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CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal of the Twenty-eighth Session of the 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 January 10, 1949, and continuing for sixty legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL.

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Secretary of the Senate.

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Docket Clerk.

JOINT RULES OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES

of the Twenty-eighth Legislature

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

ORGANIZATION

1. Notification of Organization of Each House. Immediately after the organization of the senate and house of representatives, at the commencement of every session of the legislature, each house shall appoint a committee of three to notify the other house that it is organized and ready for the transaction of business.

2. Committee on Joint Rules. Thereupon a committee on joint rules shall be appointed, to consist of three senators, three representatives, the president of the senate (who shall be chairman), and the speaker of the house, whose duty it shall be to formulate a set of joint rules of the senate and house of representatives.

3. Adoption of Rules Completes Organization of Legislature. Upon the adoption by both houses of the joint rules as well as of their own rules, respectively, the legislature shall be deemed fully organized.

4. Joint Committee to Notify Governor. Thereupon a joint committee consisting of three senators and three representatives shall be appointed to inform the governor personally of the organization of the two houses, and of their readiness to receive his communications.

JOINT CONVENTIONS

5. Where Held. Who Preside. Joint conventions of the two houses shall be held in the hall of the house of representatives, and the president of the senate shall preside.

6. Secretaries. Journal. The secretary of the senate and the chief clerk of the house of representatives shall be secretaries of the joint convention, and the proceedings thereof shall be entered at length upon the journal of at least one house.

7. Rules of the House to Govern. The rules of the house of representatives so far as the same may be applicable, shall govern the proceedings in joint convention.

8. May Compel Attendance of Absent Members. Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed by the rules of the house to which such members respectively belong, and for that purpose the sergeant-at-arms of each house shall attend.

9. Adjournment. Duty of Each House. Joint conventions may adjourn from time to time as may be found necessary and it shall be the duty of the house of representatives to prepare to receive the senate and of the senate to proceed to the hall of the house of representatives at the time fixed by resolution or to which the joint convention may have adjourned.

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

JOINT MEETINGS OF COMMITTEES

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

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

13. Appropriation Bills, Referred To. Every bill introduced in either house having provision therein for the appropriation of money shall in the title thereof set forth such fact and the sum proposed to be appropriated. Such bill shall be referred to the Committee on Appropriations of the house wherein it originates after it has been considered and reported out by the appropriate other standing committee of that house, except that if such other standing committee shall make an unfavorable report on the bill it shall not be so referred unless the unfavorable report is rejected by the house to which such report is made. When a bill is referred to the Committee on Appropriations of either house such committee shall report it out within three days from the receipt thereof with the committee's findings and recommendations.

BILLS AND RESOLUTIONS, ETC.

14. Scope of Word "Bill." Whenever the word "bill" is used in these rules it shall include con-

stitutional amendments, joint and concurrent resolutions and memorials.

15. Defining Joint and Concurrent Resolutions and Memorials. Joint resolutions and memorials are those relating to matters to be treated by both houses of the legislature. Concurrent resolutions and memorials are similar resolutions and memorials requiring concurrence of the governor.

16. Procedure on Joint and Concurrent Resolutions and Constitutional Amendments. Joint resolutions and memorials, concurrent resolutions and memorials and constitutional amendments shall be treated in all respects as bills.

PREPARATION AND INTRODUCTION OF BILLS

17. Size, Number of Copies. Folding Form. All bills shall be typewritten or printed on paper eight and one-half by thirteen inches, shall be in triplicate or in such additional numbers as each house may require respectively, shall not be folded, and shall have the arrangement and wording prescribed by the following:

18. Form of Bills. Every bill shall have (a) a designation; (b) a title; (c) an enacting clause; (d) subject matter disposed in one or more sections; and (e) an emergency clause, if necessary.

19. Designation. The designation shall be a heading preceding the title:

S. B. (or H. B.) No. By Mr.
S.J.R. (or H.J.R.) No. By Mr. etc.

20. Title. The title of every bill introduced shall convey an accurate idea of its subject and shall be expressed in the fewest words practicable. In amending a section of an existing law, the mere reference to the section by number shall not be deemed sufficient.

21. Enacting Clause. The title shall be immediately followed by the enacting clause, the form of which is prescribed by the Constitution, Article VI, Section 22, viz: "Be it enacted by the Legislature of the State of Utah."

22. Subject Matter. The subject matter of the bill shall follow the enacting clause, and shall be set forth in one or more sections.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repealing sections of unnecessary length.

No law shall be revised or amended by reference to its title only, but the act as revised, or section as amended, shall be reenacted and published at length. (Const., Art. VI., Sec. 22.)

Except general appropriation bills, and bills for the codification and general revision of laws, no bill shall be passed containing more than one subject, which shall be clearly expressed in its title. (Const., Art. VI., Sec. 22.)

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

No section sub-heads shall be included in any bill. In case of a bill amending an existing law the black-faced sub-heads shall be omitted.

23. Emergency Clause. An emergency clause is not required in a bill unless it is desired to make the act take effect at a time other than that prescribed by the Constitution, Article VI., Sec. 25.

Whenever an emergency clause is inserted in a bill, it shall constitute the last section of the bill, and shall be in substantially the following form: "This act shall take effect upon (approval) (or given date)."

A bill containing an emergency clause can only be passed by a vote of two-thirds of all the members elected to each house (Const. Art. VI., Sec. 25); provided, however, that if such bill receives a majority vote but less than two-thirds, it shall nevertheless be deemed passed, and the emergency clause shall be omitted from the bill as finally enrolled.

RECORD OF BILLS

24. Printing of Identical Bills. When a bill has been printed in one house, an identical bill shall not be printed in full in the other house, but shall be printed by designation and title only and with reference to the corresponding bill of the other house, except upon specific vote of the majority of such house.

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

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

26. Secretary and Chief Clerk to Keep Register. The secretary of the senate and the chief clerk of the house of representatives shall keep a register in which shall be recorded every action taken by the senate and house of representatives on every bill, concurrent or joint resolution, or constitutional amendment.

27. Endorsement of Bills. The secretary of the senate and the chief clerk of the house of representatives shall endorse on every bill a statement of every action taken by the senate and house of representatives.

Senate amendments shall be inserted in the bill in blue and house amendments in red.

MESSAGES

28. Message to Accompany Bill. While bills are being transmitted between the two houses they shall be accompanied by a message signed by the secretary of the senate or the chief clerk of the house of representatives, as the case may be.

29. Notice to Other House of Rejection. When a bill which has passed in one house is rejected in the other, notice thereof shall be given immediately to the house in which the same has passed.

30. By Whom Sent. Messages shall be sent to the other house by an officer or employee to be designated by the secretary of the senate, if it be a senate message, or by the chief clerk, if it be a house message, and all such messages shall be in writing, signed by the secretary of the senate or clerk of the house, respectively.

CONFERENCE COMMITTEES

31. Concurrence in Amendments. In case the senate amend and pass a house bill, or the house amend and pass a senate bill, the senate (if it be a senate bill), or the house (if it be a house bill) must either "concur" or "refuse to concur" in the amendments. If the senate concur (if it be a senate bill), or the house concur (if it be a house bill), the secretary or chief clerk shall notify the house making the amendments, and the bill shall be ordered to enrollment.

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

33. Either House May Recede. It shall be in order for either house to recede from any subject matter of difference existing between the two houses at any time previous to conference, whether the papers on which such difference arose are before the house receding formally or informally and on such vote to recede, the same number shall be required to constitute a quorum to act thereon and to assent to such receding as was required on the original question out of which the difference arose.

34. Failure of Conferees to Agree. In case of a failure of the conferees to agree a report of such failure may be made and a further conference may be had either by the same or new committees appointed for such purpose. After each house shall have refused conference and shall have adhered to its disagreement the bill which is the subject of difference shall be deemed lost and shall not be again revived during the same session in either house. The report of the committee of conference shall not be subject to amendment.

ACTION ON BILLS AFTER PASSAGE

35. Enrollment. When a bill shall have passed both houses, it shall be duly enrolled by the revision and enrolling committee of the house in which it originated, and the fact of its origin shall be certified by the endorsement of the secretary or chief clerk which endorsement shall also show the dates upon which it passed the senate and house of representatives, respectively, and the number of votes cast for and against it in each house, and the number of absentees.

36. Examination of Enrolled Bills. When a bill shall have been enrolled it shall be examined by the Committee on Revision and Enrolling of the house where it originated. The Committee shall carefully compare the enrollment with the bill as passed, correct any errors therein, and make report thereof forthwith to such house.

37. Presiding Officers to Sign Bills. Every bill reported to have been duly enrolled shall be signed first by the presiding officer of the house in which it originated, and then by the presiding officer of the other house, in the presence of the respective houses, after its title has been publicly read immediately before signing, and the fact of such signing shall be entered upon the journal (Const., Art. VI., Sec. 24). Three copies, or more, of the engrossed bill shall be made, one of which shall be filed with the secretary or chief clerk, one given to the author of the bill and one given to the secretary of state.

38. Transmitted to Governor. After a bill shall have been signed by the respective presiding officers of the two houses, it shall be transmitted without delay by the secretary or chief clerk of the house in which it originated, together with a written message to the governor for his approval.

39. Governor's Action on Bill Reported to Other House. When the governor has informed either house that he has signed a bill, or taken any other action affecting both houses, the house to which his action is reported shall inform the other house of the governor's report.

ADJOURNMENT

40. No Adjournment for More Than Three Days Without Consent of Other House. Neither house shall, without the consent of the other, adjourn for more than three days.

41. Adjournment Sine Die. Adjournment sine die shall be made after a committee from each house has notified the opposite house that they have completed their work, and after a joint committee has notified the Governor of their respective reports and that the Governor has informed the Joint Committee that he has nothing further to bring before the Legislature.

LEGISLATIVE EXPENSE

42. How Paid. Each house shall have full control of its own expenses. All bills, claims or pay rolls shall be certified by the president or chairman of the committee on contingent expenses and the secretary of the senate or the speaker and chief clerk of the house, as the case may be, to the State Department of Finance for payment by state warrant, drawn against the fund appropriated for the expenses of the legislature.

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

44. Appropriation Committee Report Date. The committee on appropriations and claims shall report to the respective houses the appropriations bill in its final form for action by the respective houses, not later than the 40th day of the session.

RULES OF THE SENATE

ORGANIZATION

1. Secretary of State to Call to Order. The senate, at the commencement of every regular session of the legislature, shall be called to order by the secretary of state, or some person designated by him, who shall preside until the members shall have been sworn in, and shall have elected a president.

2. Election of President. The senate shall elect a president, who shall preside during the session, and who shall have the general direction of the senate chamber.

3. President May Call a Senator to Chair. The president may call a senator to the chair, and such senator shall be vested with all the powers of the president while so presiding, but such substitution shall not extend beyond an adjournment.

4. Temporary Presiding Officer in Absence of President. In the absence of the president, one of the senators shall be elected to preside temporarily, until the return of the president. In case of a vacancy in the office of president, or in case the president or the senator appointed by him to perform the duties of the chair, is absent at the hour to which the senate stands adjourned, the oldest senior senator present shall call the senate to order, and shall preside until a president pro tempore is elected, and such election shall be the first business in order.

5. Duties of President. It shall be the general duty of the president:

(a) To assign to the officers and employees of the senate their respective duties and stations, and to have general supervision over them.

(b) To assign places to properly accredited newspaper representatives.

(c) To take the chair every day, precisely at the hour to which the senate shall have adjourned, immediately call the senate to order, and proceed with the daily order of business.

(d) To announce the business before the senate in the order in which it is to be acted upon.

(e) To receive and submit in the proper manner all motions and propositions presented by the senators.

(f) To put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings, and to announce the result thereof.

(g) To restrain the senators while engaged in debate, within the rules of order.

(h) To enforce on all occasions the observance of order and decorum among the senators.

(i) To inform the senate when necessary, or when referred to for that purpose, on any point of order or practice.

(j) To receive messages and other communications from other branches of the government, and to announce them to the senate.

(k) To authenticate by his signature when necessary, all the acts, orders and proceedings of the senate over which he presides.

(l) To name the members of committees when directed to do so in any particular case, or when it is part of his general duty by the rules.

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

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

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

(b) To superintend all printing and clerical work to be done for the Senate and to have supervision over all employees of the Senate, subject, however, to the direction of the President. He shall assign, reassign, or transfer all employees to their respective duties.

(c) He shall certify and transmit to the House all bills, joint and concurrent resolutions and memorials, constitutional amendments, and papers requiring the action of the House immediately after their passage or adoption by the Senate. He shall also perform the duties prescribed by these Rules and by Joint Rules Nos. 6, 24, 26, 27, 28, 30, 31, 32, 37, 38 and 42.

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

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

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

(g) To sign jointly with the president and the chairman of the committee on rules and contingent expenses, all requisitions on the State Department of Finance for warrants to pay the expenses of the senate, provided that in the absence or incapacity of the Secretary, such requisitions shall be valid if signed by the President and Chairman of the Committee on Rules and Contingent Expenses.

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

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

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

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

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

RIGHTS AND DUTIES OF MEMBERS

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

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

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

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

ORDER AND DECORUM

12. President to Preserve Order; Appeal. The president shall preserve order and decorum; he may speak to points of order in preference to other senators, rising from his seat for that purpose; and he shall decide questions of order, subject to an appeal by any senator on which appeal no senator shall speak more than once, unless by leave of the senate. On appeal being taken, the question shall be: "Shall the decision of the chair stand as the judgment of the senate," which question and the action thereon shall be entered in the Journal.

13. Disturbance in Lobby or Gallery. In case of any disturbance or disorderly conduct therein, the president shall have the power to order the lobby and gallery cleared.

14. Punishment for Disrespect to Senate. The senate may, during its session, punish by imprisonment any person not a member, who shall be guilty of disrespect to the senate, by any disorderly or contemptuous behavior in its presence but such imprisonment shall not at any time exceed twenty-four hours, unless the person shall persist in such disorderly or contemptuous behavior.

15. Smoking not Permitted. No person shall be permitted to smoke within the senate chamber while the senate is in session.

16. Obtaining the Floor. When any senator is about to speak, or to deliver any matter to the senate he shall rise from his seat and respectfully address himself to "Mr. President." Upon being recognized by the chair, he may address the senate, confining himself to the question under consideration, and avoiding personalities. No senator shall impeach the motives of any other senator.

17. Calling a Senator to Order for Transgressing Rules. If any senator in speaking (or otherwise) transgresses the rules of the senate, the president shall, or any senator may, call him to order, in which case the senator so called to order shall sit down, unless permitted to explain and the senate if appealed to shall decide the case without debate. If the decision be in favor of the senator called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the senate.

18. Calling a Senator to Order for Words Spoken. If any senator be called to order for words spoken in debate, the senator calling him to order shall repeat the words to which exception is taken, and they shall be recorded by the secretary; but no senator shall be held to answer, or be subject to the censure of the senate for words spoken in debate, if any senator has meanwhile spoken in debate, or other business has intervened after the words spoken, and before such exceptions have been taken.

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

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

21. Calling of Ayes and Nos. No senator or other person shall visit or remain by the secretary's desk while the ayes and nos are being called.

22. Priority of Business. All questions relating to priority of business shall be decided without debate.

MOTIONS

23. Motion to be Stated Before Debate. When a motion is made it shall be stated by the president or if in writing, shall be handed to the secretary and read aloud before debate.

24. Motion in Writing. Every motion except motions to adjourn, postpone or commit, shall be reduced to writing if the president or any senator desires it.

25. Withdrawing a Motion. After a motion is stated by the president or read by the secretary, it shall be deemed in the possession of the senate, but may be withdrawn at any time by the unanimous consent of the senate before division or amendment.

26. No Second Required to Motions. No second shall be required to any motion in the senate.

27. Motions in Order During Debate. When a question is under debate, no motion shall be received except:

(1) To fix the time to which to adjourn.
(2) To adjourn.
(3) To call the senate.
(4) To commit.
(5) To lay on the table.
(6) To postpone to a day certain.
(7) To postpone indefinitely.
(8) To amend.

These several motions shall have precedence in the order in which they stand in this rule.

During a roll call no motion or other business shall be in order, until after the announcement of the result of the vote.

28. Motion to Adjourn Always in Order; Exceptions. A motion to adjourn shall always be in order except when the senate is voting, and except when a previous motion to adjourn having been defeated, no intervening business has been transacted; but this rule shall not authorize any senator to move an adjournment when another senator has the floor.

29. Motion to Lay on Table Temporary Only. A motion to lay on the table shall only have the effect of disposing of the matter temporarily, and it may be taken from the table at any time by order of the senate.

30. Motion to Postpone. No motion to postpone to a day certain or indefinitely, or to commit, being decided in the negative, shall again be allowed on the same day and at the same stage of a bill or proposition.

31. Motion to Strike Out Enacting Clause. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried shall be deemed a rejection of the bill.

32. Filling Blanks. When a blank is to be filled, and different sums or times are proposed, the question shall be first put on the least sum and the shortest time.

33. Motion Must Be Germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

34. Motions to Commit or Postpone Preclude Amendments. A motion to commit, until it is decided, shall preclude all amendments and debate on the main question, and a motion to postpone

indefinitely or to a day certain, until it is decided, shall preclude all amendments on the main question.

35. What Questions to Be Decided Without Debate. A motion to adjourn, to take a recess, to lay on the table, or to take from the table shall be decided without debate, and all incidental questions of order arising after a motion is made for either of the questions named in this rule, and pending such motion, shall be decided whether on appeal or otherwise without debate.

36. Division of Question. If the question in debate contains several points, any senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question, but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition.

RECONSIDERATION

37. Who May Move to Reconsider. If a bill shall fail to pass on account of not having received the constitutional majority any senator having voted in the negative shall have a right to move for a reconsideration of such bill.

38. Reconsideration Requires Majority of Senate. Upon a motion to reconsider the vote on the final passage of any bill, a majority of all the members of the senate shall be required to reconsider the same.

39. Motion to Reconsider. When a question has been decided by the senate, any senator voting with the prevailing side may move a reconsideration thereof, or give notice that he will make such motion within the time prescribed by the rules, but no motion for the reconsideration of any vote shall be in order after a bill or resolution upon which the vote was taken shall have gone out of the possession of the senate. No motion for reconsideration shall be in order unless made within the next day of actual session of the senate. Such motion shall take precedence over all other motions and questions, except a motion to adjourn.

