AND 80-2-5 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 101, LAWS OF UTAH, 1947, PROVIDING FOR THE EXEMPTION FROM TAXATION FOR REAL AND PERSONAL TANGIBLE PROPERTY SITUATED IN THE STATE OF UTAH OWNED BY DISABLED PERSONS WHO SERVED IN ANY WAR IN THE MILITARY SERVICE OF THE UNITED STATES OR THE STATE OF UTAH AND BY THE UNMARRIED WIDOWS AND BY THE MINOR ORPHANS OF SUCH PERSONS," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 18 was read the first time and referred to the Sifting Committee.

March 17, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 23*, by Messrs. Holbrook and McShane, entitled, "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFIN-

ING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PROVIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS NINE, TEN, NINETEEN, AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

On motion of Senator Holbrook the House was asked to recede from its amendments to *S. B. No. 23*.

On motion of Senator Knight the enacting clause of *S. B. No. 10* was struck.

S. J. R. No. 4 being a Special Order of Business was before the Senate.

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

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

Page 1, strike lines 10 and 11 and insert in lieu thereof the following: "The Utah Legislative Council is hereby authorized to employ outside specialists to carry out the intent of this resolution and the expenses for such investigation and study shall be paid out of the appropriation made to cover contingent expenses of the 27th Legislature, first special session, upon claims certified to and signed by the President of the Senate and Speaker of the House of Representatives."

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

Page 1, line 1, strike the word "designated" and insert in lieu thereof the word "instructed".

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

Page 1, line 1, strike the word "instructed" and reinsert the word "designated".

On motion of Senator Day 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, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Ward and Mr. President.

Absent and not voting: Senators Fowles and Vest.

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

COMMUNICATIONS FROM THE HOUSE

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 16th day of March, 1948, approve and transmit to the Secretary of State, *H. B. No. 1*, by Mrs. Jack, entitled: "AN ACT AMENDING SECTION 76-5-25 UTAH CODE ANNOTATED 1943 AS AMENDED BY SECTION 4 OF CHAPTER 105 LAWS OF UTAH 1945 RELATING TO THE TRANSPORTATION OF PERSONS AND PROPERTY BY MOTOR VEHICLE; BY ADDING THERETO A PROVISION PERMITTING CASUAL OR OCCASIONAL TRANSPORTATION OF PERSONS FOR COMPENSATION BY A FELLOW EMPLOYEE."

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 20*, by Messrs. Clark and Rees, entitled: "AN ACT AUTHORIZING, EMPOWERING AND DIRECTING THE SECRETARY OF STATE OF THE STATE OF UTAH TO ALLOW AB JENKINS THE USE OF THE RACING AUTOMOBILE "MORMON METEOR III" AND TO ENTER INTO SUITABLE AGREEMENTS FOR WITHDRAWING FROM AND RETURNING SAID AUTOMOBILE TO ITS EXHIBIT PLACE IN THE UTAH STATE CAPITOL."

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 11*, by Mr. Fowles, entitled, "AN ACT AMENDING 98-3-1

AND 98-3-2, UTAH CODE ANNOTATED 1943, PROVIDING AN ANNUAL FUND OF $1,500.00 FOR EXPENSES OF DEPARTMENT OF UTAH OF THE UNITED SPANISH WAR VETERANS AND PROVIDING FUNDS FOR DEPARTMENT COMMANDER TO ATTEND ANNUAL NATIONAL ENCAMPMENT AND FOR COMPENSATION FOR SERVICES OF ADJUTANT OF THE DEPARTMENT OF UTAH, AND ENACTING A NEW SECTION REQUIRING ADJUTANT TO GIVE BOND," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

Senator Clegg moved that the President of the Senate be instructed to write a letter to the Governor to ask him to make a report to the Legislative Council on or before May 1st on his $30,000 investigating committee, this report to include the purposes of the committee, membership and salaries, number of people taken off relief rolls, and number of investigations made, and any other material pertinent to the subject.

Senator Lamoreaux demanded that the motion be reduced to writing in accordance with Senate Rule No. 24.

Senator Clegg withdrew his motion.

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

On motion of Senator Ward the Executive Session was dissolved.

COMMUNICATIONS FROM THE HOUSE

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 24*, by Committee on Highways, entitled, "AN ACT DIRECTING THE DEPARTMENT OF FINANCE TO TRANSFER TO THE STATE HIGHWAY FUND FOR MAINTENANCE PURPOSES ALL MONEYS AND ACCOUNTS IN THE FUND KNOWN AS THE 'STATE ROAD REVOLVING FUND,'" and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 24 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 23*, by Messrs. Holbrook and McShane, entitled, "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFINING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PROVIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS NINE, TEN, NINETEEN, AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947," and has appointed a conference committee consisting of Representatives Kerr, Warner and Anderson to act with a like committee from the Senate on this bill.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

President Hopkin appointed Senators Vest, McShane and Brockbank as the committee on conference to consider *S. B. No. 23*.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day rescinded its action in the passing and signing *H. B. No. 4*, by Messrs. Gardner, Bunch and Sperry, entitled: "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1945, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY," and you are requested to do likewise.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