40. Notice of Motion to Reconsider. Upon notice, being given by any senator of his intention to move a reconsideration of any vote taken, the secretary shall enter the same in the Journal and shall retain the bill or other papers with reference to which such vote was taken, until the time for reconsideration has expired; provided, that the operation of this rule shall be suspended during the last week of the session.

41. No Motion to Reconsider Within Five Days of Adjournment. No notice of a motion to reconsider shall be received after the 55th day of the regular session of the Legislature.

DEBATES

42. Senators Not to Speak More than Twice. No senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill without leave; and senators who have once spoken shall not again be entitled to the floor (except for explanation), so long as any senator who has not spoken desires to speak.

43. Interruptions and Questions. No senator shall interrupt or question another senator in debate without his consent, and to obtain such consent, he shall first address the president.

44. Author May Open and Close Debate. The author of a bill, motion, or resolution shall have the privilege of opening and closing the debate.

45. Previous Question. The previous question shall not be entertained or be a rule of practice in the senate.

AMENDMENTS

46. Substitute Motions. All so-called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto; except such matter as may be reported by committee.

47. Amendments Must Be Germane. Any substitute or amendment must relate to the same subject as the original bill, resolution, memorial, or constitutional amendment under consideration.

48. Amendments to Measure Requiring Two-Thirds Vote. A constitutional amendment, resolution, memorial, or a bill requiring a vote of two-thirds of the members elected to the senate for the final adoption or passage may be amended by a majority of those voting.

49. Tabling an Amendment Does Not Prejudice Bill. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

50. Rider Amendments. No amendment by way of rider shall be made to any bill on its third reading.

51. Amendments in Order at Second and Third Reading. Amendments shall be in order at the second and third readings of the bill, resolution, or memorial requiring three readings, and it shall be at all times in order, before the final passage of such bill, resolution, or motion, to move its commitment or recommitment.

52. Committee Amendments, How Reported; Speaking on Amendments. Amendments reported by a committee shall refer to the printed bill and shall not be inserted in the original bill until after such amendments shall have been adopted by the senate, when they shall be properly inserted by

the secretary. A copy of the printed bill with all proposed amendments entered thereon shall accompany the committee's report. Such committee amendments shall be inserted in the senators' files before the bill is considered on its second reading and the amendments shall be acted upon by the senate in the same manner as though offered from the floor.

On an amendment being moved, a senator who has spoken to the main question may speak again to the amendment.

53. Amendments Referred to Committees to Be Reported. Whenever any bill to which an amendment is pending shall be referred to a committee, such amendment shall be reported back to the senate with the bill.

54. Order of Action. If any amendment be offered, the question shall be first upon the amendment. If rejection of a bill is recommended by a committee, the adoption of an amendment shall not change the question.

VOTING

55. Roll Call on Final Passage of Bills and Other Questions. The vote upon the final passage of all bills shall be by ayes and nos, the names of the senators to be called alphabetically, except that the president shall be called last. The ayes and nos shall be ordered on other questions when demanded by five senators present. In recording the votes taken by ayes and nos, the secretary shall report those absent or not voting.

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

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

58. Senators Required to Vote. Every senator present when a question is put, or when his name is called, shall vote, unless the senate shall, for a special cause, excuse him, or unless he has a direct personal or pecuniary interest in the event of such question. In case the vote is by ayes and nos, or by a division, a member entering the chamber after the question is put and before it is decided, may have the question stated, record his vote and be counted.

59. Pairs. Absent senators whose votes, if they were present, would be cast on opposite sides of any question may pair by filing a signed statement of the same with the secretary, who shall read the same to the senate before the vote is taken. A blank form of pairs shall be provided by the secretary.

60. Putting Question Division. The president shall put questions in this form, to-wit:

"As many as are in favor (as the question may be) say aye," and after the affirmative vote is expressed, "As many as are opposed say no." If he doubts the result of the vote, or if a division be called for, the senate shall divide; those in the affirmative shall first rise from their seats and be counted, and afterward those in the negative.

CALL OF THE SENATE

61. Call of the Senate. Any five senators may demand a call of the senate and require absent senators to be sent for.

62. Putting Question. Upon a call of the senate being moved the president shall say: "It requiring five senators to make a call of the senate those in favor of the call will rise." And if a sufficient number shall rise the call shall be thereby ordered.

63. Doors to Be Closed. A call of the senate being ordered the sergeant-at-arms shall close the doors and no senator shall be allowed to leave the chamber.

64. Sergeant-at-Arms to Bring in Absentees. The secretary shall immediately call the roll of the senate and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent without leave and who are absent with leave. The secretary shall furnish the sergeant-at-arms with a list of those who are absent without leave, and the sergeant-at-arms shall forthwith proceed to find and bring in such absentees.

65. Senate Under Call; Raising Call; Adjournment. While the senate is under call no business shall be transacted except to receive and act on the report of the sergeant-at-arms; and no motion shall be in order except a motion to adjourn and a motion to suspend further proceedings under the call, which motions shall be determined by the ayes and nos, and the motion to suspend further proceedings under the call shall not be adopted unless a majority of all the senators present vote in favor thereof. A majority of those present may adjourn, but upon reconvening, the senate shall not be considered to be under the call, but the call of the senate may again be ordered in the same manner as above described.

66. Sergeant-at-Arms May Report. The sergeant-at-arms may make a report of his proceedings, at any time, which report may be accepted, and further proceedings under the call thereby dispensed with; but the motion to accept such report shall be determined by ayes and nos, and it shall not be adopted unless a majority of all the senators present shall vote in favor thereof. If such report be not accepted, the sergeant-at-arms shall proceed to a completion of his duties as required by Rule 64.

67. Call Raised When Absentees Present. When the sergeant-at-arms shall make a report

showing that all who were absent without leave (naming them) are present, such report shall be entered on the journal and the call be at an end; and thereupon the doors shall be opened and the Senate shall proceed with the business pending when the call was made.

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ORDER OF BUSINESS

68. Hour for Meeting. The hour for the meeting of the senate shall be at 2 o'clock p. m. daily except Sundays unless a different hour shall be prescribed by resolution or motion adopted by a majority vote.

69. Roll Call; Quorum. Before proceeding to business the roll of the senators shall be called and the names of those present and those absent shall be entered on the journal. A majority of the senators must be present to constitute a quorum for the transaction of business but a smaller number may adjourn from day to day and may compel the attendance of absent members.

70. Leave of Absence. Unless unable to attend on account of illness or other cause, no senator or officer of the senate shall be absent from the session during the entire day without first having obtained leave of absence.

71. Daily Order of Business. The daily order of business in the senate shall be as follows:

1. Roll call.
2. Prayer by the chaplain.
3. Leaves of absence.
4. Reading and approval of the journal of the preceding day.
5. Communications and petitions.
6. Reports of standing committees.
7. Reports of special committees.
8. Motions, resolutions, and notices.
9. Announcement of committee meetings.
10. Introduction of bills.
11. Unfinished business.
12. Consideration of resolutions and memorials.
13. Consideration of bills on third reading.
14. Consideration of bills on second reading.
15. Miscellaneous business.

72. Messages and Reports Received at Any Time. Messages from the governor and from the house of representatives, communications and reports from state officers, reports from the committees on revision and enrolling and on rules, may be received at any time, except when the president is putting the question, or when the ayes and nos are being called; and upon motion may be considered at any time.

73. Unfinished Business. The item of unfinished business in which the senate was engaged at the last preceding adjournment shall have the preference under its regular order in the daily order of business.

74. Action Out of Regular Order. The senate may at any time on motion supported by a majority vote of the senators present proceed out of order to any order of business or return to an order already passed. When the senate shall have reached any particular order of business, any item thereunder may be taken up for consideration out of its regular order upon motion supported by a majority vote of the senators present.

COMMITTEES

75. Standing Committees. The following standing committees shall be appointed by the president of the senate:

1. Agriculture and Irrigation, seven members.
2. Appropriations and Claims, eleven members.
3. Banking and Commerce, seven members.
4. Education, seven members.
5. Fish and Game, seven members.
6. Health and Labor, seven members.
7. Highways, seven members.
8. Judiciary, seven members.
9. Military Affairs, five members.
10. Mining and Smelting, five members.
11. Public Institutions, seven members.
12. Revenue and Taxation, ten members.
13. Revision and Enrolling, three members.
14. Rules and Contingent Expenses, three members.
15. State and Municipal Affairs, seven members.
16. Welfare, nine members.

76. Chairman of Committee. The first senator named on a committee shall be the chairman thereof.

77. Committee Not to Sit While Senate in Session. No committee shall sit while the senate is in session, without special leave.

78. Special Committees. Special committees may be provided for on motion or by resolution, designating the number and the object, and unless otherwise ordered shall be appointed by the president.

79. Committee Quorum; Sub-Committees. A majority of any committee shall constitute a quorum for the transaction of business. Sub-committees who shall report to the regular committee, may be appointed to take charge of any part of the committee's business.

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

80. Business in Committees Report. All business referred to a committee shall be taken up within eight days unless further time is granted by the senate. A committee making a request for an extension of time shall name the day on which the bill will be reported to the senate.

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

The chairman of the Committee on Rules and Contingent Expenses shall report on the 30th and 60th legislative days all disbursements authorized by the Committee.

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

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

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

BILLS, RESOLUTIONS, ETC.; PROCEDURE

84. Eleven Copies of Bill Required. Eleven typewritten copies of every bill, resolution, or memorial shall be furnished the secretary by the senator or committee introducing the same before the bill shall be accepted by the secretary for introduction.

85. Bill Backs. The secretary shall attach to each bill, resolution, memorial or constitutional amendment a substantial back.

86. Introduction and First Reading of Bill. Any senator or committee desiring to introduce a bill shall present the same to the secretary. The secretary shall give it a number and read the title. This shall constitute the first reading of the bill.

87. Reference to Committee on Revision and Enrolling. After the bill has been read the first time it shall as a matter of course be referred to the committee on revision and enrolling, which shall examine the same. The committee by and with the assent of the author, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, punctuation, or in the form of the bill, for the purpose of avoiding repetitions, securing a proper title, insuring accuracy in the text and references and consistency with the language of existing statutes. The committee on revision and enrolling shall also see to it that the provisions of the joint rules covering the underscoring of new matter and the indicating of old matter omitted are observed, and that no bill is printed until these provisions are carried out.

88. Report of Committee on Revision and Enrolling. The committee on revision and enrolling shall report back all bills. The committee report shall give a brief statement of the findings of the committee concerning any point or matter which in the opinion of the committee should be called to the attention of the author or the senate. The committee shall not retain any bill longer than three legislative days unless by the approval of the author.

89. Bills Ordered Printed and Referred to Standing Committee. When the report of the committee on revision and enrolling has been read, the bill shall be referred to a standing committee by the president, and 500 copies thereof, unless otherwise ordered by the senate, shall be printed. A printed copy of the bill, bearing the written approval of the secretary of the senate shall thereupon be substituted for the original, and shall thenceforth be treated as the original bill.

90. Bill Reported by Committee. When bills are reported by committees, they shall be placed at the foot of the second reading calendar, in the order in which they are received. The report of the committee shall be filed with the bill. The bill shall not be read the second time until at least the day following the report of the committee.

91. Second Reading of Bill. When a bill is reached on the second reading calendar, it shall be read in full, after which the report of the committee shall be read and acted upon. The bill shall then be open for general discussion and amendment. The final question on the second reading shall be "Shall the bill be read a third time" and shall be decided by a aye and no vote. If this question is decided in the negative, it shall be deemed a rejection of the bill.

92. Bill Placed on Third Reading Calendar. Each bill, resolution or constitutional amendment ordered read a third time shall be placed at the foot of the third reading calendar. No bill shall be read the third time until the day following its second reading.

93. Reprinting Bill. Any bill that has been materially amended on its second reading may by a majority vote be ordered reprinted or retyped. When a bill has under this rule been ordered retyped, it shall be prepared upon 8½x13 inch paper and the lines should be numbered as in the original bill.

94. Third Reading of Bill; Final Question. When a bill is reached on the third reading calendar, it shall be read by title, unless objection be made, in which event the bill shall be read in full as it passed its second reading. The bill shall then be open for discussion or further amendment. The final question shall be stated thus: "This bill having been read three times, the question is: Shall the bill pass" or "Shall the bill be concurred in" as the case may be.

95. Third Reading of Money Bills to Be in Full. The third reading of all bills appropriating money shall be in full.

96. Amendments Inserted in Bill Before Transmitted to House. Any bill, resolution, memorial or constitutional amendment which shall have passed the senate with amendments shall have such amendments inserted therein in blue before being transmitted to the house of representatives.

97. Recommitment Before Passage. Any bill, resolution, or memorial may be recommitted at any time previous to its passage.

98. Bill Transmitted to House. Each bill which passes its third reading shall be certified by the secretary and by him transmitted to the house. The date of transmission shall be entered on the books of the secretary.

99. Enrollment of Bill; Signed by President. After a senate bill has passed both houses, it shall be duly enrolled under the direction of the committee on revision and enrolling and carefully examined as provided by Joint Rule No. 36. When the bill is reported to the senate as correctly enrolled, its title shall be publicly read and it shall be signed by the president in the presence of the senate, and then transmitted to the house to be signed by the speaker.

100. No Bill to Be Introduced After Fortieth Day. No bill shall be introduced in the senate after the fortieth day of the session, without unanimous consent.

101. All Money Bills Referred to Appropriations and Claims Committee. All bills appropriating money from any fund shall be referred to the committee on appropriations and claims before being read a second time.

102. Resolutions Lie One Day on Table. All resolutions except joint and concurrent resolutions shall lie one day on the table.

103. Action on House Bill. When a house bill has been received by the senate, with a message announcing that it has passed the house, such bill shall be read the first time and referred by the president to a standing committee and its course shall thereafter be the same as that of a senate bill; provided, however, that when a house bill is received, the text of which is stated by a Senator to be identical with that of a senate bill which has already been considered and reported by a standing committee of the senate, such house bill shall be referred to the committee on revision and enrolling for comparison which committee shall report without delay whether or not such bill is identical with the senate bill. If reported to be identical, such house bill shall be substituted for the senate bill and shall take its place on the second reading calendar, provided that the fact that the bills are identical shall be entered in the Journal.

104. No Senate Bills Shall Be Passed After the 55th Day. No senate bill shall be passed after the fifty-fifth day of the regular session of the Legislature.

THE CALENDAR

105. Bills Placed on Calendar. When bills, resolutions, memorials, or other business are reported from committees, they shall be placed upon the calendar, to be kept by the secretary as follows:

All bills when reported to the senate by committees shall be placed at the foot of the second reading calendar in the order in which the reports are made, and after passing their second reading, they shall be placed at the foot of the third reading calendar, in the order of second reading.

106. Precedence in Consideration of Bills; Printed Calendar. Precedence shall be given in the consideration of bills on the calendar in the following order: Third reading calendar and second reading calendar, unless otherwise ordered. The bills upon third reading shall be considered in the order in which they appear upon the calendar, unless otherwise ordered by unanimous consent. If a bill is passed on the calendar, for any reason other than the absence of the author by leave of the senate, it shall be placed at the foot of the calendar, unless otherwise ordered. The secretary shall during each daily session cause the calendar to be written and maintained upon the blackboard showing bills properly listed as provided in rule 105.

107. Special Order. Any subject may by a vote of a majority of those voting be made a special order, and when the time fixed for its consideration arrives, the president shall lay it before the senate.

COMMITTEE OF THE WHOLE

108. Bills on Second Reading May Be Considered in Committee of the Whole. During consideration of bills on their second reading, three

senators may move that any bill or bills in said order of business shall be considered in committee of the whole, and the senate shall resolve itself into a committee of the whole for the consideration of the bill or bills to be so considered.

109. Procedure in Committee of Whole. In forming a committee of the whole, the president, unless otherwise ordered by the senate, shall appoint a chairman to preside, who shall for the time being exercise all the powers of the president necessary to the conduct of the business of the committee. The rules of the senate shall govern as far as practicable, except that a senator may speak more than twice on the same subject, that a call for the ayes and nos cannot be made, nor can an appeal from the decision of the chair be taken. Such committee may strike out the enacting clause of a bill and report that fact to the senate; and if the report be agreed to by the senate, it shall be deemed a rejection of the bill

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

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

EXECUTIVE SESSIONS

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

113. Executive Nominations. When executive nominations shall be sent by the governor to the senate for confirmation, they shall, after being read by the secretary, without motion be referred to a special committee of five appointed by the president, unless otherwise ordered by the senate. In no event shall action be taken on any executive nomination before the third day after its receipt from the governor. After having been reported by the special committee of five appointed by the president, the final question on every nomination shall be: "Will the senate advise and consent to this nomination?" which question shall not be put on the day the nomination or nominations are reported from the committee, unless by unanimous consent. While any nomination remains with the senate it shall be in order to reconsider any vote taken thereon.

SUSPENSION OF RULES

114. Suspension or Alteration of Rules Requires Majority Vote. No standing rule of the senate shall be altered, amended, suspended or rescinded without the vote of a majority of the members elected to the Senate.

RULES OF ORDER

115. Robert's Rules of Order Revised. The rules contained in "Robert's Rules or Order Revised" shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules and order of the Senate

PRIVILEGES

116. Admission to Senate Chamber. No person shall be admitted within the senate chamber (galleries excepted) or the corridors directly to the east or the west of the Senate Chamber between 9 a. m. and the time of adjournment, unless especially invited by a senator. It shall be the duty of the sergeant-at-arms to admit no one except upon the invitation of the senator, except the members and officers of the two houses of the legislature, former members of the senate, the governor, heads of state departments, former governors, members of the congressional delegation, judges of the United States courts and of the state courts, and reporters of the press. Any such person shall only be entitled to the quiet and orderly occupancy of the seats provided for visitors or for representatives of the press, and in no event to the privileges of the floor.

117. Senators' Seats Not to Be Occupied by Others. At no time, whether the senate be in session or not, shall any employe of the senate, or any persons whatsoever, other than the president or a senator, be permitted to occupy the chair or use the desk of the president or that of any senator.

118. Sergeant-at-Arms to Enforce Rules. The sergeant-at-arms and the employes under his direction will be held to a strict enforcement of the two preceding rules.

119. Employes and Visitors Not to Influence Legislation. Any employe of the senate or of its committees soliciting or inviting any senator to vote or use his influence for any bill or matter before the senate shall be at once dismissed from service and employment, and any person entitled to the privilege of the floor of the senate who shall, while on the floor during the session of the senate, solicit or invite any senator to vote or use his influence for any bill or matter before the senate shall forfeit his privilege.

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REGULAR SESSION

OF THE

TWENTY-EIGHTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, January 10, 1919.

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

Secretary of State Heber Bennion Jr., in the chair, called the Senate to order.

Prayer by Rt. Rev. Arthur W. Moulton, former Episcopal Bishop of Utah:

In the Name of the Father and of the Son and of the Holy Ghost Amen. Let the words of my mouth and the meditation of my heart be always acceptable in thy sight, O Lord, my Strength and my Redeemer. Almighty God, the Fountain of all Wisdom, whose Statutes are good and gracious and whose Law is Truth; We beseech Thee so to guide and bless these thy servants assembled as the Senators of the Legislature of our beloved State that they may ordain for our government only such things as please Thee, to the glory of thy Name and the welfare of the people. Thou has given us this good for our heritage. We humbly beseech Thee that we may always prove ourselves a people mindful of thy favour and glad to do thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord and confusion, from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endow with the spirit of wisdom those to whom in thy Name we entrust the authority of government, that there may be justice and peace at home and that through obedience to thy law, we may show forth thy praise among the nations of the earth. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail.

All these things we ask in the Name of our Lord Jesus Christ.

Amen.

Secretary of State Heber Bennion, Jr. presented the following certificate:

CERTIFICATE OF MEMBERSHIP OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH 1949

STATE OF UTAH

OFFICE OF THE SECRETARY OF STATE

I, HEBER BENNION, JR., Secretary of State of the State of Utah, do hereby certify:

That at a general election held within and for said State on Tuesday, November 2, 1948, the following named persons were chosen by the electors as members of the Twenty-Eighth Legislature of the State of Utah, to serve in the Senate from the several districts and for the respective terms as follows:

First District—J. Harold Reese, County of Box Elder. For the term of four years.

Fourth District—L. Rulon Jenkins, County of Weber. For the term of four years.

Fifth District—Lynn Orser, Counties of Duchesne and Uintah. For the term of four years.

Sixth District—J. Arthur Bailey, Taylor P. Brockbank, Lorenzo E. Elggren, and P. S. Marthakis, County of Salt Lake. For the term of four years.

Tenth District—Lewis H. Larsen, Counties of Sevier, Garfield, Wayne, Kane, and Piute. For the term of four years.

Eleventh District—L. N. Marsden, Counties of Iron and Washington. For the term of four years.

Thirteenth District—Fred J. Milliman, Counties of Juab and Tooele. For the term of four years.

Fourteenth District—Marl D. Gibson, County of Carbon. For the term of four years.

Fifteenth District—James E. Burns, County of Davis. For the term of four years.

AND I FURTHER CERTIFY that by virtue of an election held on Tuesday, November 5, 1946, at which persons were chosen as members of said body, for the term of four years then next ensuing, the following are entitled to serve for the unexpired term, from the several districts, to-wit:

Second District—Hyrum Gibbons, County of Cache. For the term of four years.

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

Fourth District—J. Francis Fowles, County of Weber. For the term of four years.

Sixth District—Rue L. Clegg, Elias L. Day, and Newell Knight, County of Salt Lake. For the term of four years.

Seventh District—B. Manning Jolley and David H. Jones, County of Utah. For the term of four years.

Eighth District—Orrice C. McShane, Counties of Beaver and Millard. For the term of four years.

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

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

As appears of record in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah this 10th day of January A. D. 1949.

HEBER BENNION, JR.,
(Seal) Secretary of State.

Roll Call—All Senators present.

Justice George W. Latimer, of the Supreme Court of Utah, administered the oath of office to the newly elected senators.

Secretary of State Heber Bennion, Jr. then declared that nominations for the office of President of the Senate were in order.

Senator Fowles nominated Senator Hopkin.

On motion of Senator Melich the rules were suspended, nominations closed and Senator Hopkin elected President by acclamation.

A committee consisting of Senators Melich, Elggren and Fowles was appointed to escort the President-elect to the chair, and the oath of office was administered by Justice George W. Latimer.

President Hopkin expressed his gratitude and appreciation for the confidence reposed in him.

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

1. Appointment of committee of three on Senate Rules.
2. Appointment of committee of three on Joint Rules.
3. Appointment of additional committees.
4. Recess for thirty minutes.
5. Report of committee on Senate Rules.
6. Report of committee on Joint Rules.
7. Reports of other committees.
8. Miscellaneous business.
9. Adjournment.

The President appointed a committee consisting of Senators Jenkins, Jolley and Gibson to formulate the Senate Rules.

The President appointed a committee consisting of Senators Elggren, Day, and Bailey to formulate the Joint Rules.

The President appointed a committee consisting of Senators Brockbank, Fowles and Milliman, on Patronage and Employees.

The President appointed a committee consisting of Senators Marthakis, Gibbons and Knight to notify the House that the Senate was organized and ready to do business.

The President appointed a committee consisting of Senators Melich, Lund and Reese to act with a like committee from the House to notify the Governor that the Legislature was organized and ready to do business and to ascertain the time when the Governor will deliver his message to the Legislature.

On motion of Senator Fowles, the Senate recessed for ten minutes.

The Senate re-assembled.

The President recognized a committee from the House, Representatives W. G. Larson, Durham and Davis, which reported that the House was duly organized and ready to do business.

REPORTS OF SPECIAL COMMITTEES

January 10, 1949

Mr. President:

We, your Committee on Senate Rules, beg leave to report that we have carefully considered the Senate Rules and recommend that the rules as adopted and printed in the senate journal of the Twenty-seventh

session be temporarily adopted as the rules of the Senate of the Twenty-eighth session of the legislature of the State of Utah.

Respectfully,

L. RULON JENKINS,
Chairman.

Committee report read and adopted.

January 10, 1949

Mr. President:

We, your Committee on Joint Rules have carefully considered the Joint Rules of the Senate and House of Representatives and recommend that the joint rules as adopted and printed in the book of rules of the Twenty-seventh legislature be temporarily adopted as the joint rules for the Twenty-eighth Session of the legislature, except that Rule No. 45 pertaining to the legislative budget committee be deleted.

The Committee will give further consideration to the joint rules and make a further report if it is deemed necessary.

Respectfully,

LORENZO E. ELGGREN,
MAURICE ANDERSON

Committee report read and adopted.

January 10, 1949

Mr. President:

We, your Committee on Patronage and Employees, beg leave to report that we have carefully considered the names of the applicants for the following offices in the Senate, and that we have selected the following persons for said offices:

Secretary of Senate—J. A. McMurrin.

Chaplain—C. Clarence Neslen.

Reference Attorney—S. D. Huffaker.

Sergeant at Arms—Robert R. Fitts.

Assistant Sergeant at Arms—G. G. Sweeten.

Minute Clerk—Quentin L. R. Alston.

Docket Clerk—Hendrik Romeyn.

Office Clerk—Hazel Wyrick.

Mailing Clerk—Hazel Osguthorpe.

Assistant Mailing Clerk—Gertrude Foote.

Supervising Clerk—Mrs. Harold Leonard.

Committee Clerk—Glennis J. Thomas.

Committee Clerk—Maud R. Redd.

Filing Clerk—Dorothy K. Cayias

Messenger—Mrs. Gwen Kelsey.

Messenger—Marribell B. Stevenson.

Messenger—Mrs. A. C. Jensen.

Messenger—Darlene G. Smith.

Doorman—Thomas Dix.

Doorman—Jed Mortensen.

Doorman—O. F. McShane.

Doorman—Abner L. Howell.

Doorman—Gailord Taylor.

Elevator Operator T. F. Laub.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Committee report read and adopted.

On motion of Senator Brockbank the foregoing were elected as officers and employees of the Twenty-eighth Legislature of the State of Utah.

Justice George W. Latimer then administered the oath of office to the officers and employees of the Senate.

Senator Marthakis reported that the committee appointed by the President had advised the House that the Senate was organized and ready to do business.

Senator Melich 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 January 11, 1949 at 10 A.M.

Senator Marthakis moved that when the Senate adjourns today, it stand adjourned until Tuesday, January 11, 1949 at 9:45 A.M.

Motion carried.

The President then appointed Senators Clegg and Orser to revise the Journal for the week commencing January 10, 1949.

On motion of Senator Gibson a vote of thanks was extended to Secretary of State Heber Bennion, Jr., Justice George W. Lattimer, and Right Reverend Arthur W. Moulton.

Senator Knight announced that the facilities of KDYL were being made available throughout the entire session for a fifteen minute weekly panel discussion of the various issues which may be considered by the Senate. The first panel discussion will be on Wednesday, January 12, 1949 from 6:00 to 6:15 P.M., Senator Knight to act as moderator with Senators McShane, Melich, Elggren and Brockbank completing the panel in a discussion of Utah's "Liquor Problems."

On motion of Senator Fowles the Senate adjourned.

SECOND DAY

January 11, 1949

The Senate was called to order at 9:45 A.M. President Hopkin in the chair.

Roll Call—All Senators present except Senator Bailey who was excused on account of illness.

Prayer by the Chaplain.

January 11, 1949

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,

RUE L. CLEGG
LYNN ORSER

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 10, 1949

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. 1*, by Messrs. Faust, Kerr, Johnson, and Reese, entitled, "A JOINT RESOLUTION OF

CONDOLENCE TO THE FAMILY OF JOSEPH E. REES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were none.

Absent and not voting: Senator Bailey, excused.

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

On motion of Senator Knight, President Hopkin appointed Senators Lund, Marsden and Milliman to attend the funeral of Representative Joseph E. Rees on January 12, 1949 at Morgan, Utah.

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

JOINT CONVENTION

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

Prayer by C. Clarence Neslen, Chaplain of the Senate:

Our Father in Heaven,

We stand humbly in our places this morning as we resume our legislative duties for another day.

We have been told and we believe that Prayer is the soul's sincere desire, whether spoken or unexpressed. Forgive us for thinking of Prayer as a waste of time and help us to see that without it our labors are a waste of effort.

We desire to be near unto Thee and discharge our full duties in these chambers and elsewhere as becomes True Christians.

Create within us clean hearts and renew our spirits and give us fully of Thy Wisdom, Thy Intelligence, Courage and fairness.

Touch these Thy servants with Thy Holy Spirit that their faith may be revived, their hopes renewed, their wisdom made clear and challenging.

May we be careful, thoughtful, humble, and honest and forbid that any of us here by ill temper, selfishness, or reverence or thoughtlessness, should add to the problems of the hour, but rather may we resolve that with Thy help we may become part of the answer to these problems.

Out of the depths of our needs, out of the depths of our hopes, and out of our failures we come to Thee for help, for inspiration, and courage.

May we be prompt, dilligent, humble, prayerful and studious, and courageous that our work this day may please Thee and may it be right and proper for the best permanent good of the people of the State, who have entrusted us with great honors and responsibilities.

Bless our Presiding Officer and all those Legislators both individually and collectively.

Bless their families and those of our commonwealth who are in distress or sorrow. Give them Thy comforting and encouraging Peace.

As members of this Legislature and as citizens of our great Commonwealth we unitedly invoke Thy choicest blessings and Thy constant help upon our respected and honored Governor.

May he be a pioneer of today as his forbearers were pioneers of yesterday.

Give him Wisdom, Intelligence, Courage, Foresight and a renewed faith in Thee and Thy plans and wishes for our great State.

May he and his associates ever remember that Parties, Groups, and Societies should have as their objective the development and Salvation of the State, not their own successes.

May Governor Lee be Thy Servant in very deed and under Thy inspiration furnish a leadership that will bring unity, happiness and prosperity to our beloved Utah.

Let Thy Will be done here as it is in Heaven. We ask it all in the name of Christ our Redeemer.

Amen

On motion of Senator Melich, the President of the Senate appointed a joint committee consisting of Senators Day, Gibson and Marsden and Representatives Cazier, Baker and Patterson to notify the

Governor that the legislature is in Joint Convention and ready to hear his message.

The joint committee returned escorting His Excellency, Governor J. Bracken Lee, who was presented to the Joint Convention by President Hopkin.

The Governor then delivered the following message:

Ladies and Gentlemen of the Legislature:

The Constitution of our State requires that your Governor address you at your regular sessions, to review conditions of the State and make recommendations which he deems necessary or advisable for the welfare of the people of the State. In speaking to you today, I do so as the representative of the Executive Branch of our Government, and as such I have not had, and do not now have, any desire or inclination to influence the selection of personnel or the procedure to be followed by the august bodies of which each of you is such an important part. Separation of the three branches of Government is not only fundamental in our system, but is fundamental in my heart. I am unalterably opposed to any policy, past, present or future, that includes the extension of favor by the Executive to any member of the Legislature for any purpose whatsoever, good or bad. Such a policy weakens not only the structure upon which our great State is built, but tends to weaken the foundations of our national edifice. Not only should the Chief Executive attend to his own duties alone, — he should in no manner engage in any business or activity where the State is a principal with a view toward reaping private and individual gain. This inhibition should extend to the Governor's family and close friends, and I pledge obedience to this principle. To insure maximum service to the people of this State, members of the Legislature and members of the Judiciary should, and I am sure will, adhere strictly to such a principle.

I have said many times, and I repeat, that the two-party system of government is the best yet devised by man. Likewise, I have stoutly maintained that although partisanship is essential in the selection of government officials, once they are chosen by

the people, partisan politics should never dominate or interfere with the general welfare of those people. They are our masters, we their servants, and so long as this great truth remains crystal clear in our minds, we will never fail those to whom we owe our present positions. The people elected us and we are obligated to reflect our gratitude by giving them an honest and efficient government, designed truly to serve all the people. We must turn a deaf ear to selfish pressure groups and individuals whose personal interests outweigh the general welfare.

Let me quickly and earnestly remind you that we are faced with demands from our various agencies for revenue that far exceed our potential or anticipated income, even though the latter must come from our citizens and industries already burdened with taxes dangerously threatening our whole economy. The Constitution requires, and good business sense demands, that we live within our income. Recommendations in this message will be directed toward a sound economy, a business-like administration, and an efficiency in government, which might well result in favorable appraisal of your actions and mine by those to whom we are indebted.

FINANCE

Living within our income brings us face to face with the present status of finances of the State, alarming as to expense as it is distorted as to revenue. We cannot anticipate our obligations on the basis of the easy income of the past few years. The last fiscal year saw a colossal $57,000,000 income from all sources, $32,000,000 of which was collected in taxes. This latter figure is about double the figure of eight years ago. Such income invites temptation to create new services and extend those we have. I am no prophet of adversity, but can visualize its possibility, necessitating a sane and intelligent approach to the future. No imagination can dispel the fact that a national decline in prices or even a slight increase in unemployment would result in a sharp reduction in State revenues, simultaneously calling upon the State for created employment and expansion of its welfare program.

The amount appropriated during the last bi-ennium for welfare exceeded the total amount collected by the State of Utah from all sales tax sources in any bi-ennium to date, except for the last two years. Yet previous Legislatures have determined, and wisely so, that a portion of this sales tax revenue is vitally necessary for other functions of government. We must face the problem squarely. Operations of the State must be placed on a basis which can be met in a normal year with reasonably normal income. For whatever period the abnormal income of the past few years may continue, we must create a reserve to cushion our State and our people against possible recession in prices and employment.

Unless our present taxes and expenditures are stemmed, the State in a more nearly normal economy, well might wreck itself financially by attempted spending in excess of revenues it reasonably could hope to anticipate. The Legislature and the Governor must have the courage and the ability to say "No."

Only two ways present themselves to build the reserve of which I speak. New and greater taxes can be levied, or expenditures can be curtailed through efficiency and economy in our Government. The first course is suicidal in view of present burdensome taxes, which, in no event, could be paid in a normal economy. The alternative — curtailment of unwise expenditures, with elimination of extravagance, is the only solution that will give to our people this reserve to which they are entitled.

EARMARKING

One of the factors that has led to the distortion in financing has been the practice of earmarking funds. This practice over a period of years has resulted in an abnormal situation where only 20% of the State's income is available for the general fund. Sales, gasoline, income, and franchise taxes, registration funds, liquor profits, fees, licenses and other revenues have been earmarked for specific purposes. Earmarking of public funds has become a practice so common as to inspire in the departments to which they are allocated an air of proprietorship, which almost

invariably results in a determined effort to spend all such funds whether needed or not. Instances have been known to exist where a department has wasted unused earmarked funds because of a fear that failure to spend them all might reflect a lack of need and result in a curtailment for the ensuing period. Others have been known to spend unused funds wastefully, simply to convince the Legislature that a greater fund must be earmarked for the future. A thorough examination of present laws providing for earmarking of funds should be made, and such practices should be eliminated to the greatest extent possible.

In this connection, let me say that we have certain necessary functions of Government, such as administration, roads, health, schools, relief and so forth. I believe it to be elementary that the Legislature should hold absolute control over the amounts expended for these functions, and should determine to what extent the income of our State is appropriated for each function. Since the income of our State comes from all the people, since the State's functions are for the common benefit of all, and since you are their chosen representatives and closest to them, I urge that you exercise the control I have mentioned. I say this in all sincerity and candor, even at the expense of eliminating certain controls over such funds that I might inherit if past practices were continued. The last Legislature made some progress in restoring to itself the control over public expenditures which I believe is rightfully yours. I strongly urge this Legislature to go further in restoring to it this control and authority.

NEW AND ENLARGED SERVICES

Along with the custom of earmarking has grown the practice of a department of Government setting forth amounts needed for normal functions of the department, then supplementing these amounts with requests for specific appropriations for specific items, which, upon analysis, prove to be nothing more than normal functions themselves. This presents an illusion of economy to the public, obscuring the true picture with camouflage of specific

appropriation. Once such earmarking becomes a part of our budget, it generally becomes fixed, only to grow to a point where the specific appropriations far exceed the so-called basic appropriations and produce the illusion I have mentioned. This is illustrated, for example, in the State Engineer's basis appropriation of $155,000 for the last bi-ennium, with special supplemental appropriations of $356,000. Other departments have adopted the same practice. In my opinion, whatever a department needs to carry out its function, is basic, not special, and should be publicly requested as such.

We also must guard against apparently harmless creations of new services initiating with a minor appropriation, conceived perhaps, out of a desire to extend a gesture of good will toward an experiment in Government, or to some group. Almost invariably, these innocent looking appropriations result in a demand for an increase, becoming in a short time unwieldy and burdensome.

Every department or function of State Government which has been created by the Legislature, is entitled to the same equitable and fair consideration. It should not be allowed to increase its activities and expenditures to the point where we find ourselves financially on the horns of a dilemma, necessitating curtailment or elimination of other necessary activities in order to support one operation, the growth of which is nurtured on pressure.