On motion of Senator Lund the Senate rescinded its actions in passing and signing *H. B. No. 4*.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 17*, by Appropriations Committee, entitled, "AN ACT APPROPRIATING $6470.00 FROM THE EMERGENCY RELIEF FUND TO THE UTAH COMMISSION FOR THE ADULT BLIND FOR THE PURPOSE OF PARTIAL SUBSIDY FOR WORKSHOP EMPLOYEES AND SALARIES OF PROFESSIONAL STAFF MEMBERS AND HOME TEACHERS AND TRAVELING EXPENSES FOR HOME TEACHERS," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. J. R. No. 4* by Mr. Melich, entitled, "A JOINT RESOLUTION PROVIDING FOR AN INVESTIGATION AND AUDIT OF THE LIQUOR CONTROL COMMISSION ACCOUNTS BY THE UTAH LEGISLATIVE COUNCIL," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. J. R. No. 4 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 18, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 11*, by Messrs. Fowles and Day, entitled, "AN ACT AMENDING 98-3-1 AND 98-3-2, UTAH CODE ANNOTATED 1943, PROVIDING AN ANNUAL FUND OF $1,500.00 FOR EXPENSES OF DEPARTMENT OF UTAH OF THE UNITED SPANISH WAR VETERANS AND PROVIDING FUNDS FOR DEPARTMENT COMMANDER TO ATTEND ANNUAL NATIONAL ENCAMPMENT AND FOR COMPENSATION FOR SERVICES OF ADJUTANT OF THE DEPARTMENT OF UTAH, AND ENACTING A NEW SECTION REQUIRING ADJUTANT TO GIVE BOND," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 11 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 18, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 24*, by Committee on Highways, entitled, "AN ACT DIRECTING THE DEPARTMENT OF FINANCE TO TRANSFER TO THE STATE HIGHWAY FUND FOR MAINTENANCE PURPOSES ALL MONEYS AND ACCOUNTS IN THE FUND KNOWN AS THE 'STATE ROAD REVOLVING FUND'," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 24 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

March 18, 1948

Mr. President:
Mr. Speaker:

We, the Joint House and Senate Committee, appointed to consider *S. B. No. 23*, make the following report:

Section 9, Page 1. Insert a period after "persons", delete balance of lines 13, 14 and 15.

Section 10, Page 1, line 14. "single" remains deleted, "welfare" is deleted, and "old age" is reinstated.

Delete "or her" in line 18.

Section 30, Page 2. The Committee recommends acceptance of the House amendment.

Section 31, Page 2. The Committee recommends acceptance of the House amendment.

Section 32, Page 2. The Committee recommends acceptance of the House amendment.

Section 34, Page 3. The Committee recommends that on line 8, "$800,000.00" be substituted for "$500,000.00", and that line 17 be changed to correspond with the new amount of $1,790,000.00.

The Committee recommends acceptance of the balance of House amendments.

Respectfully,

H. GRANT VEST
For the Senate Committee.

CLIFTON G. M. KERR,
For the House Committee.

Report filed.

On motion of Senator Vest the Conference Committee Report on *S. B. No. 23* was adopted.

S. B. No. 23 then passed on the following roll call:

Ayes, 16; Nos, 7; Absent, 0.

Those voting in the affirmative were: Senators Clegg, Day, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Vest, Ward and Mr. President.

Those voting in the negative were: Senators Brockbank, Cowles, Elggren, Farr, Fowles, Midgley and Selvin (explained vote).

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

Senator Lamoreaux moved that the rules be suspended and that *S. B. No. 22* be lifted from the Sifting Committee and considered at this time.

Senator Lamoreaux with the aid of four Senators demanded a roll call on his motion.

Senator Lamoreaux with the aid of four Senators demanded a call of the Senate.

The Sergeant-at-Arms made his report showing all Senators present.

On motion of Senator Hirschi the call was lifted.

Senator Lamoreaux' motion then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Cowles, Elggren, Farr, Gibbons, Holbrook, Knight, Lamoreaux, Lund, Midgley, Selvin, Vest, Ward and Mr. President.

Those voting in the negative were: Senators Clegg, Day, Fowles, Hirschi, Houston, Jolley, Jones, McShane and Melich.

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

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

Strike all of Sections 1 and 4 and renumber Section 2 to Section 1 and Section 3 to Section 2.

On motion of Senator McShane the title of the bill was amended as follows:

Line 1, strike the figure "$50,000.00" and insert in lieu thereof the figure "$18,304.34".

On motion of Senator Lamoreaux the rules were suspended and *S. B. No. 22* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Holbrook, Houston, Jolley, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Those voting in the negative were: Senators Hirschi and Jones.

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

The President recognized former Senator Mrs. E. E. Ericksen, who spoke briefly to the Senate.

Senator Fowles moved that the rules be suspended and that *S. B. No. 20* be lifted from the Sifting Committee and considered at this time.

Motion carried.

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

On motion of Senator Fowles the rules were suspended and *S. B. No. 20* was read the third time and placed on its final passage.

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

Page 1, line 21, strike the word "sixty" and insert in lieu thereof the word "ninety".

Page 2, line 2, strike the word "sixty" and insert in lieu thereof the word "ninety".

Line 23, strike the word "sixty" where it appears in two places in this line and in each instance insert in lieu thereof the word "ninety".

Page 4, line 27, strike the word "sixty" and insert in lieu thereof the word "ninety".

S. B. No. 20 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Houston, Jolley, Jones, Lamoreaux, Lund, Melich, Selvin, Ward and Mr. President.

Absent and not voting: Senators Holbrook, Knight, McShane, Midgley and Vest.

S. B. No. 20 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. C. M. No. 2*, by Messrs. Lunt, Murdock, Murch and Newey, entitled, "A MEMORIAL TO THE BOARD OF DIRECTORS AND OFFICERS OF THE KENNECOTT COPPER CORPORATION EXPRESSING THE APPRECIATION OF THE LEGISLATURE OF THE STATE OF UTAH FOR THE MATERIAL CONTRIBUTIONS MADE BY THE KENNECOTT COPPER COMPANY IN ADVANCING THE ECONOMIC WELL-BEING AND GENERAL WELFARE OF THE STATE OF UTAH," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. C. M. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor

March 18, 1948

Mr. President:

I am directed 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. 20*, by Messrs. Clark and Rees, entitled, "AN ACT AUTHORIZING, EMPOWERING AND DIRECTING THE SECRETARY OF STATE OF THE STATE OF UTAH TO ALLOW AB JENKINS THE USE OF THE RACING AUTOMOBILE, "MORMON METEOR III" AND TO ENTER INTO SUITABLE AGREEMENTS FOR WITHDRAWING FROM AND RETURNING SAID AUTOMOBILE TO ITS EXHIBIT PLACE IN THE UTAH STATE CAPITOL," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 20 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 14*, by Mesdames Christenson and Forsberg, entitled, "AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, PROVIDING FOR PAYMENT OF PUBLIC ASSISTANCE TO OTHER THAN THE APPLICANT OR RECIPIENT," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

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

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

Ayes, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Houston, Jolley, Jones, Melich, Midgley, Ward and Mr. President.

Absent and not voting: Senators Holbrook, Knight, Lamoreaux, Lund, McShane, Selvin and Vest.

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

March 18, 1948

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. 12*, by Messrs. Day and Holbrook, entitled, "AN ACT AMENDING CHAPTER 122 OF THE LAWS OF UTAH 1947 BY AMENDING SECTION 1 AND SECTION 3 THEREOF AND BY ADDING SECTION 7 PROVIDING FOR THE PURCHASE, OR ACQUISITION OF THE FORT DOUGLAS MILITARY RESERVATION, OR ANY PART THEREOF, FOR THE UNIVERSITY OF UTAH, FROM THE UNITED STATES OF AMERICA, OR ANY ADMINISTRATION, DEPARTMENT, BUREAU, AUTHORITY, OR ANY OTHER DISPOSING AGENCY THEREOF, WHENEVER THE SAME MAY BECOME AVAILABLE AND PROVIDING FOR THE TRANSFER OF FUNDS TO THE RESERVE BUILDING FUND." and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

On motion of Senator Day the Senate concurred in the House amendments to *S. B. No. 12*.

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

Ayes, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Houston, Jolley, Jones, Lamoreaux, Melich, Midgley, Ward and Mr. President.

Absent and not voting: Senators Cowles, Holbrook, Knight, Lund, McShane, Selvin and Vest.

S. B. No. 12 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 6 Committee on Contingent Expenses

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Farr, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, Melich, Midgley, Ward and Mr. President.

Absent and not voting: Senators Cowles, Fowles, McShane, Selvin and Vest.

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

On motion of Senator Day the Senate recessed for 10 minutes.

The Senate reconvened.

Senator Fowles moved that the enacting clause be struck on all Senate Bills which have not been passed and are on the calendar, or in the possession of any Senate committee, except the Committee on Revision and Enrolling, or in the possession of the Secretary of the Senate.

Motion carried.

Senator Clegg presented the following written motion:

That the Secretary of the Senate be instructed to write a letter to the Governor respectfully requesting that a report be furnished the Legislative Council on or before May 1, 1948 covering the activities of the Governor's Investigation Committee, for which the sum of $30,000.00 was set aside by the Board of Examiners; that in the letter the Secretary request the Governor to give information on the following:

1. State the purposes of the Committee;
2. Salaries paid and expenditures incurred;
3. Number of persons removed from relief rolls;
4. Number of investigations made;
5. Any other information pertinent to the work of the Committee.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 18, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 4*, by Mr. Melich, entitled "A JOINT RESOLUTION PROVIDING FOR AN INVESTIGATION AND AUDIT OF THE LIQUOR CONTROL COMMISSION ACCOUNTS BY THE UTAH LEGISLATIVE COUNCIL," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
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.

COMMUNICATIONS FROM THE HOUSE

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day struck the enacting clause of *S. B. No. 27*, by Messrs. Lamoreaux, Selvin, Jolley, Midgley, Cowles, Brockbank, Knight and Elggren, entitled: "AN ACT CREATING A COMMITTEE WITHIN THE UTAH STATE INSTITUTE OF FINE ARTS, AND PROVIDING FOR THE PRODUCTION OF THE CENTENNIAL MUSIC-DRAMA, 'PROMISED VALLEY,' TO BE HELD IN THE YEAR 1948; CREATING A COMMITTEE FOR SUCH PURPOSE, DESCRIBING ITS POWERS AND DUTIES AND MAKING AN APPROPRIATION THEREFOR," and the same is returned herewith.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 27 was filed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day struck the enacting clause of *S. B. No. 26*, by Mr. Knight, entitled: "AN ACT AMENDING SECTIONS 80-2-4 AND 80-2-5, UTAH

CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 101, LAWS OF UTAH, 1947, PROVIDING FOR THE EXEMPTION FROM TAXATION OF REAL AND PERSONAL TANGIBLE PROPERTY SITUATED IN THE STATE OF UTAH OWNED BY DISABLED PERSONS WHO SERVED IN ANY WAR IN THE MILITARY SERVICE OF THE UNITED STATES OR THE STATE OF UTAH AND BY THE UNMARRIED WIDOWS AND BY THE MINOR ORPHANS OF SUCH PERSONS," and the same is returned herewith.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 26 was filed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 22*, by Messrs. Gardner, Bunce and Sperry, entitled: "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1945, AND CHAPTER 23, LAWS OF UTAH 1947, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY," and the same is transmitted herewith for your action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 22 was read the first time.