WELFARE AND WELFARE INSTITUTIONS

The State of Utah is obligated to care for its aged and needy. This obligation must be conditioned upon our ability to provide necessary funds for that purpose. As I have already stated, Welfare Department requests substantially exceed a normal year's sales tax collections. Funds should be allocated to this department with due consideration for the equitable allocation of funds for other necessary functions of state government. I therefore recommend that the Legislature carefully study the entire field of public welfare and assistance. Those who are really in need are

those who should be assisted, — not those who through their own efforts could assist themselves.

There have been abuses in the welfare practices. Without expressing any opinion as to the merits or demerits of the Lien Law, but simply to illustrate my point, such abuses were evidenced by the fact that after enactment of the Law, more than 1900 recipients of benefits voluntarily removed themselves from the assistance rolls, few to have returned a year and a half after its passage.

In the discharge of our solemn obligation to those in need because of adversity, we should shun partisan politics. To interject politics into relief, and to exploit old folks and those in need for political purposes, are, to me, reprehensible practices. To strike fear perennially into the hearts of the aged and infirm, by threat of withdrawal of benefits to which they are entitled, is cruel and inhuman. If you can devise a method that will completely divorce relief from politics, it will have my blessing.

Some years ago Governor Dern was instrumental in procuring a survey prepared by specialists, in which it was recommended that such institutions as the State Hospital, the State Training School at American Fork, the Tuberculosis Sanatorium at Ogden and the Industrial School be placed under the control of a non-partisan board of capable, community-minded citizens, whose duty it was to administer the affairs of each institution for the benefit of those residing at the institutions. In 1941 our Legislature removed the control from these boards, placing it under a politically bi-partisan Welfare Board. I believe that this change in administration has not been to the interests of the institutions or their residents. Politics have filtered into these institutions, and in many cases personnel has been assigned because of political consideration, rather than on a basis of competence and efficiency. I therefore recommend that you place control of these institutions under non-partisan boards, consisting of patriotic citizens appointed by the Governor by and with the consent of the Senate, who shall meet periodically without com-

pensation, except as to necessary travel expense. It is recommended further that such boards, with the consent of the Governor, select a director of each institution, purely on the basis of ability and training and without regard to partisan politics. The director shall have, with the consent of the board, authority to select personnel of competence and ability. I further recommend that our Statutes be amended to allow for appointment of the director of such institutions on the basis of business ability, not necessarily requiring expert medical training.

STATE ENGINEERING DEPARTMENT

One of the major functions of our State Government is the maintenance and construction of highways. The amount of money expended by the Highway Department is second only to that of Welfare. Opportunities for assistance through federal aid are directly contingent upon the ability of our State to match funds.

The condition of our highways is either an asset or liability to our State. In some of our outlying areas not served by railroads, economic existence depends on good feeder roads for easy interchange of business. No more important problem confronts us than an intelligent, efficiently planned, long range highway program, keyed to our ability to pay, and developed impartially for the benefit of every section of the State.

I believe everyone will agree with me that the past history of our highway program has been unsatisfactory. I believe this is due to a mistaken method of administration. My recommendation to this Legislature is that the present commission be abolished, to be replaced by a seven-man commission, one member to come from each Judicial District of our State, to be appointed by the Governor by and with the consent of the Senate. Such commission should meet at least once each month, its members to be compensated on a per diem basis for actual meetings attended, plus actual and necessary travel expenses. The Commission and the Governor shall formulate and supervise the general policy of the department and should develop a master

plan for a highway program to extend over a period of years. The commission should select an Engineer, with the approval of the Governor, on a basis of experience and competence. He would be compensated adequately in accordance with his abilities and responsibilities.

EDUCATION

HIGHER EDUCATIONAL INSTITUTIONS

Chapter 79 of the 1947 Session Laws ostensibly was passed to provide for distribution of available funds among the various junior and senior colleges. A formula was devised to arrive at what is known as a basic budget, providing for retention and use by the colleges of dedicated credits, such as tuition, fees, federal grants, and so forth.

While the law itself merely provides a yardstick to determine distribution of the total legislative appropriation for the support of the institutions, a construction has been placed on the formula calling for an appropriation to the full amount arrived at by the basic budget formula, plus all fees and dedicated credits. I am convinced that the Legislature did not intend such an interpretation. Such construction is basically unsound, and would have the effect of increasing the appropriation to our junior and senior colleges by $4,200,000. The basic budget formula is a tempting invitation to acquire additional properties, buildings and floor space for no other reason than to increase the amount to be appropriated to an institution.

I recommend the repeal of the entire Section as being basically unsound. A Section calling for appropriations based on efficient need and limited by the ability of the State to finance that need should be substituted. It is further recommended that provision be made whereby the Legislative and Executive branches assume complete control of the so-called dedicated credits, so as to adjust appropriations according to actual need. In addition, I recommend that the same financial and budgetary control be exer-

cised over these institutions as is exercised over every function of our State, and that any attempt to divorce this matter from Legislative or Executive control be strongly resisted.

PUBLIC INSTRUCTION

Utah enjoys and has enjoyed a high standard of public instruction for many years. In the last few years a tendency has crept into our school system to depart from basic principles of public education. I therefore recommend that you carefully investigate the tendency to experiment in new fields of education, and also to investigate the excessive supervision costs which I believe presently exist.

While I realize that many plans of education have merit, I am wondering whether these so-called special school plans might not take a greater portion of our tax dollar than we can afford, thereby jeopardizing our whole basic public school system. This tax dollar, considering present available funds for education, must be spent on fundamental and basic training where it will do the most good.

UTAH LIQUOR CONTROL

May I respectfully take this opportunity to report to you, that because of the unsatisfactory administration of the Liquor Control Act, reflected in recent Grand Jury investigations, I deemed it proper to install temporarily a new bi-partisan Liquor Commission on January 4th, 1949. Arrangement was made with two leading auditing firms of the State to conduct an independent inventory of liquor stocks in all stores, agencies and the warehouse of the Commission. In order to accomplish an orderly inventory, it became necessary to ask that all stores and agencies be closed for 72 hours. Sound business practice prompted this action, which I hope meets with your unqualified approval.

The administration of our Liquor Control Act has been a troublesome function in the past, and has been the subject of special investigations by your Legislature, resulting in startling

findings by the Committees appointed. As I have said many times, there is no good way to handle liquor, — only a best way. In a sincere effort to find the best way, I have appointed a non-partisan, representative committee of 20 citizens, chosen from various religious, business, labor and other interested groups, and geographically coming from all parts of the State. I am satisfied that this committee is composed of persons whose only concern is the ultimate welfare of the people of the State. This committee has been requested to study the entire liquor problem as it affects our State and its citizens. The committee has instructions to report to you, with a view toward recommending its findings as the best solution to the question. I sincerely hope that you will approve this course of action on my part. Also, I hope you will support my opinion that the function of the Liquor Control Commission is one of merchandising, to be run, like any business, on a practical business basis, devoid of any partisan politics or outside pressure.

INSURANCE COMMISSION

At present the operation of our Insurance Department is conducted under the Business Regulation Commission. It is consolidated with such activities as registration, securities, trade commission problems, public service control, and so forth. In my opinion, the office of the Insurance Commissioner should have the dignity, as it does in other states, of an independent agency, with authority to act without subservience to or fear of reprisal from any superior.

I therefore recommend that the Legislature set apart the function of the Insurance Department as an independent agency to be administered by an Insurance Commissioner or Director, who shall be a man qualified and trained in the field of insurance, appointed by the Governor by and with the consent of the Senate.

In doing this, the Business Regulation Commission should be retained to be administered by three Commissioners for flexibility and proper administration of this department. Two of these Commissioners should act as ex-officio members.

DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT

A study of our Publicity and Industrial Development Department convinces me that benefits resulting from its operation have not been commensurate with costs of operation. I am also convinced that our financial situation being as it is, the funds expended, with relations to benefits received, would have better served a more useful and necessary purpose. The appropriation for opration of this department for the bi-ennium exceeded $600,000. Requested funds for the next bi-ennium exceed $1,186,000. I recommend that this department be abolished and that in lieu of the suggested appropriation, $100,000 per year be appropriated for direct advertising of our State, the fund to be administered by the Governor, or any other department of government which you may decide can best handle the funds.

OTHER DEPARTMENTS

With respect to other departments, it is recommended that study be given to the advisability of reducing the number of Commissioners, where possible, retaining a three member Commission only where the Legislature deems it essential and advisable.

AUDITING

The State of Utah has substantial trust funds, such as State Insurance Funds, State Land Board, and Compensation Funds, which I have been informed have not been audited independently for many years. I understand also that substantial losses have been suffered which should be written off. It is my recommendation that this session of the Legislature investigate this matter thoroughly and make provision for an independent audit of each of these funds, to the end that the people of the State may clearly know the extent and nature of the funds involved.

BUILDINGS

New building construction requests from various departments of the State exceed $12,000,000. With the exception of the State Prison, a matter of primary importance, I recommend that no new construction program be inaugurated until (1) normal and efficient needs of the State and its various departments and institutions have been provided for, and (2) until provision has been made for the cushioning reserve about which I have heretofore spoken.

After these two mentioned requirements have been met, any surplus would be available for building construction, keeping in mind the selection of buildings on the basis of greatest need.

UTAH WATER AND POWER BOARD

Chapter 111 of the 1917 Session Laws created the Utah Water and Power Board for the development and conservation of water assets in our State. Such purposes are not only laudable, but necessary for the future welfare of this State, and should be retained. However, the section mentioned merely provided for a lump sum appropriation for the use of this Board, without consideration as to plan or project being first submitted to the Legislature for examination. The Board was authorized to make surveys and estimates of projects and to thereafter enter into binding construction contracts, with the approval of the Board of Examiners, within the limit of the appropriation. Frankly, I believe that such procedure represents a reversal of sound, business-like methods. I also believe that the Legislature should have the prerogative of examining all plans and projects before State funds are committed. It is my recommendation that the Legislature amend this section in a manner that will retain unto the Legislature complete control over this function and of the funds expended for its operation, requiring that the Utah Water and Power Board submit to the Legislature and to the Governor all specific requests for funds, supplemented by detailed plans and specifications justifying the expenditure of such funds.

STATE PRISON

The existing condition at the Utah State Prison is a disgrace to the citizens of our State, denying to those who are confined a decent opportunity for rehabilitation. I suggest that the Legislature make a special investigation of these conditions and take immediate steps for the completion of the new prison at the Point of the Mountain.

TAXES

The present tax burden being as it is, it is my recommendation that no new or additional taxes be imposed upon our citizens.

Income tax laws should be amended to eliminate the necessity for notarizing tax returns. In lieu thereof, the signature requirements and attendant responsibility should be made to conform to those now used by the Federal Government. Likewise, the Statute of Limitations on additional assessments on income tax returns should be increased to conform to that found in the Federal Statutes.

STATUTES OF LIMITATIONS ON PUBLIC OFFICIALS

A public official is charged with a public trust. The seriousness of his relationship to the people who permit him to handle their affairs and their funds is such that he should be accountable for derelictions until such time as his activities can be investigated. Otherwise, he should not run for office. Present statutes of limitation relating to public offenses committed by public officials are entirely too short. The period of time over which a public official shall be held accountable for misappropriation of public funds or other similar derelictions in duty should be doubled or trebled. It is my recommendation that such statutes of limitation receive your careful attention with a view towards their extension.

GRAND JURY AMENDMENT

The people of the State endorsed a Constitutional Amendment at the last election, looking toward a revision of the Grand

Jury system. Since this was a mandate of the people, it should, and will no doubt, receive your attention. It is a problem for the Legislature, which I merely mention as being your prerogative, without recommendation from the Executive branch. The same observation applies to the matter of non-partisan selection of the Judiciary which the people endorsed in a previous election.

REAPPORTIONMENT OF REPRESENTATIVES

It has been brought to my attention that some study should be given to reapportionment of State representatives based on population. During recent years, population shifts have been numerous and varied, but generally speaking, the population of Utah has increased. There may be a need for increase of representation throughout the State, depending upon the increase in population. It is my recommendation that attention be given to the Constitutional provision so as to more nearly adhere to the letter and spirit of the law.

In this connection, the present Legislature should take whatever steps may be necessary in order that reapportionment can be effected by the next regular session of the Legislature, perhaps taking advantage of the next Federal census so as to minimize the cost of such reapportionment.

COLORADO RIVER COMPACT

Our future industrial and agricultural growth is substantially dependent upon the development of projects upon the Colorado River, which when fully and finally completed will provide us with much needed power and water. To you will be presented for ratification the upper Colorado River Basin Compact.

Last October, the Compact was signed by all five of the upper basin states. If ratified by these states and the Congress of the United States, it will become the law of the River. I urge you to give to the compact your most careful and studied consideration, for upon its final ratification you will have fixed for all time Utah's rights to the waters of the Colorado.

JUVENILE COURTS

Except in some few instances, particularly in populous areas, our present Juvenile Court system now costing the State approximately $260,000 biennially, is expensive and too frequently inefficient, and unproductive of the benefits for which it was initiated. Recommendation is made that a complete study be conducted with respect to this system. Serious consideration should be given to return the functions of these Courts to the District Courts, which are composed of experienced jurists chosen by the people and who are fully competent to sit in judgment on juvenile matters. These district Judges are equally capable of surrounding themselves with limitations on publicity, cooperation with local police, parents, welfare groups and others for the ultimate benefit and welfare of our children.

STATE OFFICIALS AND EMPLOYEES

In the past, a few members of our State Government have accepted fees from individuals, groups, or corporations for services rendered in writing, sponsoring, or supporting Legislation. Likewise, departments of government have created pressure lobbies to gain an undue advantage over other departments. I believe such practices to be wrong and savor too much of using the prestige of position with the State to influence the Legislative branch of government. The evil of such practices should receive your very serious attention.

I believe it is false economy to underpay those who serve the State, the same as is true in any other organization or business. If we are to get and keep qualified people, we must pay them adequately. It is recommended that a survey be made as to compensation paid to elective and appointive officials and employees, and that increases in pay be provided in cases where salaries are below the standards in industry generally. In my opinion, the attraction of competent workers always reduces the number of personnel and thus accomplishes an ultimate saving in cost.

CONCLUSION

I have endeavored in the foregoing message to direct your attention to some of the matters which I feel important to the welfare of the people of this state. No doubt, as your session progresses, I will find it necessary to solicit your indulgence in bringing other matters of importance to your attention.

Many of us are new in the field of State government, and we should move forward carefully and cautiously. Every proposal should receive thorough and thoughtful consideration, with emphasis placed on the elimination of haste. Far better that we defer Legislation than to pass laws that will not be for the benefit of all the people of the State. Legislative sessions are all too short, considering the magnitude of the job you are undertaking. I am sure you will survey every possible phase of suggested legislation. If time does not permit a searching inquiry, I am prepared to ask you to return in Special Session next fall, and in this connection may I respectfully suggest that no law at all is better than a bad law.

I can assure you that I have taken office with humility, and with but one desire, — to give every ounce of energy I have to the people of this State, — ever mindful that my duty to them is greater than to self or Party. I pledge myself to extend every effort to enforce the law, — firmly but fairly, regardless of personality and without fear or favor. There can be no compromise with any law, and winking at it only breeds disrespect for all laws. If there are violations of existing laws during my administration, I shall expect all those charged with law enforcement to do their duty in bringing to justice those who offend against our laws. Many laws have been violated openly, flagrantly and continuously. Some seem to have little public support. Without public support, they should be eliminated either by the Legislature or by the people themselves under accepted Constitutional and statutory procedures.

Many requests have come to me urging support of specific legislation desired by certain groups. I have not endeavored to

cover any of these in this message, principally because some are unrelated to the common welfare. Any and all suggested legislation of interest to the people is of interest to me, and may be the subject of future messages from time to time.

I assure you the fullest cooperation from me personally and from my office and all of the departments and agencies of our State. Let us join together in mutual cooperation, without regard to partisan politics, influenced only by our mutual obligation to give all the people of the State a sound, careful, efficient and honest administration of their affairs.

The Joint Committee then escorted Governor Lee to his chambers.

On motion of Senator Fowles the President of the Senate announced the Joint Convention dissolved.

The Senate reassembled at 11:25 A.M. with all Senators present except Senator Bailey, excused.

INTRODUCTION OF BILLS

S. B. No. 1 By Messrs. Hopkin and Melich

AN ACT RATIFYING THE UPPER COLORADO RIVER BASIN COMPACT ENTERED INTO AT SANTE FE, NEW MEXICO, ON OCTOBER 11, 1948, BY THOSE STATES OF THE UPPER COLORADO RIVER BASIN, NAMELY, ARIZONA, COLORADO, NEW MEXICO, UTAH AND WYOMING, BY THE REPRESENTATIVES OF THOSE STATES, WITH THE APPROVAL OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Fowles it was agreed that when the Senate adjourns today, it stand adjourned until Wednesday, January 12, 1949 at 2:00 P.M.

On motion of Senator Day the Senate adjourned.

THIRD DAY

January 12, 1949

The Senate was called to order at 2:00 P.M. Senator Melich in the chair in the absence of President Hopkin, excused.

Roll Call—All Senators present except Senator Bailey, excused, President Hopkin and Senators Lund, Marsden and Milliman, excused while attending the funeral of the late Representative Joseph E. Reese at Morgan, Utah.

Prayer by the Chaplain.

January 12, 1949

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,

RUE L. CLEGG
LYNN ORSER.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 12, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 2*, by Messrs. Faust, Kerr, Johnson, and Reese, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF FRANK W. PENROSE," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Marthakis, McShane, Melich, Orser and Reese.

Those voting in the negative were none.

Absent and not voting: Senators Bailey, Lund, Marsden, Milliman and Mr. President, excused.

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

On motion of Senator Fowles, the mailing list for each Senator was not restricted for the present.

PRESENTATION OF RESOLUTIONS

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

A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES LIMITING THE NUMBER OF TIMES A PERSON MAY BE ELECTED TO THE OFFICE OF PRESIDENT OF THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 2 By: Messrs. Brockbank, Elggren and Marthakis

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 Enro'ling.