On motion of Senator Day the rules were suspended and *H. B. No. 22* was read the second and third times and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Clegg, Cowles, Day, Elggren, Farr, Fowles, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senators Brockbank and Lamoreaux.

H. B. No. 22 was returned to the House.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Joint Conference Committee Report as of March 18, *S. B. No. 23*, by Messrs. Holbrook and McShane, entitled: "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFINING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PROVIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS NINE, TEN, NINETEEN, AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947." and the same is transmitted herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day struck the enacting clause of *H. B. No. 4*, by Messrs. Gardner, Bunce and Sperry, entitled, "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER TER 35, LAWS OF UTAH 1945, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY."

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 5*, by Messrs. Newey, Lunt, Lewis, Johnson and Frost, entitled: "AN ACT AMENDING SECTION 76-2-1 UTAH CODE ANNOTATED, 1943, RELATING TO DEFINITIONS OF WORDS AND PHRASES, AND TO THE JURISDICTION OF THE PUBLIC SERV-

ICE COMMISSION OF THE STATE OF UTAH; AND PROVIDING FOR THE SALE OF SURPLUS ELECTRIC POWER OR ENERGY BY A PERSON, ASSOCIATION, COMPANY OR CORPORATION NOT ENGAGED IN BUSINESS AS A PUBLIC UTILITY AND SPECIFYING CONDITIONS." and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 5 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. M. No. 2*, by Messrs. Feltch, Lunt, Cottrell and Anderson, entitled, "A MEMORIAL TO THE PRESIDENT OF THE UNITED STATES AND TO THE CONGRESS OF THE UNITED STATES URGING THE CONGRESS TO ENACT AND THE PRESIDENT TO APPROVE LEGISLATION WHICH WILL FIRMLY ESTABLISH THE RIGHT OF HONORABLY DISCHARGED VETERANS OF WORLD WAR II TO SELECT FLIGHT TRAINING IF THEY SO DESIRE IN LIEU OF OR IN COMMON WITH SUCH OTHER EDUCATIONAL BENEFITS AS MAY BE MADE AVAILABLE WITH USE OF FEDERAL FUNDS," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. J. M. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

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

On motion of Senator Ward the Executive Session was dissolved.

Senator Ward moved that the Senate advise and consent to the following appointment:

FOR COMMISSIONER IN THE DEPARTMENT OF FINANCE:

To serve during the term ending March 1, 1953, Milton B. Taylor, of Weber County.

Motion carried.

On motion of Senator Day the Senate adjourned until March 19, 1948, at 10:00 a.m.

TWELFTH DAY

MORNING SESSION

March 19, 1948

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

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

Prayer by the Chaplain.

March 19, 1948

Mr. President:

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

Respectfully,

LORENZO E. ELGGREN
HYRUM GIBBONS

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 15*, by Highways and Aeronautics Committee, entitled: "AN ACT CURING AND CORRECTING THE DEFECTS IN CHAPTER 49, LAWS OF UTAH, 1947, WHEREIN THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS WAS OMITTED THROUGH IN-

ADVERTENCE AND MISTAKES IN ENGROSSING, ENROLLING, AND PRINTING OF SAID CHAPTER 49, LAWS OF UTAH, 1947, AFTER SAID ACT WAS DULY PASSED BY BOTH HOUSES OF THE TWENTY-SEVENTH LEGISLATURE, BY AMENDING SECTIONS 36-6-6, 36-6-14, 36-6-21 AND 36-6-23, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS; AND BY EXPRESSLY MAKING SAID ACT RETROACTIVE IN ITS OPERATION AND EFFECT TO THE EFFECTIVE DATE OF CHAPTER 49, LAWS OF UTAH 1947," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 15 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 11*, by Messrs. Fowles and Day, entitled, "AN ACT AMENDING 98-3-1 AND 98-3-2, UTAH CODE ANNOTATED 1943, PROVIDING AN ANNUAL FUND OF $1,500.00 FOR EXPENSES OF DEPARTMENT OF UTAH OF THE UNITED SPANISH WAR VETERANS AND PROVIDING FUNDS FOR DEPARTMENT COMMANDER TO ATTEND ANNUAL NATIONAL ENCAMPMENT AND FOR COMPENSATION FOR SERVICES OF ADJUTANT OF THE DEPARTMENT OF UTAH, AND ENACTING A NEW SECTION REQUIRING ADJUTANT TO GIVE BOND," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 24*, by Committee on Highways, entitled, "AN ACT DIRECTING THE DEPARTMENT OF FINANCE TO TRANSFER TO

THE STATE HIGHWAY FUND FOR MAINTENANCE PURPOSES ALL MONEYS AND ACCOUNTS IN THE FUND KNOWN AS THE 'STATE ROAD REVOLVING FUND,' " and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 24 was transmitted to the Governor.

March 18, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 22*, by Messrs. Holbrook, Midgley and Lamoreaux, entitled: "AN ACT APPROPRIATING $18,304.34 TO THE DEPARTMENT OF BUSINESS REGULATION TO BE USED FOR UTILITY RATE INVESTIGATIONS," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 22 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 18, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 12*, by Messrs. Day and Holbrook, entitled, "AN ACT AMENDING CHAPTER 122 OF THE LAWS OF UTAH 1947 BY AMENDING SECTION 1 AND SECTION 3 THEREOF AND BY ADDING SECTION 7 PROVIDING FOR THE PURCHASE, OR ACQUISITION OF THE FORT DOUGLAS MILITARY RESERVATION, OR ANY PART THEREOF, FOR THE UNIVERSITY OF UTAH, FROM THE UNITED STATES OF AMERICA, OR ANY ADMINISTRATION, DEPARTMENT, BUREAU, AUTHORITY, OR ANY OTHER DISPOSING AGENCY THEREOF, WHENEVER THE SAME MAY BECOME AVAILABLE AND PROVIDING FOR THE TRANSFER OF FUNDS TO THE RESERVE BUILDING FUND," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 12 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Senator Knight moved that the rules be suspended and *H. B. No. 18* be lifted from the Sifting Committee and considered at this time.

Motion carried.

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

On motion of Senator Knight the rules were suspended and *H. B. No. 18* was read the third time and placed on its final passage.

H. B. No. 18 then passed on the following roll call.

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Cowles, Day, Elggren, Farr, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Knight, Lamoreaux, Lund, McShane, Melich, Midgley, Selvin, Vest, Ward and Mr. President.

Absent and not voting: Senator Fowles.

H. B. No. 18 was returned to the House.

On motion of Senator Jolley the Senate expressed its appreciation to the Chaplain for the inspiring prayers with which he has opened the daily sessions of the Senate.

COMMUNICATIONS

March 19, 1948

To the Members of the Twenty-Seventh
Legislature—Special Session

Gentlemen:

We think it would be well before adjournment to have your records show the legislative intent on two features embodied in the new welfare act; namely, on liens and on residential requirements.

Is it the intent to have these two provisions apply only to future applicants after the law becomes effective, or should it apply to all those who are now on the rolls who would not meet the qualifications set forth if they were applying after the bill goes into effect?

We have on our rolls at the present time some 7000 recipients who own property on which there is no lien. If the law is to apply only to future applicants, it will have but very little effect. The same thing applies to a much lesser extent to residential requirements. There are many people on the rolls at the present time who have not lived in the State of Utah one year.

We would appreciate very much having these two features clarified so that there will be no question as to legislative intent.

Yours very truly

UTAH PUBLIC WELFARE COMMISSION

Philo T. Farnsworth
J. Parley White

Communication filed.

On motion of Senator Selvin the President requested Senator Vest to confer with representatives of the House with reference to the above communication.

On motion of Senator McShane the enacting clause of *H. B. No. 13* was struck.

On motion of Senator Lamoreaux the Senate expressed its appreciation for the efficient services rendered by the Senate employees and the Secretary and Sergeant-at-Arms were instructed to convey this appreciation to the other employees.

Senator Vest reported that on instructions from the Senate he had conferred with a representative of the House with reference to the request of the Utah Public Welfare Commission for a statement of legislative intent concerning the liens and residential requirements of *S. B. No. 23*. He further stated that they had prepared the following statement of intent: "The provisions of the requirements concerning the giving of liens should be applied to all those who are now receiving welfare assistance as well as to future recipients, and the residential requirements should be applied only to those who become applicants for assistance after the effective date of the act."

Senator Vest then moved that this statement of intent be approved and printed in the Journal and that the Secretary send a copy of the statement to the Chairman of the Welfare Commission.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. J. R. No. 6*, by Committee on Contingent Expense, entitled: "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE FIRST SPECIAL SESSION OF THE TWEN-

TY-SEVENTH SESSION OF THE LEGISLATURE OF THE STATE of UTAH," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

On motion of Senator Hirschi the Senate concurred in the House amendments to *S. J. R. No. 6.*

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

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

Those voting in the affirmative were: Senators Clegg, Day, Elggren, Gibbons, Hirschi, Holbrook, Houston, Jolley, Jones, Lamoreaux, McShane, Selvin, Vest and Mr. President.

Absent and not voting: Senators Brockbank, Cowles, Farr, Fowles, Knight, Lund, Melich, Midgley and Ward.

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

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 20*, by Mr. Melich, entitled: "AN ACT AMENDING SECTION 100-4-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1943; SECTION 100-4-4, UTAH CODE ANNOTATED 1943; SECTION 100-4-5, UTAH CODE ANNOTATED 1943; AND ADDING TO CHAPTER 4, TITLE 100, UTAH CODE ANNOTATED 1943 FOUR NEW SECTIONS TO BE DESIGNATED AS SECTIONS 100-4-21, 100-4-22, 100-4-23 AND 100-4-24, RELATING TO THE PROCEDURE TO BE FOLLOWED BY THE DISTRICT COURTS AND STATE ENGINEER IN ACTIONS TO DETERMINE THE RIGHTS TO THE USE OF WATER IN RIVER SYSTEMS, LAKES, UNDERGROUND WATER BASINS AND OTHER SOURCES," and the same is returned herewith for your further action.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 20 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the

House, *S. J. R. No. 4*, by Mr. Melich, entitled, "A JOINT RESOLUTION PROVIDING FOR AN INVESTIGATION AND AUDIT OF THE LIQUOR CONTROL COMMISSION ACCOUNTS BY THE UTAH LEGISLATIVE COUNCIL," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. J. R. No. 4 was transmitted to the Secretary of State.