S. R. No. 1 By Mr. Clegg

A RESOLUTION BY THE SENATE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REPEAL THE WAR POWER ACTS ENACTED DURING WORLD WAR TWO, RESTORING TO THE PEOPLE THEIR PEACE TIME CONSTITUTIONAL RIGHTS AND RETAINING ONLY SUCH OF SAID LEGISLATION AS IS NECESSARY FOR THE NATIONAL DEFENSE AND SECURITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 2 By Messrs. Clegg and Knight

A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO AMEND THE RENT CONTROL ACT BY PROVIDING FOR THE

REMOVAL OF OCCUPANCY RESTRICTIONS ON RENTAL UNITS IN FAVOR OF VETERANS WITH FAMILIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 3 By Mr. Clegg

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES URGING THAT NATIONAL RENT CONTROL BE ABANDONED AND THAT THE JURISDICTION OF THE SAME BE RETURNED TO THE PEOPLE AT THE EARLIEST POSSIBLE DATE, AND THAT DURING THE INTERIM ACTION BE TAKEN TO RESTORE SOME DEGREE OF ECONOMIC JUSTICE TO THE OWNERS OF RENTAL PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 4 By Mr. Clegg

A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CONGRESS OF THE UNITED STATES NOT TO PASS CERTAIN LEGISLATION NOW PENDING BEFORE THE NATIONAL CONGRESS WHICH IN EFFECT PROVIDES FOR STATE MEDICINE BUT RATHER TO ENCOURAGE PRIVATE COOPERATIVE HEALTH INSURANCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 5 By Mr. Clegg

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING THAT THE PROPOSED FEDERAL AID TO EDUCATION BILL "S-472" BE AMENDED TO RESTRICT FEDERAL CONTRIBUTIONS TO THE STATES WITH LOW EDUCATIONAL STANDARDS WHICH ALSO HAVE LOW PER CAPITA INCOMES AND THAT GRANTS PROVIDED BY THE FEDERAL GOVERNMENT BE LIMITED TO REPAIR AND CONSTRUCTION OF SCHOOL PROPERTIES RATHER THAN FOR THE GENERAL OPERATION OF OUR PUBLIC SCHOOL SYSTEMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 6 By Mr. Clegg

A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO MODIFY FEDERAL SOCIAL SECURITY AGENCY REGULATIONS REGARDING THE DISCLOSURE OF INFORMATION CONCERNING APPLICANTS AND RECIPIENTS OF PUBLIC WELFARE ASSISTANCE AND URGING THE CONGRESS TO RESTORE LOCAL CONTROL AND ACCESS TO PUBLIC RECORDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 7 By Mr. Clegg

A RESOLUTION BY THE UTAH STATE SENATE URGING THE NATIONAL CONGRESS BEFORE PASSING HOUSING LEG-

ISLATION NOW UNDER CONSIDERATION TO GIVE SERIOUS THOUGHT TO LEGISLATION WHICH WILL AID AND ENCOURAGE PRIVATELY OWNED COOPERATIVE GROUPS IN THE FIELD OF HOUSING, was read the first time and referred to the Committee on Revision and Enrolling.

PRESENTATION OF MEMORIALS

S. J. M. No. 1 By Mr. Knight

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 AUTHORIZING, DIRECTING AND PROVIDING FOR PENSIONS FOR THE VETERANS OF THE WARS OF THE UNITED STATES UPON A UNIFORM BASIS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 2 By Mr. Clegg

AN ACT TO AMEND SECTION 103-26-19, UTAH CODE ANNOTATED 1943, AND PROHIBITING ANY MEMBER OF THE LEGISLATURE FROM RECEIVING ANY CONSIDERATION FOR DRAFTING OR PREPARING ANY BILL OR RESOLUTION PROPOSED TO BE INTRODUCED INTO THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3 By Mr. Clegg

AN ACT PROVIDING FOR THE EXEMPTION FROM TAXATION OF REAL PROPERTY OF AN ASSESSED VALUE NOT EXCEEDING $1,250.00 PLEDGED TO A COUNTY WELFARE BOARD AS PROVIDED BY CHAPTER 89, LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 4 By Messrs. Clegg, Bailey, Knight, Melich and Elggren

AN ACT AMENDING SECTIONS 93-1-4, AND 93-1-5, UTAH CODE ANNOTATED, 1943, PERTAINING TO TOBACCO (AND OLEOMARGARINE), REPEALING SECTION 93-1-16, UTAH CODE ANNOTATED, 1943, PERTAINING TO THE EXCISE TAX UPON OLEOMARGARINE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5 By Mr. Clegg

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 4-A TO CHAPTER 89, LAWS OF UTAH, 1947, MAKING ADULT CHILDREN WHO ARE FINANCIALLY ABLE, LIABLE

FOR OBLIGATION OF FINANCIAL ASSISTANCE RENDERED PARENTS 65 YEARS OF AGE IN NEED OF ASSISTANCE, SETTING FORTH PROCEDURE, FIXING LIABILITY, MANNER OF COLLECTION AND BURDEN OF PROOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6 By Mr. Clegg

AN ACT AMENDING SECTION 46-0-237, UTAH CODE ANNOTATED 1943, RELATING TO PROPERTY USED IN CONNECTION WITH VIOLATIONS OF THE LIQUOR CONTROL ACT AND ENACTING NEW SECTIONS AS ADDITIONS TO TITLE 46, UTAH CODE ANNOTATED 1943, TO BE KNOWN AS SECTIONS 46-0-261 THROUGH, TO AND INCLUDING SECTION 46-0-297, UTAH CODE ANNOTATED 1943, RELATING TO THE REGULATION, CONSUMPTION AND SALE OF INTOXICATING LIQUOR BY THE DRINK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7 By Mr. Clegg

AN ACT TO AMEND SECTION 46-0-237, UTAH CODE ANNOTATED 1943 AND PROHIBITING THE USE OF PRIVATE LOCKERS AND THE SERVING OF INTOXICATING LIQUORS EXCEPT IN THE PRIVACY OF A HOME OR A DWELLING WHERE NOT USED IN CONNECTION WITH COMMERCIAL ACTIVITIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8 By Mr. Clegg

AN ACT CREATING THE DEPARTMENT OF PUBLICITY AND PROMOTION, MAKING AN APPROPRATION, PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS AND TERMS OF OFFICE, POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Messrs. Fowles, Gibson, Jenkins, Day and Knight

AN ACT TO CARRY INTO EFFECT SECTION 3, ARTICLE 8 OF THE CONSTITUTION BY AMENDING SECTIONS 25-1-7, UTAH CODE ANNOTATED 1943, AND 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 25-3-10, CHAPTER 35, LAWS OF UTAH, 1947, TO PROVIDE A NON-PARTISAN METHOD OF SELECTING JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS OF UTAH; TO PROVIDE FOR THE CREATION OF JUDICIAL SELECTION COMMISSIONS TO SELECT PERSONS FOR AND TO FILL VACANCIES IN SAID OFFICES; FOR THE SELECTION OF THE MEMBERS OF SUCH COMMISSIONS, THEIR TERMS OF OFFICE, THEIR DUTIES AND REMUNERATION; TO PROHIBIT INCUMBENTS OF AND CANDIDATES FOR SUCH JUDICIAL OFFICES FROM EN-

GAGING IN PARTISAN POLITICAL ACTIVITIES AND BEING CANDIDATES FOR OR ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTENT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 10 By Mr. Melich

AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, RELATING TO A TAX TO PROVIDE FOR THE CARE, MAINTENANCE AND RELIEF OF INDIGENT PERSONS AND FOR THE ERECTION AND MAINTENANCE OF HOSPITALS AND INFIRMARIES AND FOR THE EMPLOYMENT OF A SUPERINTENDENT OF COUNTY HOSPITALS AND INFIRMARIES AND FOR THE SALARY OF A COUNTY PHYSICIAN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11 By Mr. Melich

AN ACT AMENDING SECTIONS 48-0-5 AND 48-0-16, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF TRIAL JURORS AND FIXING THEIR FEE AND RELATING TO THE FEE OF JURY COMMISSIONERS AND FIXING THEIR FEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12 By Messrs. Jolley and Milliman

AN ACT AMENDING SECTION 15-1-1, UTAH CODE ANNOTATED 1943, RELATING TO THE CLASSIFICATION OF CITIES AND TOWNS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13 By Messrs. Jolley, Jones and Orser

AN ACT AMENDING CHAPTER 3, TITLE 20, SECTION 1, UTAH CODE ANNOTATED, 1943, RELATING TO JUDICIAL DISTRICTS—NUMBER OF JUDGES; AMENDING THE SAME TO PROVIDE THAT THE NUMBER OF JUDGES IN THE FOURTH JUDICIAL DISTRICT BE INCREASED FROM TWO TO THREE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 14 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-54, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE GAME REFUGE COMMITTEE, THE STATE BOARD OF BIG GAME CONTROL, MEMBERSHIP, APPOINTMENT, POWERS AND DUTIES, AS AMENDED BY CHAPTER 43 LAWS OF UTAH 1943; CHAPTER 46 LAWS OF UTAH 1945 AND CHAPTER 42 LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 15 By Messrs. Brockbank, Clegg and Marthakis

AN ACT RELATING TO THE PREVENTION AND CONTROL OF FIRE; ESTABLISHING THE OFFICE OF THE STATE FIRE MARSHAL AND THE STATE BOARD OF FIRE PREVENTION; PRESCRIBING THE MANNER OF SELECTING THE STATE FIRE MARSHAL AND THE MEMBERS OF THE STATE BOARD OF FIRE PREVENTION, THE TERM OF OFFICE OF THE STATE FIRE MARSHAL AND THE MEMBERS OF THE STATE BOARD OF FIRE PREVENTION, THEIR COMPENSATION AND DUTIES, THE MANNER OF FILLING VACANCIES IN THEIR RESPECTIVE OFFICES AND APPROPRIATING FUNDS FOR THE PREVENTION AND CONTROL OF FIRES AND THE MAINTENANCE AND OPERATIONS OF THE OFFICE OF THE STATE FIRE MARSHAL AND THE STATE BOARD OF FIRE PREVENTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16 By Messrs. Brockbank and Clegg

AN ACT AMENDING SECTION 3 OF TITLE 19 OF THE LAWS OF UTAH, 1947, RELATING TO THE ESTABLISHMENT OF PENSION RETIREMENT, SICKNESS, DISABILITY AND DEATH BENEFIT SYSTEMS IN CITIES AND INCORPORATED TOWNS; PERMITTING LIBRARIANS, ASSISTANT LIBRARIANS AND EMPLOYEES OF PUBLIC LIBRARIES OF SUCH CITIES AND TOWNS TO PARTICIPATE THEREIN; PROVIDING FOR EMPLOYMENT, DISMISSAL AND TRANSFER OF EMPLOYEES OF SAID CITIES AND INCORPORATED TOWNS, OTHER THAN MEMBERS OF POLICE AND FIRE DEPARTMENTS; CREATING AN APPEAL BOARD AND PROVIDING FOR THE APPEAL OF TRANSFERS AND DISMISSALS TO SUCH BOARD; AND REPEALING CHAPTER 24, LAWS OF UTAH, 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Mr. Brockbank

AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947, AND ALL

ACTS OR PARTS OF ACTS IN CONFLICT WITH THE PROVISIONS HEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18 By Messrs. Day, Fowles, Clegg, Elggren and Bailey

AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

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

AN ACT AMENDING SECTION 30-0-60, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE DESTRUCTION OF BIRDS OTHER THAN GAME BIRDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20 By Messrs. Day and Brockbank

AN ACT PROVIDING FOR THE DISPOSITION OF PROPERTY WHERE THERE IS NO SUFFICIENT EVIDENCE THAT PERSONS HAVE DIED OTHERWISE THAN SIMULTANEOUSLY, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21 By Messrs. Day and Brockbank

AN ACT CONFERRING POWERS ON FOREIGN REPRESENTATIVES, AND PROVIDING A METHOD OF DISPENSING WITH ANCILLARY ADMINISTRATION IN ABSENCE OF APPLICATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-21 AS AMENDED BY CHAPTER 42, LAWS OF UTAH, 1947, REGULATING THE RIGHT OF ALIENS TO FISH AND HUNT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Mr. Elggren

AN ACT REQUIRING PUBLIC UTILITIES TO DEPOSIT UNCLAIMED SECURITIES WITH THE STATE TREASURER AND PROVIDING FOR THEIR ESCHEAT TO THE STATE OF UTAH

AND PROVIDING THAT SAID UTILITIES FURNISH THE STATE TREASURER WITH NAMES AND ADDRESSES OF THE OWNERS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 24 By Messrs. Knight and Jolley

AN ACT APPROPRIATING $623,350 FROM THE GENERAL FUND OF THE STATE TREASURY TO THE STATE BOARD FOR VOCATIONAL EDUCATION FOR THE PURCHASE OF BUILDINGS TO BE USED FOR VOCATIONAL EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 44, LAWS OF UTAH, 1943 PERTAINING TO THE DUTIES OF THE STATE DEPARTMENT OF FISH AND GAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-3, UTAH CODE ANNOTATED 1943; AS AMMENDED BY CHAPTER 43, LAWS OF UTAH, 1943; PROVIDING FOR A FISH AND GAME DIRECTOR; SPECIFYING HIS QUALIFICATIONS, POWERS, METHOD OF SELECTION, SERVICE, RESTRICTION OF POLITICAL ACTIVITIES, AND SALARY; REPEALING CHAPTER 43, SECTION 2, SUBSECTION 30-0-3A, LAWS OF UTAH, 1943; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS 30-0-3.10 AND 30-0-3.20, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 24-0-3 UTAH CODE ANNOTATED 1943 PROVIDING FOR THE KILLING OF DOGS AND CATS ATTACKING DOMESTIC ANIMALS, FOWLS OR GAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28 By Messrs. Jolley and Knight

AN ACT AMENDING SECTION 15-8-55, UTAH CODE ANNOTATED 1943, RELATING TO A FIRE DEPARTMENT AND AUTHORIZING CITIES AND TOWNS TO EXTINGUISH FIRES OUTSIDE OF THEIR CORPORATE LIMITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-56 UTAH CODE ANNOTATED 1943 RELATING TO ALIENS HUNTING OR CARRYING

FIREARMS AND MAKING PROVISION FOR ALIENS TO HUNT AND CARRY FIREARMS IN CERTAIN INSTANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30 By Messrs. Melich and Fowles

AN ACT CREATING A BOARD OF FIVE MEMBERS, WHICH SHALL BE KNOWN AS THE STATE BOARD ON ALCOHOLISM, WHOSE DUTIES IT SHALL BE TO INVESTIGATE THE CAUSES OF ALCOHOLICS AND ALCOHOLISM AND TO COOPERATE WITH THE UTAH STATE COMMITTEE FOR EDUCATION ON ALCOHOLISM AND ALCOHOLICS ANONYMOUS AND PROVIDING FOR AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31 By Messrs. Fowles, Day, Jenkins and Brockbank

AN ACT APPROPRIATING FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND TO WEBER COLLEGE FOR EXPENSES INCIDENT TO THE INITIATION OF UPPER DIVISION WORK AT WEBER COLLEGE FOR THE BIENNIUM ENDING JUNE 30, 1951, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 32 By Messrs. Fowles, Day, Jenkins and Brockbank

AN ACT AMENDING SECTION 75-6-2, UTAH CODE ANNOTATED, 1943, RELATING TO WEBER COLLEGE, CHANGING THE NAME TO WEBER STATE COLLEGE, AND PERMITTING IT TO OFFER COMPLETE TERMINAL COURSES AND GRANT DEGREES IN THE FIELDS OF THE ARTS AND SCIENCES, BUSINESS, AND EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 33 By Messrs. Day and Fowles

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-54O REGULATING THE ISSUANCE OF SPECIAL DEER PERMITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 34 By. Messrs. Day and Fowles

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-54B PROVIDING THAT NON-RESIDENTS OF THE STATE OF UTAH BE GRANTED NO SPECIAL DEER PERMITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35 By Messrs. Fowles and Jolley

AN ACT AMENDING SECTION 19-5-78, UTAH CODE, ANNOTATED 1943, PROVIDING FOR COUNTY FIRE DEPARTMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 36 By Mr. Fowles

AN ACT AMENDING SECTION 80-2-10, UTAH CODE ANNOTATED 1943, RELATING TO HOUSEHOLD FURNISHINGS EXEMPT FROM TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37 By Messrs. Day, Fowles, Melich and Reese

AN ACT AMENDING SECTIONS 57-7-78, 57-7-82, 57-7-85, 57-7-88, 57-7-89, 57-7-90, 57-7-91, 57-7-92, 57-7-93, 57-7-94, 57-7-102, 57-7-103, 57-7-104, 57-7-107, 57-7-111, 57-7-115, 57-7-120, 57-7-123, 57-7-128, 57-7-129, 57-7-130, 57-7-133, 57-7-140, 57-7-141, 57-7-146, 57-7-151, 57-7-153, 57-7-159, 57-7-161, 57-7-162, 57-7-163, 57-7-164, 57-7-167, 57-7-168, 57-7-178, 57-7-179, 57-7-180, 57-7-181, 57-7-182, 57-7-185, 57-7-190, 57-7-191, 57-7-193, 57-7-194, 57-7-195, 57-7-196, 57-7-200, 57-7-201, 57-7-205, 57-7-207, 57-7-211, 57-7-214, 57-7-212, AS AMENDED BY CHAPTER 70, LAWS OF UTAH 1947, 57-7-225, 57-7-227, 57-7-230, 57-7-232, 36-1-28, 36-1-32, 36-1-33, 36-1-36, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 57-7-78.1, 57-7-78.2, 57-7-78.3, 57-7-78.4, 57-7-78.5, 57-7-78.6, 57-7-78.7, 57-7-78.8, 57-7-78.9, 57-7-86.10, 57-7-118.10, 57-7-129.10, 57-7-129.11, 57-7-129.12, 57-7-168.10, 57-7-169.10, 57-7-169.11, 57-7-169.12, 57-7-198.1, 57-7-205.1, 57-7-231.10, UTAH CODE ANNOTATED 1943; REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE PARKING, USE AND OPERATION OF VEHICLES; PROVIDING THAT IN ANY PROSECUTION CHARGING VIOLATION OF ANY LAW OR ORDINANCE GOVERNING THE STANDING OR PARKING OF A MOTOR VEHICLE PROOF THAT THE DEFENDANT NAMED IN THE COMPLAINT WAS AT THE TIME OF SUCH VIOLATION THE REGISTERED OWNER OF SUCH VEHICLE SHALL CONSTITUTE A PRIMA FACIE PRESUMPTION THAT SUCH REGISTERED OWNER WAS THE PERSON RESPONSIBLE FOR SUCH VIOLATION; PROVIDING FOR INSPCTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS; LIMITING THE LOADS OF VEHICLES; AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING

SECTIONS 57-7-118 and 57-7-188, UTAH CODE ANNOTATED 1943, was read for the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 38 By Messrs Clegg and Brockbank

AN ACT RELATING TO PUBLIC WELFARE ADMINISTRATION; CREATING A STATE DEPARTMENT OF PUBLIC WELFARE; PROVIDING FOR THE APPOINTMENT OF A STATE BOARD OF PUBLIC WELFARE; AUTHORIZING THE APPOINTMENT OF A DIRECTOR AND OTHER ASSISTANTS AND EMPLOYES OF THE DEPARTMENT AND PROVIDING FOR THEIR COMPENSATIONS; DEFINING THE POWERS AND DUTIES OF SUCH BOARD AND SUCH DIRECTOR; AUTHORIZING THE BOARD TO ACT AS THE OFFICIAL AGENCY OF THE STATE IN THE ADMINISTRATION OF ANY STATE OR FEDERAL FUNDS MADE AVAILABLE FOR RELIEF AND WELFARE PURPOSES; PROVIDING FOR THE CREATION OF COUNTY OR DISTRICT DEPARTMENTS OF PUBLIC WELFARE AND DEFINING THEIR POWERS AND DUTIES; TRANSFERRING THE ADMINISTRATION OF THE STATE DEPARTMENT OF PUBLIC WELFARE TO THE STATE BOARD OF PUBLIC WELFARE, TERMINATING THE TERMS OF OFFICE OF THE MEMBERS OF THE PUBLIC WELFARE COMMISSION; AMENDING SECTION 76A-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1947, SECTION 76A-1-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 91, LAWS OF UTAH 1947, SECTIONS 76A-1-5, 76A-1-8, 76A-1-12, 76A-1-13, 76A-1-29, 76A-1-33, 76A-1-34, UTAH CODE ANNOTATED 1943, AND SECTION 76A-1-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1947; CREATING NEW SECTIONS DESIGNATED 76A-1-2, 76A-1-3, 76A-1-19, 76A-1-20; AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH; was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39 By Messrs. Clegg and Brockbank

AN ACT AMENDING CHAPTER 6, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE INDUSTRIAL SCHOOL; REVISING THE METHOD OF APPOINTING THE SUPERINTENDENT; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND THE BOARD OF TRUSTEES TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40 By Messrs. Clegg and Brockbank

AN ACT RELATING TO PUBLIC WELFARE; AMENDING SECTIONS 2, 14, 15, 18, AND 20, CHAPTER 89, LAWS OF UTAH, 1947, SECTIONS 9, 10, AND 19, CHAPTER 89, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948 FIRST SPECIAL SESSION, SECTIONS 30, 32, 33, AND 35, CHAPTER 9, LAWS

OF UTAH 1948 FIRST SPECIAL SESSION; ELIMINATING THE WELFARE ADVISORY COUNCIL BY REPEALING SECTION 28, CHAPTER 89, LAWS OF UTAH 1947; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41 By Messrs. Clegg and Brockbank

AN ACT AMENDING SECTIONS 1 AND 2 CHAPTER 88, LAWS OF UTAH 1947 RELATING TO GIFTS AND THE USE THEREOF; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42 By Messrs. Clegg and Brockbank

AN ACT AMENDING CHAPTER 8, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 120, LAWS OF UTAH 1945 AND CHAPTER 125, LAWS OF UTAH 1947, RELATING TO THE UTAH STATE TRAINING SCHOOL; REVISING THE METHOD OF APPOINTING THE MEDICAL SUPERINTENDENT; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND THE BOARD OF TRUSTEES TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43 By Messrs. Clegg and Brockbank

AN ACT AMENDING CHAPTER 7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 16, LAWS OF UTAH 1947, RELATING TO CHILD WELFARE; REVISING THE METHOD OF ESTABLISHING JUVENILE COURT DISTRICTS; TRANSFERRING POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND JUVENILE COURT AND PROBATION COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 44 By Messrs. Clegg and Brockbank

AN ACT AMENDING SECTIONS 2, 3, AND 4 CHAPTERS 86, LAWS OF UTAH 1947, RELATING TO ALCOHOLICS AND ALCOHOLISM; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, was read for the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45 By Messrs. Clegg and Brockbank

AN ACT AMENDING CHAPTER 7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121 LAWS OF UTAH 1945 AND

CHAPTER 123 LAWS OF UTAH 1947, RELATING TO THE UTAH STATE HOSPITAL; REVISING THE METHOD OF APPOINTING THE MEDICAL SUPERINTENDENT, STEWARD, AND ASSISTANT PHYSICIANS; TRANSFERRING THE POWERS AND DUTIES OF THE BOARD OF TRUSTEES, OTHER STATE HOSPITAL BOARDS, AND THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46 By Messrs. Clegg and Brockbank

AN ACT AMENDING CHAPTER 5, LAWS OF UTAH 1943, AS AMENDED BY CHAPTERS 93 AND 94, LAWS OF UTAH 1947, RELATING TO THE TUBERCULOSIS SANATORIUM; REVISING THE METHOD OF APPOINTING THE MEDICAL DIRECTOR; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND THE STATE BOARD OF HEALTH TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

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

The Senate reassembled.

On motion of Senator Knight the Senate adjourned until January 13, 1949 at 2:00 P.M.

FOURTH DAY

January 13, 1949

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

Roll Call All Senators present except Senators Burns, Lund and Bailey, excused.

Prayer by the Chaplain.

January 13, 1949

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,

RUE L. CLEGG
LYNN ORSER.

Report adopted and filed.

The President recognized former Senator Ward C. Holbrook who addressed the Senate briefly.

REPORTS OF SPECIAL COMMITTEES

January 13, 1949

Mr. President:

We, your Committee on Patronage and Employees, submit the following list for your approval:

Committee Clerk, Flora Haycock

Committee Clerk, Edna C. Smith

Messenger to the Governor, Earl T. Millham

Janitor, Leo Kelly

This will complete the Senate organization of employees.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Committee report read and adopted.

The President appointed Senators Jolley, Jenkins, Marthakis, Marsden and Burns to serve as the committee on Revision and Enrolling.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 3 Messrs. Melich and Gibson

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

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

A JOINT RESOLUTION RECOMMENDING TO THE ELECTORS OF THE STATE OF UTAH TO VOTE AT THE NEXT GENERAL ELECTION FOR OR AGAINST A CONVENTION TO REVISE OR AMEND THE CONSTITUTION OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 47 By Messrs. Marthakis, Fowles, Brockbank and Elggren

AN ACT AMENDING SECTION 25-2-6, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944,

FIRST SPECIAL SESSION, RELATING TO REGISTRATION DAYS, AND PRESCRIBING DUTIES OF REGISTRATION AGENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 48 By Mr. Jenkins

AN ACT AUTHORIZING THE GOVERNOR OF THE STATE OF UTAH TO CONVEY THE HEREINAFTER DESCRIBED PROPERTY, TO-WIT: THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH RANGE 1 EAST: THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 1 EAST; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 1 EAST; THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 1 EAST, TO THE CITY OF SOUTH OGDEN, A MUNICIPAL CORPORATION IN WEBER COUNTY, STATE OF UTAH, FOR A WATER SHED FOR ITS MUNICIPAL WATER WORKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49 By Messrs. Knight, Elggren and Brockbank

AN ACT PROVIDING FOR THE GENERAL WELFARE AND TO PROTECT THE HEALTH, EFFICIENCY, AND GENERAL WELL-BEING OF WORKERS IN THE STATE OF UTAH BY PROVIDING FOR THE ELIMINATION OF WAGE AND HOUR STANDARDS, DETRIMENTAL TO THE HEALTH, EFFICIENCY, AND GENERAL WELL-BEING OF WORKERS, TO PRESCRIBE MINIMUM WAGE AND MAXIMUM HOUR STANDARDS, AND TO PROVIDE FOR THE FURTHER DETERMINATION AND ESTABLISHMENT OF MINIMUM WAGES BY INDUSTRY; TO PROVIDE FOR ENFORCEMENT OF SUCH PROVISIONS AND TO PRESCRIBE THE POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION UNDER THIS ACT; TO PRESCRIBE PENALTIES FOR VIOLATIONS OF THIS ACT OR OF ORDERS OR REGULATIONS OF THE CHAIRMAN OF THE INDUSTRIAL COMMISSION AUTHORIZED HEREUNDER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50 By Messrs. Day and Jolley

AN ACT DEFINING AND PROHIBITING PROSTITUTION, LEWDNESS, AND ASSIGNATION; MAKING IT UNLAWFUL TO ENGAGE IN, SOLICIT, OR PROCURE PROSTITUTION, OR TO PRESIDE IN ANY HOUSE OR OTHER STRUCTURE, OR ENTER OR REMAIN IN ANY HOUSE, OR OTHER STRUCTURE FOR PROSTITUTION, LEWDNESS OR ASSIGNATION; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51 By Messrs. Day and Bailey

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 11, UTAH CODE ANNOTATED, 1943, PRACTICING OPTOMETRY DEFINED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52 By Messrs. Day and Bailey

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 14, UTAH CODE ANNOTATED, 1943, UNPROFESSIONAL CONDUCT DEFINED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53 By Messrs. Day and Bailey

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 2, UTAH CODE ANNOTATED 1943, REQUIREMENTS FROM APPLICANTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 54 By Messrs. Day and Bailey

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 6, UTAH CODE ANNOTATED 1943, FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55 By Messrs. Day and Bailey

AN ACT MAKING CERTAIN ACTS UNLAWFUL AND THE PENALTY THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 56 By Messrs. Day and Bailey

AN ACT GOVERNING DUPLICATION OF OPHTHALMIC LENS; GRINDING OF LENS ACCORDING TO PRESCRIPTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57 By Messrs. Day and Bailey

AN ACT MAKING IT UNLAWFUL FOR COURTS, GOVERNMENTAL UNITS, AND BOARDS TO DISCRIMINATE AGAINST THE PRACTICE OF OPTOMETRY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58 By Messrs. Day and Bailey

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 5, UTAH CODE ANNOTATED 1943, EXAMINATIONS WHEN DISPENSED WITH RECIPROCAL LICENSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-18, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AND AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO NON-RESIDENT CITIZENS' LICENSE TO FISH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60 By Messrs. Day and Fowles

AN ACT PROVIDING FOR THE ISSUANCE OF TICKETS TO ALLEGED VIOLATORS BY FISH AND GAME WARDENS REQUIRING SAID ALLEGED VIOLATORS TO APPEAR WITHIN A DESIGNATED TIME BEFORE A CONVENIENTLY LOCATED JUSTICE OF THE PEACE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61 By Messrs. Day and Fowles

AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 62 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 30-0-20, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO NON-RESIDENT LICENSE TO HUNT DEER AND THE FEES THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63 By Messrs. Day and Fowles

AN ACT ADDING A NEW SECTION TO BE KNOWN AS 30-0-12A PROVIDING FOR THE PURCHASE OF A VISABLE LICENSE TO BE WORN AT ALL TIMES WHILE HUNTING AND FISHING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 64 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 19-15-1, UTAH CODE ANNOTATED 1943, BY ADDING SUB-SECTION 10, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 103-21-7, UTAH CODE ANNOTATED 1943, REGULATING THE USE OF 22 RIFLES AND PELLET AIR GUNS, was read the first time and referred to the Committee on Revision and Enroling.

S. B. No. 66 By Messrs. Day and Fowles

AN ACT TO AMEND SECTION 30-0-47, UTAH CODE ANNOTATED 1943, DEFINING GAME ANIMALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67 By Mr. Day

AN ACT AMENDING SECTION 104-30-12, UTAH CODE ANNOTATED 1943, RELATING TO JUDGMENT BOOK AND ENTRY OF JUDGMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 68 By Mr. Knight

AN ACT TO AMEND SECTION 49-11-8, UTAH CODE ANNOTATED 1943, PERTAINING TO MAXIMUM WEEKLY HOURS OF LABOR ON PUBLIC WORKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 69 By Mr. Knight

AN ACT AMENDING SECTION 49-3-1, UTAH CODE ANNOTATED 1943, PERTAINING TO MAXIMUM DAILY HOURS OF LABOR ON PUBLIC WORKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 70 By Mr. Melich

AN ACT PROVIDING FOR THE MANNER IN WHICH THE UTAH CENTENNIAL COMMISSION SHALL DISPOSE OF ALL PROPERTY HELD BY IT AFTER THE CLOSING OF THE CENTENNIAL OBSERVANCE AND THE WINDING UP OF ITS AFFAIRS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 71 By Mr. Melich

AN ACT AMENDING SECTION 105-18-2, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE MEMBERSHIP OF THE GRAND JURY AND HOW MANY SHALL CONSTITUTE A QUORUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 72 By Mr. Melich

AN ACT AMENDING SECTION 35-1-1.14, UTAH CODE ANNOTATED 1943, AMENDED BY CHAPTER 49, LAWS OF UTAH 1945, RELATING TO AND PROVIDING FOR THE APPOINTMENT, QUALIFICATIONS, DUTIES AND SALARY OF THE STATE HEALTH COMMISSIONER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73 By Messrs. Melich and Day

AN ACT AMENDING SECTION 105-22-12, UTAH CODE ANNOTATED 1943, RELATING TO APPOINTMENT BY THE COURT OF COUNSEL TO DEFEND INDIGENT PERSONS ACCUSED OF CRIME AND PROVIDING FOR FEES FOR COUNSEL IN SUCH CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 74 By Messrs. Melich and Day

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 105-40-1.10, UTAH CODE ANNOTATED 1943, RELATING TO APPOINTMENT OF COUNSEL TO CONDUCT THE APPEAL OF AN INDIGENT PERSON CONVICTED OF CRIME AND PROVIDING FOR FEES FOR COUNSEL IN SUCH CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 75 By Mr. Melich

AN ACT DEFINING AND PROVIDING FOR THE LICENSING AND REGISTRATION OF DENTAL HYGENISTS AND FOR THE RENEWAL, REVOCATION AND SUSPENSION OF SUCH LICENSES AND REGISTRATIONS; PROVIDING FOR APPEALS AND FOR REINSTATEMENTS THEREOF, FIXING FEES THEREFOR, DEFINING THE POWERS AND DUTIES OF THE BOARD OF EXAMINERS THEREOF AND THE DEPARTMENT OF REGISTRATION WITH RESPECT THERETO AND FIXING PENALTIES FOR VIOLATIONS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 76 By Mr. Knight

AN ACT AMENDING SECTION 103-55-2, UTAH CODE ANNOTATED 1943, RELATING TO AND DEFINING UNFAIR COMPETITION AND UNLAWFUL DISCRIMINATION BY PERSONS ENGAGED IN THE PRODUCTION, MANUFACTURE, OR DISTRIBUTION OF ANY COMMODITY OR SERVICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 77 By Messrs. Jolley and Day

AN ACT AUTHORIZING BOARDS OF EDUCATION, COLLEGES, UNIVERSITIES AND OTHER GOVERMENTAL INSTITUTIONS TO PAY SPECIAL ASSESSMENT TAXES FOR PUBLIC IMPROVEMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Day moved that when the Senate adjourns today, it stand adjourned until January 14, 1949 at 2:00 P.M.

Motion carried.

On motion of Senator Day the Senate recessed to meet with the House as a Joint Committee of the Whole to hear the report of the Legislative Council, and, upon the dissolution of the Joint Committee of the whole, will stand adjourned.

The Senate and the House resolved themselves into a Joint Committee of the Whole with the Speaker of the House as chairman to hear the report of the Legislative Council.

The Joint Committee of the Whole was dissolved.

FIFTH DAY

January 14, 1949

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

Roll Call—All Senators present except Senators Bailey and Melich, excused.

Prayer by the Chaplain.

January 14, 1949

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,

RUE L. CLEGG
LYNN ORSER

Report adopted and filed.

STANDING COMMITTEES OF THE SENATE

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

AGRICULTURE AND IRRIGATION

Orser, Gibbons, Burns, Jones, Lund, Reese and Larsen.

APPROPRIATIONS AND CLAIMS

Milliman, Melich, Bailey, Clegg, Gibson, Jolley, Reese, Gibbons, Jenkins, Marsden and Elggren.

BANKING AND COMMERCE

Fowles, Larsen, Clegg, Elggren, Marsden, Brockbank and Gibbons.

EDUCATION

Brockbank, Day, Elggren, Jolley, Jenkins, Lund and Marthakis.

FISH AND GAME

Day, Bailey, Gibbons, Knight, Lund, Orser and Reese.

HEALTH AND LABOR

Marthakis, Knight, Milliman, Clegg, Bailey, Melich and Gibson.

HIGHWAYS

Reese, McShane, Burns, Marsden, Fowles, Larsen and Orser.

JUDICIARY

Gibson, Day, Fowles, Melich, Bailey, Clegg and Marthakis.

MINING AND SMELTING

Burns, Gibson, Jones, Marthakis, Day, Milliman and Larsen.

PUBLIC INSTITUTIONS

Elggren, Jolley, Brockbank, McShane, Burns, Knight and Jenkins.

REVENUE AND TAXATION

Jenkins, Gibbons, Fowles, Jones, Brockbank, McShane, Orser, Melich, Gibson and Day.

REVISION AND ENROLLING

Jolley, Jenkins, Marsden, Marthakis and Burns.

STATE AND MUNICIPAL AFFAIRS

Melich, Marthakis, Knight, Reese, Larsen, Jones and Milliman.

WELFARE

McShane, Fowles, Lund, Elggren, Clegg, Brockbank and Bailey.

COMMUNICATIONS FROM THE HOUSE

January 14, 1949

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 Mr. Anderson, entitled A JOINT RESOLUTION CONGRATULATING THE PRESIDENT OF THE UNITED STATES, HARRY S. TRUMAN, UPON HIS ELECTION TO THE PRESIDENCY, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser, Reese, and Mr. President.

Those voting in the negative were none.

Absent and not voting: Senators Bailey and Melich, excused.

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

REPORTS OF STANDING COMMITTEES

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 1 was ordered printed and referred to the Committee on Judiciary.