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 14*, by Mesdames Christenson and Forsberg, as amended by the House, entitled: "AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, PROVIDING FOR PAYMENT OF PUBLIC ASSISTANCE TO OTHER THAN THE APPLICANT OR RECIPIENT," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 14 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 22*, by Messrs. Gardner, Bunce and Sperry, entitled, "AN ACT AMENDING SECTION 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1945, AND CHAPTER 23, LAWS OF UTAH 1947, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 22 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

March 19, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 22*, by Messrs. Holbrook, Midgley and Lamoreaux, entitled "AN ACT APPROPRIATING $18,304.34 TO THE DEPARTMENT OF BUSINESS REGULATION TO BE USED FOR UTILITY RATE INVESTIGATIONS," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 22 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

Senator Lamoreaux moved that the Secretary of State be requested to place on permanent display in the main corridor of the halls near the Senate Chamber the pictures of the legislative bodies, that space be permanently reserved therefor in order that the people of the state might see and know their Senators and Representatives, and that the Secretary of the Senate be instructed to send a communication to the Secretary of State informing him of this action.

Motion carried.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. President Hopkin in the chair.

Roll Call—All Senators present, except Senators Clegg, Cowles, Farr, Fowles, Houston, Jolley and Ward, excused.

REPORTS OF STANDING COMMITTEES

March 19, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 20*, by Mr. Melich, entitled "AN ACT AMENDING SECTION 100-4-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1943; SECTION 100-4-4, UTAH CODE ANNOTATED 1943; SECTION 100-4-5, UTAH CODE ANNOTATED 1943; AND ADDING TO CHAPTER 4 TITLE 100, UTAH CODE ANNOTATED 1943 FOUR NEW SECTIONS TO BE DESIGNATED AS SECTIONS 100-4-21, 100-4-22, 100-4-23 AND 100-4-24, RELATING TO THE PROCEDURE TO BE FOLLOWED BY THE DISTRICT COURTS AND STATE ENGINEER IN ACTIONS TO DETERMINE THE RIGHTS TO THE USE OF WATER IN RIVER SYSTEMS, LAKES, UNDERGROUND WATER BASINS AND OTHER SOURCES," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 20 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 19, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 23*, by Messrs. Holbrook and McShane, entitled "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFINING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PROVIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS NINE, TEN, NINETEEN, AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947," examined by this committee, has carefully compared the bill as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
Chairman.

Report filed.

S. B. No. 23 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 19, 1948

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 6*, by the Committee on Contingent Expenses, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SEVENTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy, finds it correct, and returns the same for the signature of the President.

Respectfully,

RAY P. LUND,
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.

COMMUNICATIONS FROM THE HOUSE

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 18*, by Messrs. Davis, Lewis, Kerr, Stevens and Miss Williams, entitled, "AN ACT AMENDING SECTIONS 80-2-4 AND 80-2-5 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 101, LAWS OF UTAH, 1947, PROVIDING FOR THE EXEMPTION FROM TAXATION FOR REAL AND PERSONAL TANGIBLE PROPERTY SITUATED IN THE STATE OF UTAH OWNED BY DISABLED PERSONS WHO SERVED IN ANY WAR IN THE MILITARY SERVICE OF THE UNITED STATES OR THE STATE OF UTAH AND BY THE UNMARRIED WIDOWS AND BY THE MINOR ORPHANS OF SUCH PERSONS," and the same is transmitted herewith for the signature of the President.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

H. B. No. 18 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 22*, by Messrs. Holbrook, Midgley and Lamoreaux, entitled, "AN ACT APPROPRIATING $18,304.34 TO THE DEPARTMENT OF BUSINESS REGULATION TO BE USED FOR UTILITY RATE INVESTIGATIONS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 12*, by Messrs. Day and Holbrook, entitled, "AN ACT AMENDING CHAPTER 122 OF THE LAWS OF UTAH 1947 BY AMENDING SECTION 1 AND SECTION 3 THEREOF AND BY ADDING SECTION 7 PROVIDING FOR THE PURCHASE, OR ACQUISITION OF THE FORT DOUGLAS MILITARY RESERVATION, OR ANY PART THEREOF, FOR THE UNIVERSITY OF UTAH, FROM THE UNITED STATES OF AMERICA, OR ANY ADMINISTRATION, DEPARTMENT, BUREAU, AUTHORITY, OR ANY OTHER DISPOSING AGENCY THEREOF, WHENEVER THE SAME MAY BECOME AVAILABLE AND PROVIDING FOR THE TRANSFER OF FUNDS TO THE RESERVE BUILDING FUND," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 23*, by Messrs. Holbrook and McShane, entitled: "AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1947, PROVIDING FOR PUBLIC ASSISTANCE TO PERSONS IN NEED, PROVIDING APPROPRIATIONS AND LIMITING EXPENDITURES THEREFROM, DEFINING HOME OWNERSHIP, IMPOSING RESPONSIBILITY FOR SUPPORT UPON DIVORCED SPOUSE OR PARENT, PRO-

VIDING FOR THE PUBLISHING OF DEPARTMENTAL RULES AND REGULATIONS, DEFINING THE FINANCIAL CONTROL OF FUNDS; AND AMENDING SECTIONS NINE, TEN, NINETEEN, AND TWENTY-THREE, OF CHAPTER 89, LAWS OF UTAH 1947, AND ADDING SECTIONS 30, 31, 32, 33, 34 AND 35, CHAPTER 89, LAWS OF UTAH 1947," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