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 14, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. R. No. 5*, by Mr. Clegg with a few minor changes assented to by the author, including the following revision of the title:

A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA URGING THAT THE PROPOSED FEDERAL AID TO EDUCATION BILL "S-472" BE AMENDED TO RESTRICT FEDERAL CONTRIBUTIONS TO THE STATES WITH LOW EDUCATIONAL STANDARDS AND LOW PER CAPITA INCOMES AND THAT GRANTS PROVIDED BY THE FEDERAL GOVERNMENT BE LIMITED TO THE REPAIR AND CONSTRUCTION OF SCHOOL PROPERTIES RATHER THAN FOR THE GENERAL OPERATION OF OUR PUBLIC SCHOOL SYSTEMS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 14, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. R. No. 7*, by Mr. Clegg with a few minor changes assented to by the author, including the following revision of the title:

A RESOLUTION BY THE UTAH STATE SENATE URGING THE NATIONAL CONGRESS TO GIVE CONSIDERATION TO LEGISLATION WHICH WILL AID AND ENCOURAGE PRIVATELY OWNED

CO-OPERATIVE GROUPS IN THE FIELD OF HOUSING BEFORE PASSING PUBLIC HOUSING LEGISLATION NOW PENDING, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. R. No. 7 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 1 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 14, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 7*, by Mr. Clegg with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECION 46-0-237, UTAH CODE ANNOTATED 1943 AND PROHIBITING THE USE OF PRIVATE LOCKERS AND THE SERVING OF INTOXICATING LIQUORS EXCEPT IN THE PRIVACY OF A HOME OR DWELLING WHERE NOT USED IN CONNECTION WITH COMMERCIAL ACTIVITIES, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 13, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 14, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

PRESENTATION OF MEMORIALS

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

A JOINT MEMORIAL BY THE LEGISLATURE OF THE STATE OF UTAH URGING THE CONGRESS OF THE UNITED STATES NOT TO CURTAIL THE CONSTRUCTION OR OPERATION OF VETERANS' HOSPITALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. C. M. No. 1 By Messrs. Knight, Marthakis and Elggren

A CONCURRENT MEMORIAL URGING THE CONGRESSIONAL DELEGATION FROM THE STATE OF UTAH TO INTRODUCE A RESOLUTION IN THE CONGRESS OF THE UNITED STATES REQUESTING PRESIDENT TRUMAN TO USE HIS GOOD OFFICE IN SECURING THE APPOINTMENT OF A FACT FINDING BOARD TO INVESTIGATE AND RECOMMEND A BASIS FOR SETTLEMENT OF THE EXISTING LABOR-MANAGEMENT DISPUTE BETWEEN THE KENNECOTT COPPER CORPORATION, UTAH COPPER DIVISION, AND THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, SUCH AS WAS RECOMMENDED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE AND THE INDUSTRIAL COMMISSION OF THE STATE OF UTAH ON NOVEMBER 6, 1948, COPY ATTACHED.

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were none.

Absent and not voting: Senators Bailey and Melich, excused.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 5 By Messrs. Brockbank, Milliman, Day, Jolley, Melich and Jenkins.

A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 1, 10 AND 20 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE STATE EXECUTIVE DEPARTMENT, TERMS, RESIDENCE, AND DUTIES OF OFFICES; THE GOVERNOR'S APPOINTIVE POWER IN FILLING OF VACANCIES IN CERTAIN OFFICES; AND THE COMPENSATION OF STATE OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 6 By Messrs. Brockbank, Milliman, Day, Jolley, Melich and Jenkins.

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 8, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE CONTROL AND SUPERVISION OF THE PUBLIC SCHOOL SYSTEM, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 78 By Messrs. Day and Fowles

AN ACT CONCERNING THE RECOGNITION OF A DIVORCE OBTAINED IN ANOTHER JURISDICTION AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 79 By Messrs. Day and Fowles

UNIFORM ENFORCEMENT OF FOREIGN JUDGEMENTS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80 By Messrs. Clegg and Gibson

AN ACT TO AMEND SECTION 20-2-6, UTAH CODE ANNOTATED 1943, RELATING TO RIGHT OF SUPREME COURT JUSTICES, DISTRICT AND CITY COURT JUDGES TO PRACTICE IN COURTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81 By Mr. Marthakis

AN ACT AMENDING SECTION 80-15-6 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 110, LAWS OF UTAH 1945, RELATING TO SALES TAXES AND SPECIFYING CERTAIN EXEMPTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 82 By Messrs. Brockbank, Milliman, Jenkins, Day, Jolley and Melich

AN ACT RELATING TO THE STATE BOARD OF EDUCATION PROVIDING FOR THE NOMINATION AND ELECTION OF THE MEMBERS THEREOF; FILLING OF VACANCIES, MEETINGS, THE ORGANIZATION AND THE EMPLOYMENT OF ASSISTANTS AND THE SALARIES THEREOF; TO BE KNOWN AS SECTIONS 75-7-1A, 75-7-2A, 75-7-3A, 75-7-4A, 75-7-5A, 75-7-6A, AND REPEALING SECTIONS 75-7-1, 75-7-2, 75-7-3, 75-7-4, 75-7-5, AND 75-7-6, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83 By Mr. Melich

AN ACT RELATING TO CORPORATIONS THE CHARTERS OF WHICH HAVE EXPIRED BY LIMITATION AND PROVIDING FOR THE RENEWAL AND REVIVAL OF THE CHARTERS OF SUCH CORPORATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 84 By Messrs. Day and Fowles

AN ACT CONCERNING CONTRIBUTION AMONG TORTFEASORS, RELEASE OF TORTFEASORS, PROCEDURE ENABLING RECOVERY OF CONTRIBUTION, AND MAKING UNIFORM THE LAW WITH REFERENCE THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85 By Messrs. Melich, Fowles, Reese and Knight

AN ACT AMENDING SECTION 36-2-17, UTAH CODE ANNOTATED 1943, APPROPRIATING TO THE STATE ROAD COMMISSION THE MONIES IN THE MOTOR VEHICLE REGISTRATION FUND FOR USE ON CLASS "B" AND CLASS "C" ROADS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 36-2-16.10 AND REPEALING SECTIONS 36-2-16 AND 36-2-18, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Messrs. Day, Brockbank and Melich

AN ACT AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPARTMENT OF REGISTRATION; DIRECTING ITS SUPERVISION, CONTROL AND OPERA-

TION WITH COMMITTEES FROM VARIOUS PROFESSIONS, TRADES AND OCCUPATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 87 By Messrs. Day Brockbank and Melich

AN ACT AMENDING SECTION 52-1-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR MECHANICS' LIENS, NOTICE OF CLAIMS, CONTENTS, RECORDING, AND TIME FOR FILING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88 By Mr. Gibson

AN ACT APPROPRIATING $25,000 FROM THE GENERAL FUND OF THE STATE TREASURY TO THE STATE BUILDING BOARD FOR THE CONSTRUCTION OF AN ATHLETIC LOCKER AND SHOWER BUILDING AT CARBON COLLEGE, PRICE, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 89 By Mr. Gibson

AN ACT APPROPRIATING $300,000 FROM THE GENERAL FUND IN THE STATE TREASURY TO THE STATE BOARD OF EDUCATION FOR THE CONSTRUCTION OF A BUILDING CONTAINING AN AUDITORIUM AND GYMNASIUM AT CARBON COLLEGE FOR THE PURPOSE OF PURCHASING THE LAND AND BUILDING BELONGING TO CARBON COUNTY SCHOOL DISTRICT NOW BEING USED BY CARBON COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 90 By Messrs. Jolley and Jenkins

AN ACT AMENDING SECTIONS 19-24-2, 19-24-3, 19-24-17, AND 19-24-19, UTAH CODE ANNOTATED 1943, RELATING TO THE APPOINTMENT AND TERMS OF OFFICE OF THE COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN, THE ADOPTION OF RULES, THE LIMITATIONS UPON EXPENSES AND THE PROCURING OF TECHNICAL ADVICE; AUTHORIZING THE APPOINTMENT OF AND OUTLINING THE DUTIES OF DISTRICT PLANNING COMMISSIONS; PERMITTING THE COUNTY COMMISSION TO EXTEND THE EXPIRATION DATE OF TEMPORARY ZONING REGULATIONS; AND CREATING A NEW SECTION TO BE KNOWN AS 19-24-7.10, UTAH CODE ANNOTATED 1943, RELATING TO THE ISSUANCE OF BUILDING PERMITS IN MAPPED STREETS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 91 By Messrs. Gibbons, Jones, Jenkins and Jolley

AN ACT PROVIDING FOR REFUND OF MOTOR FUEL TAX COLLECTED ON MOTOR FUEL PURCHASED AND USED IN THE

STATE OF UTAH FOR OPERATING STATIONARY ENGINES, TRACTORS AND CRAFT OTHER THAN AIRCRAFT, NOT OPERATED ON PUBLIC HIGHWAYS OR STREETS, OR FOR CLEANING, DYEING OR OTHER NON-TRANSPORTATION PURPOSES; AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES AND COLLECTION OF PENALTIES FOR MAKING FALSE CLAIMS OR OTHER VIOLATION OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 92 By Messrs. Marthakis, Gibson, Jenkins and Jolley

AN ACT AMENDING SECTION 25-12-18, UTAH CODE ANNOTATED 1943, RELATING TO THE RIGHT OF EMPLOYEES TO ABSENT THEMSELVES FROM THEIR EMPLOYMENT FOR THE PURPOSE OF VOTING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93 By Messrs. Elggren, Brockbank, Gibson and Jones

AN ACT AMENDING SECTION 49-14-7, UTAH CODE ANNOTATED 1943, RELATING TO AND PROHIBITING EMPLOYERS REQUIRING PHYSICAL EXAMINATIONS FROM EMPLOYEES OR PERSONS APPLYING FOR, OR ACCEPTING EMPLOYMENT, UNLESS ALL MEDICAL FEES AND EXPENSES INCIDENT THERETO ARE PAID BY EMPLOYER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94 By Messrs. Bailey, Day, Elggren, Fowles and Marthakis

AN ACT TO SAFEGUARD PERSONS AND PROPERTY AND PROMOTING THE WELFARE OF THE PUBLIC; ESTABLISHING STANDARDS FOR ELECTRICAL EQUIPMENT AND FOR ITS INSTALLATION; PROVIDING REGULATION AND LICENSING OF THOSE ENGAGED IN THE INSTALLATION THEREOF BY DEPARTMENT OF REGISTRATION; APPOINTING A COMMITTEE TO COLLABORATE AND ASSIST; AUTHORIZING POLITICAL SUBDIVISIONS OF THE STATE OF UTAH TO PROVIDE FOR ELECTRICAL INSPECTION; PROVIDING FOR THE APPOINTMENT OF A CHIEF ELECTRICAL INSPECTOR AND DEPUTY STATE INSPECTORS AND PRESCRIBING THEIR DUTIES, RIGHTS AND AUTHORITY; MAKING IT UNLAWFUL TO UNDERTAKE THE INSTALLATION OF ELECTRICAL EQUIPMENT WITHOUT A PERMIT THEREFOR EXCEPT AS OTHERWISE PROVIDED; ESTABLISHING STANDARDS OF ELECTRICAL MATERIALS, DEVICES AND APPLIANCES; PROVIDING THAT NO PERSON SHALL SERVE AS AN ELECTRICAL INSPECTOR WITHOUT FIRST OBTAINING AN INSPECTOR'S CERTIFICATE OF QUALIFICATION FROM THE DEPARTMENT OF REGISTRATION; PROVIDING FOR THE VIOLATION OF THIS ACT, AND REPEALING ALL STATUTES AND PARTS OF STATUTES IN CONFLICT WITH THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 95 By Messrs. Day, Fowles and Gibson

AN ACT AMENDING SECTIONS 10-0-1, 10-0-3, 10-0-4, UTAH CODE ANNOTATED 1943 AND ENACTING A NEW SECTION TO BE KNOWN AS 10-0-4.1, RELATING TO THE COMPOSITION OF THE UTAH STATE BUILDING BOARD AND THE DUTIES AND RESPONSIBILITIES OF ITS EXECUTIVE OFFICER AND TERMINATING THE TERMS OF OFFICE OF THE MEMBERS OF THE UTAH STATE BUILDING BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 96 By Messrs. Day, Gibson and Fowles

AN ACT AMENDING SECTIONS 4-0-20, 4-0-22, UTAH CODE ANNOTATED 1943 AND ENACTING A NEW SECTION TO BE KNOWN AS 4-0-22 RELATING TO THE COMPOSITION OF THE STATE AERONAUTICS COMMISSION AND THE DUTIES AND RESPONSIBILITIES OF ITS EXECUTIVE OFFICER AND TERMINATING THE TERMS OF OFFICE OF THE MEMBERS OF THE STATE AERONAUTICS COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 97 By Messrs. Day, Gibson and Fowles

AN ACT AMENDING SECTIONS 82C-1-2, 82C-1-4, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS 82C-1-4.10 RELATING TO THE COMPOSITION OF THE ENGINEERING COMMISSION, TERMINATING THE TERMS OF OFFICE OF THE PRESENT MEMBERS OF THE ENGINEERING COMMISSION, AND TERMINATING THE TERMS OF OFFICE OF THE MEMBERS OF THE ENGINEERING ADVISORY COUNCIL AND REPEALING SECTIONS 82C-1-8, 82C-1-9, 82C-1-10, 82C-1-11 UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 98 By Messrs. Day, Gibson and Fowles

AN ACT AMENDING SECTIONS 36-2-1, 36-2-1.10 UTAH CODE ANNOTATED 1943 AND ENACTING A NEW SECTION TO BE KNOWN AS 36-2-1.20 RELATING TO THE COMPOSITION OF THE STATE ROAD COMMISSION AND THE DUTIES AND RESPONSIBILITIES OF ITS EXECUTIVE OFFICER AND TERMINATING THE TERMS OF OFFICE OF THE MEMBERS OF THE UTAH STATE ROAD COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99 By Mr. Fowles

AN ACT AMENDING SECTIONS 100-3-16 AND 100-3-17 OF THE UTAH CODE ANNOTATED 1943, RELATING TO PROOF OF APPROPRIATION OF PERMANENT CHANGE OF WATER AND TO THE ISSUANCE OF CERTIFICATES THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100 By Messrs. Elggren, Jolley, Marthakis and Jones

AN ACT PROHIBITING DISCRIMINATION ON ACCOUNT OF RACE CREED OR COLOR IN PLACES OF PUBLIC ACCOMMODATION, RESORT, ENTERTAINMENT OR AMUSEMENT, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator McShane the Secretary was directed to send letters of thanks to the Utah Manufacturers Association, Intermountain Theatres Inc., and the University of Utah for courtesies extended to the Senate.

On motion of Senator Day the President was directed to extend to Senator Bailey the heartfelt sympathy of the Senate and the well wishes of each and every senator for his speedy recovery and return to the Senate.

On motion of Senator McShane, it was agreed that when the Senate adjourns today, it stand adjourned until January 17, 1949 at 2:00 P.M.

On motion of Senator Brockbank the Senate adjourned.

EIGHTH DAY

January 17, 1949

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

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

Prayer by the Chaplain.

January 17, 1949

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,

RUE L. CLEGG
LYNN ORSER

Report adopted and filed.

President Hopkin appointed Senators Marthakis and Larsen to revise the Journal for the week beginning January 17, 1949.

COMMUNICATIONS FROM THE HOUSE

January 17, 1949

Mr. President:

I am directed to inform your Honorable Body that the House extends to you an invitation to meet with them in joint session in the House Chamber to hear a report of the Upper Colorado Basin Compact on January 18 at 2:15 P.M.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

Senator Marthakis moved that the Senate accept the invitation of the House for a joint session on January 18 at 2:15 P.M.

Motion carried.

The President appointed a committee consisting of Senators Fowles, Jones and Brockbank on Rules and Contingent Expenses.

REPORTS OF STANDING COMMITTEES

January 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. M. No. 1 was ordered printed and referred to the Committee on Judiciary.

January 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 2*, by Mr. Clegg, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 103-26-19, UTAH CODE ANNOTATED 1943, AND PROHIBITING ANY MEMBER OF THE LEGISLATURE FROM RECEIVING ANY CONSIDERATION FOR DRAFTING OR PREPARING ANY BILL OR RESOLUTION PROPOSED TO BE INTRODUCED INTO THE LEGISLATURE, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 2 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Messrs. Clegg, Bailey, Knight, Melich and Elggren, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 93-1-4 AND 93-1-5, UTAH CODE ANNOTATED 1943, PERTAINING TO TOBACCO (AND OLEOMARGARINE), REPEALING SECTION 93-1-16, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE REPEAL OF THE EXCISE TAX UPON OLEOMARGARINE, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 31*, by Messrs. Fowles, Day, Jenkins and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 32 was ordered printed and referred to the Committee on Public Institutions.

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 33*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-540, UTAH CODE ANNOTATED 1943, REGULATING THE ISSUANCE OF SPECIAL DEER PERMITS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 34*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-54B UTAH CODE ANNOTATED 1943, PROVIDING THAT NON-RESIDENTS OF THE STATE OF UTAH BE GRANTED NO SPECIAL DEER PERMITS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 41*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 88, LAWS OF UTAH 1947, RELATING TO GIFTS AND THE USE THEREOF; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 44*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 2, 3, AND 4, CHAPTER 86, LAWS OF UTAH 1947, RELATING TO ALCOHOLICS AND ALCOHOLISM; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE AND MAKING AN APPROPRIATION, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 44 was ordered printed and referred to the Committee on Welfare.

January 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 47*, by Messrs. Marthakis, Fowles, Brockbank and Elggren, with a few minor changes assented to by the authors, and recemmends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 51 was ordered printed and referred to the Committee on Health and Labor.

January 14, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 52*, by Messrs. Day and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 14, UTAH CODE ANNOTATED, 1943, UNPROFESSIONAL CONDUCT IN PRACTICE OF OPTOMETRY DEFINED, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 52 was ordered printed and referred to the Committee on Health and Labor.