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

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 20*, by Mr. Melich, entitled, "AN ACT AMENDING SECTION 100-4-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1943; SECTION 100-4-4, UTAH CODE ANNOTATED 1943; SECTION 100-4-5, UTAH CODE ANNOTATED 1943; AND ADDING TO CHAPTER 4 TITLE 100, UTAH CODE ANNOTATED 1943 FOUR NEW SECTIONS TO BE DESIGNATED AS SECTIONS 100-4-21, 100-4-22, 100-4-23 AND 100-4-24, RELATING TO THE PROCEDURE TO BE FOLLOWED BY THE DISTRICT COURTS AND STATE ENGINEER IN ACTIONS TO DETERMINE THE RIGHTS TO THE USE OF WATER IN RIVER SYSTEMS, LAKES, UNDERGROUND WATER BASINS AND OTHER SOURCES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. B. No. 20 was transmitted to the Governor.

March 19, 1948

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. J. R. No. 6*, by Committee on Contingent Expense, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFI-

CERS AND EMPLOYEES OF THE FIRST SPECIAL SESSION OF THE TWENTY-SEVENTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

LELAND G. LARSEN,
Chief Clerk.

Communication filed.

S. J. R. No. 6 was transmitted to the Secretary of State.

REPORTS OF STANDING COMMITTEES

March 19, 1948

Mr. President:

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

Respectfully,

LORENZO E. ELGGREN
HYRUM GIBBONS

Report adopted and filed.

Senator Holbrook moved that the Secretary be instructed to write a communication to Hon. Roald Hogenson, Presiding Judge of the Third Judicial District, stating that it is the opinion of the Senate that it might be advisable to call the Grand Jury into session to look into matters prevailing at this time.

Motion carried.

On motion of Senator Lamoreaux the President appointed Senators Midgley, Lund and Elggren as a committee to notify the House that the Senate has concluded its business and is ready to adjourn sine die, and also, with a committee from the House, to wait upon the Governor and ascertain whether he has any further business to bring before the Legislature.

A committee from the House consisting of Representatives Murch, Johnson and Erekson appeared and notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Midgley reported that the Committee appointed to notify the House that the Senate was ready to adjourn sine die and to wait upon the Governor had carried out its instructions and presented the following communication from the Governor:

March 19, 1948

To the Senate
Building

Gentlemen:

I am happy to advise you that I have no other business to submit for your consideration at this special session of the Legislature.

To carry out your legislative responsibilities requires a sacrifice on the part of each of you, and I am sure that the people of the State are grateful for your willingness to serve.

Respectfully,

HERBERT B. MAW,
Governor.

Communication filed.

On motion of Senator Hirschi the First Special Session of the Twenty-seventh Session of the Utah State Senate adjourned sine die.

INDEX

REFERENCES

Page

Proclamation 5

Certification 6

Governor's Messages (See House Journal, P. 4) 29, 34, 36, 54, 60, 79, 134

" " : Appointments 46, 55, 96

" " : Action on Senate Bills 102, 103

Communications from Attorney General 11, 96

Rules 6

Standing Committees 6, 63, 90, 136

Sifting Committee 89, 94

Special Committees 6, 7, 11, 63, 73, 78, 92

Joint Committees 42

Officers and Employees 7, 15

Governor's Investigation Committee 116

Grand Jury 133

Adjournment Sine Die 134

Senate Bills 137, 138

House Bills 142

Senate Resolutions 139, 140

House Resolutions 143

Senate Memorials 141

House Memorials 144, 145

SENATORS AND COMMITTEES ON WHICH THEY SERVE

President: Alonzo F. Hopkin

	Agriculture and Irrigation	Appropriations and Claims	Banking and Commerce	Education	Fish and Game	Health and Labor	Highways	Interstate Cooperation	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				+		C					+		+		+	+
Clegg		+	+		+				+							
Cowles				+	C	+		+		+						
Day				+	+				+	+						+
Eggren						+		C			C	+			+	
Farr					+				+		+	C		C		+
Fowles		+	C						+	+		+				
Gibbons	+	+									+	+				
Hirschi		+	+				C			+		+				
Holbrook	+	C	+						+					+		
Houston	+						+	+				+				
Jolley		+		+							+		+		+	
Jones	+						+	+				+				
Knight					+	+					+		+			+
Lamoreaux			+				+		C	+		+				+
Lund	+			+									C		+	
McShane			+			+		+						+	+	
Melich		+				+			+	C						+
Midgley		+	+									+				C
Selvin		+				+	+			+		+			C	
Vest	+			C	+		+						+			
Ward	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	Welfare Dept; Adjust Standards, etc.	Selvin, et al	9	16	21	23							23x, 32, 35, 42, 45x, 63F
2	Welfare Dept.; Appropropriation	Selvin, et al	9	16	21	64							23x, 46x, 63, 83
3	Welfare Dept.; Transfer Funds	Selvin, et al	9	16	21	66							23x, 46x, 63, 66F
4	Transportation by Motor Vehicle	Selvin, et al	9	17									83, 89S
5	Property Exchange, Price City to Carbon College	Cowles	9	17	21	23	23	23	49	57	73	102	
6	Junior College; Supplementary Appropriation	Hirschi, et al	10	17	66	22	66	66	76	81	88	3/24	22
7	County Officers' Salaries	Lund, Selvin	10	17	38								84‡
8	Utah County Vocational Education Building	Jolley, Vest	10	18	24	25	67						67‡
9	Public Service Commission	Hirschi, et al	10	18	38	84							84‡
10	Bond Issues, Sewer and Water Systems	Knight, Holbrook	19	26	43	85							79, 85x, 94x, 105‡
11	Spanish-American War Veterans	Fowles, Day	19	26	81	93	93	94	106	110	122	3/24	
12	Fort Douglas Military Reservation	Day, Holbrook	19	26	38	84	84	85	115	124	131	3/23	28

F—Failed
S—Sifting Committee
x—Special Order
‡—Enacting Clause Struck

SENATE BILLS

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13	Veterans' Housing	Knight, Cowles	22	35									66‡
14	Health Department; Hygiene; Salaries	Melich, Selvin	24	30	38,76	85							
15	Public Health Program; Appropriation	Melich, Selvin	25	30	39,76								
16	Camp Kearns; Transfer	Day, et al	25	30	43	43	43	43	55	62	73	102	
17	Consultant for the Blind	Farr, et al	25	31	35	83							83F
18	Real Estate Brokers' Bond	Day, Knight	27	31									83, 89S
19	Contractors' License; Bond	Day, Knight	27	31									83, 89S
20	Determination Water Rights	Melich	32	37		113	113	113	126	129	132	3/25	83, 89S
21	"Mormon Meteor III"	Knight, Selvin	32	37									29, 77 withdrawn
22	Utility Rate Investigations Appropriation	Holbrook, et al	40	51	82	112	112	112	123	128	131	3/23	79, 83, 89S
23	Welfare; Public Assistance Appropriation	Holbrook, McShane	40	42		46	67	73	104	130	131		Not approved; 45, 51, 58 62, 77, 78F, 78, 88, 92, 108, 111, 119, 124, 125
24	State Road Revolving Fund; Transfer	Committee on Highways	61	64	77	86	86	86	107	110	122	3/23	54
25	Taxation, Mines, Etc.	Cowles	61	65									83, 89S
26	Veterans' Tax Exemption	Knight	61	65		98	99	99					60, 83, 89S, 117‡ (House)
27	"Promised Valley"	Lamoreaux, et al	62	65	81	99	100	100					89S, 117‡ (House)

F—Failed
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S—Sifting Committee
‡—Enacting Clause Struck

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	Signed by President	Signed by Speaker	Filed With Secretary of State	REFERENCE
1	Sales and Use Tax	Elggren, et al	10	18	27	94	95						27x, 67, 86, 95F
2	Veterans' Bonus	Knight	20	31									83, 89S
3	Condolence Family E. E. Monson	Committee on Resolutions	33			33	33	33	44	51	56	56	41
4	Liquor Control Commission; Audit	Melich	60	65		105	105	106	109	117	127	127	83, 89S, 101x
5	Veterans' Aid	Brockbank	89	98	S								
6	Compensation Officers, Employees, Legislature	Committee Contingent Expense	116			116	116	116	125	130	132	132	

x—Special Order.
F—Failed.
S—Sifting Committee.

SENATE RESOLUTIONS

Number	SUBJECT	AUTHOR	Introduced and Read First Time		Read Second Time	Read Third Time	Signed by President	Filed With Secretary of State	REFERENCE
1	Condolence family Andrew Fred Eggren	Committee on Resolutions	32		32	32	39	39	
2	Condolence family Mrs. Emily Eleanor Kenner Lund	Committee on Resolutions	33		33	33	40	40	
3	Condolence family Heber P. Brockbank	Committee on Resolutions	35		35	35	40	40	

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	Tax Discrimination Elimination	Holbrook	11	18		24	24	24	50	57	74	103	

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	Signed by Governor	REFERENCE
1	Transportation by Motor Vehicle	Mrs. Jack	28	43	44	44	44	74	106	49
2										
3										
4	County Officers' Salaries	Gardner, et al	50		83	83	84	103		98, 108, (Rescind); 119‡
5	Sale Surplus Electric Power	Newey, et al	48		84	84	84	120		97
6										
7	Utah County Vocational Educational Bldg.	Anderson	34	39	67	67	67	79		
9										
10										
11										
12										
13	Welfare; Public Assistance Appropriations	Toronto, et al	47	82						125‡
14	Payment Public Assistance to Other Than Applicants	Christenson, Forsberg	114		114	114	115	127		
15	Designation State Roads; Correction Chapter 49, Laws of Utah 1947	Highway and Aeronautics Committee	79		86	89	89	122		
16	Appropriation First Special Session	Lunt, Doty	80		80	80	80	104		
17	Appropriation Commission Adult Blind	Appropriations Committee	87		100	100	100	109		89S
18	Tax Exemption Disabled Veterans	Davis, et al	104		124	124	124	130		
19										
20	"Mormon Meteor III"	Clark, Rees	87		100	100	101	114		89S, 106
21										
22	Salaries County Officers	Gardner, et al	118		118	118	118	128		
23										
24										
25										
26										

S—Sifting Committee
‡—EnactingClause Struck

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
3	Condolence Family Mary P. Christensen	Nielson, Brinkerhoff	45		45	45	45	75	

HOUSE CONCURRENT MEMORIALS

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2	Kennecott Copper Co., Appreciation	Lunt, et al	56	82	101	101	101	114	3/23	898

S—Sifting Committee.

HOUSE JOINT MEMORIAL

Number	SUBJECT	AUTHOR	Received from House Read First Time	Standing Committee	Read Second Time	Read Third Time	Returned to House	Signed by President	REFERENCE
2	Veterans' Flight Training	Feltch, et al	56		101	101	101	120	89S

S—Sifting Committee.