January 17, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 1*, by Messrs. Hopkin and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7 By Mr. Clegg

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES GOVERNMENT TO EXERCISE THE UTMOST CARE IN THE EXPENDITURE OF PUBLIC FUNDS DURING THIS SESSION OF CONGRESS, AND TO MAKE EVERY EFFORT TO CUT DOWN THE COSTS OF GOVERNMENT WHICH ARE IN KEEPING WITH NATIONAL DEFENSE AND SECURITY AND THE EFFICIENT OPERATION OF THE FEDERAL GOVERNMENT, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 101 By Messrs. Jenkins and Fowles

AN ACT APPROPRIATING $400,000.00 TO THE UTAH STATE BUILDING BOARD FOR CONSTRUCTION OF A SCHOOL BUILDING AT THE UTAH SCHOOL FOR THE DEAF AND BLIND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102 By Messrs. Knight, Marthakis and Brockbank

AN ACT AMENDING SECTIONS 42-1-12, 42-1-14, 41-1-40, 42-1-57, 42-1-57.10, 42-1-67, 42-1-70, 42-1-90, 42-1-92, UTAH CODE ANNOTATED, 1943, AND SECTIONS 42-1-37, 42-1-41, 42-1-58, 42-1-61, 42-1-62, 42-1-63, 42-1-64, 42-1-65, 42-1-75, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1945, RELATING TO AND PROVIDING WORKMEN'S COMPENSATION, PLACES OF EMPLOYMENT TO BE SAFE, PENALTY OF FAILURE TO USE SAFTEY DEVICES, INVESTIGATION OF PLACES OF EMPLOYMENT, VIOLATION OF ORDERS, EMPLOYERS ANNUAL REPORTS, EMPLOYERS DEFINED, EMPLOYEES DEFINED, RIGHT TO COMPENSATION, AMOUNTS OF COMPENSATION PAYABLE, BASIS OF COMPUTATION OF AVERAGE WEEKLY WAGE, INJURIES TO MINORS, EMPLOYERS RECORDS SUBJECT TO EXAMINATION, MISREPRESENTATION BY EMPLOYERS, RECORD AND REPORTS OF ACCIDENTS, AND ENACTING A NEW SECTION TO BE KNOWN AS 42-1-62.10, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 103 By Messrs. Gibson, Knight, Marthakis and Brockbank

AN ACT AMENDING SECTION 42-1a-3, 42-1a-10, 42-1a-12, 42-1a-13, 41-1a-21, 42-1a-28, 42-1a-29, 42-1a-49, UTAH CODE ANNOTATED 1943, AND SECTION 42-1a-11 AND 42-1a-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66 LAWS OF UTAH 1945, RELATING TO AND PROVIDING FOR AN OCCUPATIONAL DISEASE DISABILITY; EMPLOYERS DEFINED, CONSTRUCTION OF TERMS, EMPLOYERS' LIABILITY FOR COMPENSATION CONDITIONS, PRECEDENT TO LIABILITY, AMOUNTS OF COMPENSATION PAYABLE, PENALTY FOR EMPLOYERS FAILING TO COMPLY, PENALTY FOR FALSE CLAIM OF EMPLOYEE, ENFORCEMENT BY INJUNCTION, OCCUPATIONAL DISEASES LISTED, SILICOSIS DEFINED, DEPENDENTS DEFINED, PERIOD OF LIMITATIONS FOR FILING CLAIMS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 42-1a-57 UTAH CODE ANNOTATED 1943, AND REPEALING SECTIONS 42-1a-25 AND 42-1a-26 UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104 By Mr. Day

AN ACT AMENDING SECTION 101-1-1, UTAH CODE ANNOTATED 1943, RELATING TO THE ELECTION BY A WIDOW TO TAKE UNDER WILL OR DISTRIBUTIVE SHARE BY PROVIDING THAT IF THE WIDOW DOES NOT ELECT TO TAKE THE DISTRIBUTIVE SHARE SHE SHALL TAKE UNDER THE WILL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105 By Messrs. Day and Burns

AN ACT MAKING IT MANDATORY FOR THE UTAH LIQUOR CONTROL COMMISSION TO WITHDRAW LIQUOR STORES AND PACKAGE AGENCIES FROM OPERATION IN ANY MUNICIPALITY OR DISTRICT IN THE STATE UPON PETITION OF A MAJORITY OF THE QUALIFIED ELECTORS, AND DEFINING A DISTRICT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106 By Mr. Melich

AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1945, RELATING TO THE SALARIES OF EXECUTIVE OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 107 By Mr. Melich

AN ACT AMENDING SECTIONS 87-1-3, AND 87-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 134, LAWS OF UTAH 1947, RELATING TO THE SALARIES OF JUDGES OF THE SUPREME AND DISTRICT COURTS, AND FIXING THE TERM OF DISTRICT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108 By Mr. Melich

AN ACT AMENDING SECTION 20-2-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 39, LAWS OF UTAH 1945, RELATING TO THE SUPREME COURT, THE NUMBER OF JUSTICES, THE NUMBER TO CONSTITUTE A QUORUM, THE TERM OF OFFICE AND THE SALARIES OF SUPREME COURT JUSTICES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109 By Messrs. Elggren, Day and Brockbank

AN ACT AMENDING SECTION 75-29-44, UTAH CODE ANNOTATED 1943, RELATING TO RETIREMENT OF SCHOOL TEACHERS, PROVIDED THAT TEACHERS ATTAINING THE AGE OF SEVENTY MAY COMPLETE THEIR TEACHING CONTRACT FOR THE SCHOOL YEAR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110 By Mr. Melich

AN ACT AMENDING SECTION 1 OF CHAPTER 126, LAWS OF UTAH 1945, CHANGING AND FIXING SALARIES OF THE BUILDING COMMISSION SUPERINTENDENT OF CONSTRUCTION; STATE FISH AND GAME DIRECTOR; MEMBERS OF THE INDUSTRIAL COMMISSION; STATE ENGINEER; MEMBERS OF

THE COMMISSION OF FINANCE; ASSISTANT LIBRARIAN, STATE LIBRARY; CLERK OF THE SUPREME COURT; MEMBERS OF THE STATE TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE COMMISSION OF BUSINESS REGULATION; STATE HEALTH COMMISSIONER; MEMBERS OF THE LIQUOR CONTROL COMMISSION; MEMBERS OF THE STATE BOARD OF AGRICULTURE; MEMBERS OF THE COMMISSION OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; MEMBERS OF THE ENGINEERING COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 111 By Messrs. Brockbank and Day

AN ACT AMENDING TITLE 79-1-5, UTAH CODE ANNOTATED 1943, TITLE 79-5a-2, UTAH CODE ANNOTATED 1943, TITLE 79-5a-3, UTAH CODE ANNOTATED 1943; TITLE 79-5a-4, UTAH CODE ANNOTATED 1943; PROVIDING FOR CREATION OF CONTRATORS LICENSING SCREENING BOARD, REQUIRING ALL CONTRACTORS TO BE LICENSED, DEFINING THE TERM CONTRACTOR, AND REQUIRING THAT SUB-CONTRACTORS BE LICENSED TO ENGAGE ONLY IN THAT TRADE FOR WHICH HE FILES APPLICATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112 By Mr. Fowles

AN ACT RELATING TO THE COLLECTION, PAYMENT AND DISHONOR OF DEMAND ITEMS BY BANKS AND THE REVOCATION OF CREDIT FOR, AND PAYMENT OF, SUCH ITEMS, AND REPEALING CHAPTER 13, LAWS OF UTAH 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 113 By Mr. Fowles

AN ACT AMENDING SECTIONS 7-3-22, AND 7-3-23, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF DIRECTORS OF BANKS WITH RESPECT TO EXAMINATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 114 By Mr. Melich

AN ACT AMENDING SECTION 105-18-1, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE MANNER IN WHICH A GRAND JURY SHALL BE DRAWN OR SUMMONED, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Marthakis moved that the President appoint a committee of three members to cooperate with the Governor in doing everything possible to aid the sheep men throughout the state during the temporary emergency created by the unprecedented cold wave.

Motion carried.

The President appointed a committee consisting of Senators Jones, Gibbons and Orser to cooperate with the Governor to aid the sheep men throughout the state during the temporary emergency.

Senator Day moved that the chairmen of the various Standing Committees meet immediately after the Senate adjourns today.

Motion carried.

On motion of Senator Day the Senate adjourned until January 18, 1949 at 2:00 P.M.

NINTH DAY

January 18, 1949

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

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

Prayer by the Chaplain.

January 18, 1949

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,

P. S. MARTHAKIS
LEWIS H. LARSEN

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 17, 1949

To the Senate
State Capitol Building

Gentlemen:

Three recess appointments were made by former Governor Herbert B. Maw.

The appointees are:

George N. Lawrence, Member, Board of Control, State Historical Society, for term ending April 1, 1951;

Dr. A. R. Christopherson, Member Utah State Board of Health, March 1, 1955; and,

Dr. Earl L. Skidmore, Member, Board of Trustees, Children's Crippling Disease Hospital, March 31, 1955.

I am submitting their names for your approval.

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

REPORTS OF STANDING COMMITTEES

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12*, by Messrs. Jolley and Milliman, for return to its authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report adopted and filed.

S. B. No. 12 was returned to the authors for rewriting.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13*, by Messrs. Jolley, Jones and Orser, for return to its authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report adopted and filed.

S. B. No. 13 was returned to the authors for rewriting.

Upon motion of Senator Marthakis, *S. B. Nos. 12 and 13*, as rewritten, are to retain their respective numbers.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 15*, by Messrs. Brockbank, Clegg and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 15 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Messrs. Brockbank and Clegg, for return to its authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report adopted and filed.

S. B. No. 16 was returned to the authors for rewriting.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 22*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 30-0-21 UTAH CODE ANNOTATED 1943, CHAPTER 42 LAWS OF UTAH 1947, REGULATING THE RIGHT OF ALIENS TO FISH AND HUNT, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 23 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 24 was ordered printed and referred to the Committee on Education.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 30-0-1 UTAH CODE ANNOTATED 1943, PERTAINING TO THE DUTIES OF THE STATE DEPARTMENT OF FISH AND GAME AND AUTHORIZING SAID DEPARTMENT TO PURCHASE ROADWAY INTO PUBLIC FISHING AND HUNTING AREAS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 28*, by Messrs. Jolley and Knight, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 15-8-55, UTAH CODE ANNOTATED 1943, RELATING TO FIRE DEPARTMENTS AND AUTHORIZING CITIES AND TOWNS TO EXTINGUISH FIRES OUTSIDE OF THEIR CORPORATE LIMITS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 28 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 53*, by Messrs. Day and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 2, UTAH CODE ANNOTATED 1943, REQUIREMENTS FROM APPLICANTS TO PRACTICE OPTOMETRY, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 53 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 54*, by Messrs. Day and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 6, UTAH CODE ANNOTATED 1943, RELATING TO FEES TO BE PAID BY OPTOMETRISTS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 54 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 58*, by Messrs. Day and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING TITLE 79, CHAPTER 11, SECTION 5, UTAH CODE ANNOTATED 1943, EXAMINATIONS WHEN DISPENSED WITH-RECIPROCAL LICENSES; RELATING TO OPTOMETRY, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 58 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 59*, by Messrs. Day and Fowles, with a few minor changes assented by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 59 was ordered printed and referred to the Committee on Fish and Game.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 61*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND PROVIDING A PENALTY, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 62*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 30-0-20, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO NON-RESIDENT LICENSE TO HUNT DEER AND THE FEES THEREFOR; ALLOCATION OF FEES AND ISSUANCE OF DEER TAGS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 62 was ordered printed and referred to the Committee on Fish and Game.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 63*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT ADDING A NEW SECTION TO BE KNOWN AS 30-0-12A UTAH CODE ANNOTATED 1943, PROVIDING FOR THE

PURCHASE OF A VISIBLE LICENSE TO BE WORN AT ALL TIMES WHILE HUNTING AND FISHING, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 63 was ordered printed and referred to the Committee on Fish and Game.

On motion of Senator Marthakis, the Senate recessed to meet with the House in joint session in the House Chamber to hear a report on the Upper Colorado Basin Compact.

The Senate reassembled.

On motion of Senator Marthakis, the Senate adjourned until January 19, 1949 at 2:00 p.m.

TENTH DAY

January 19, 1949

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

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

Prayer by the Chaplain.

January 19, 1949

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,

P. S. MARTHAKIS
LEWIS H. LARSEN

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 19, 1949

To the Honorable Alonzo F. Hopkin
President
Utah State Senate
Building

Dear Mr. President:

Due to the delay in the printing of the budget documents, I am unable to present the budget message and documents to you until 2:00 p.m. Monday, January 24, 1949.

If consistent with the views of your honorable body, I would like to present my budget message in joint session to both houses of the Legislature at that time.

Awaiting your pleasure, I am,

Respectfully,

J. BRACKEN LEE,
Governor

On motion of Senator McShane the Senate voted to meet with the House in joint session on Monday, January 24, 1949 at 2:00 p.m. to receive the Governor's Budget Message.

COMMUNICATIONS FROM THE HOUSE

January 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. C. M. No. 1*, by Messrs. Knight, Marthakis and Elggren, entitled,

A CONCURRENT MEMORIAL URGING THE CONGRESSIONAL DELEGATION FROM THE STATE OF UTAH TO INTRODUCE A RESOLUTION IN THE CONGRESS OF THE UNITED STATES REQUESTING PRESIDENT TRUMAN TO USE HIS GOOD OFFICE IN SECURING THE APPOINTMENT OF A FACT FINDING BOARD TO INVESTIGATE AND RECOMMEND A BASIS FOR SETTLEMENT OF THE EXISTING LABOR-MANAGEMENT DISPUTE BETWEEN THE KENNECOTT COPPER CORPORATION, UTAH COPPER DIVISION, AND THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, SUCH AS WAS RECOMMENDED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE

AND THE INDUSTRIAL COMMISSION OF THE STATE OF UTAH ON NOVEMBER 6, 1948, COPY ATTACHED, and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

January 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 1*, by Messrs. Faust, Kerr, Johnson, and Rees, entitled,

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF JOSEPH E. REES, and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

January 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 2*, by Messrs. Faust, Kerr, Johnson and Rees, entitled,

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF FRANK W. PENROSE, and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

January 18, 1949

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 Mr. Maurice Anderson, entitled,

A JOINT RESOLUTION CONGRATULATING THE PRESIDENT OF THE UNITED STATES, HARRY S. TRUMAN, UPON HIS ELECTION TO THE PRESIDENCY, and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
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.

REPORTS OF STANDING COMMITTEES

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 3*, by Messrs. Melich and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 3 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

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 the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 5*, by Mr. Clegg, for return to its author to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report adopted and filed.

S. B. No. 5 was returned to the author for rewriting.

On motion of Senator Clegg, *S. B. No. 5*, as rewritten, is to retain its number.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Messrs. Fowles, Gibson, Jenkins, Day and Knight, for return to its authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report adopted and filed.

S. B. No. 9 was returned to the authors for rewriting.

On motion of Senator Jenkins, *S. B. No. 9*, as rewritten, is to retain its number.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 55*, by Messrs. Day and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT MAKING CERTAIN ACTS RELATING TO OPTOMETRY UNLAWFUL AND THE PENALTY THEREOF, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 55 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 56 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 57 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 60 was ordered printed and referred to the Committee on Fish and Game.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 64*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 64 was ordered printed and referred to the Committee on Fish and Game.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 65*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 103-21-7 UTAH CODE ANNOTATED 1943, REGULATING THE USE OF 22 RIFLES AND PELLET AIR GUNS, AND PROVIDING A PENALTY, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 67*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 67 was ordered printed and referred to the Committee on Judiciary.

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 69 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 70*, by Mr. Melich, with a few minor changes assented to by the author and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman

Report filed

S. B. No. 70 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 71*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 72*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 72 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 73*, by Messrs. Melich and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 73 was ordered printed and referred to the Committee on Judiciary.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 74*, by Messrs. Melich and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 74 was ordered printed and referred to the Committee on Judiciary.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 75*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 75 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 76*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 76 was ordered printed and referred to the Committee on Judiciary.

January 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 77*, by Messrs. Jolley and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 77 was ordered printed and referred to the Committee on Education.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 95*, by Messrs. Day, Fowles, and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 95 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 99*, by Mr. Fowles, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTIONS 100-3-16 AND 100-3-17 OF THE UTAH CODE ANNOTATED 1943, RELATING TO PROOF OF APPROPRIATION OR PERMANENT CHANGE OF WATER AND TO THE ISSUANCE OF CERTIFICATES THEREFOR, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 99 was ordered printed and referred to the Committee on Agriculture and Irrigation.

The President recognized former Senator McKinley Morrill.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 9 By Messrs. Day and McShane

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, DECLARING A POLICY RELATING TO STATE REVENUES AND EXPENDITURES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 12 By Messrs. Jolley, Milliman and Marthakis
(Rewritten)

AN ACT AMENDING SECTIONS 15-1-1 AND 15-1-2, UTAH CODE ANNOTATED 1943, RELATING TO THE CLASSIFICATION AND CHANGE OF CLASSIFICATION OF CITIES AND TOWNS, was read the first time and referred to the Committee on Revision and Enrolling

S. B. No. 13 By Messrs. Jolley, Jones, Orser and Marthakis
(Rewritten)

AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL DISTRICTS, NUMBER OF JUDGES, AND AMENDING THE SAME TO PROVIDE THAT THE NUMBER OF JUDGES IN THE FOURTH JUDICIAL DISTRICT SHALL BE INCREASED FROM TWO TO THREE AND PROVIDING FOR THE APPOINTMENT OF A JUDGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 115 By Messrs. Day and Brockbank

AN ACT REPEALING SECTIONS 6 AND 8 OF CHAPTER 32, LAWS OF UTAH 1947, REQUIRING THE LICENSING OF PRACTICAL NURSES AND PRESCRIBING TRAINING SCHOOLS FOR PRACTICAL NURSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 116 By Messrs. Day, Elggren and Reese

AN ACT PROVIDING FOR THE REGULATION AND CONTROL OF THE BUSINESS OF DEALING IN MOTOR VEHICLES AND THE CREATION OF THE OFFICE OF AN ADMINISTRATOR OF THE DEPARTMENT OF MOTOR VEHICLES OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION, LICENSING, EXAMINATION, REGULATION AND SUPERVISION OF ALL DEALERS IN MOTOR VEHICLES BOTH NEW AND USED ENGAGED IN THE BUSINESS OF BUYING, SELLING OR IN ANY MANNER DEALING IN MOTOR VEHICLES IN THE STATE OF

UTAH; PROVIDING FOR AN ADVISORY COUNSEL PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS AND ADMINISTRATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 117 By Messrs. Fowles, Brockbank and Day

AN ACT AMENDING THE EXPLANATORY TITLE OF CHAPTER 63, THE INSURANCE CODE, LAWS OF UTAH, 1947, BY DELETING REFERENCES TO THE BUSINESS REGULATION COMMISSION AND AMENDING A TECHNICAL CORRECTION IN THE BODY OF THE TITLE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 118 By Messrs. Fowles, Brockbank and Day

AN ACT AMENDING SECTION 43-2-1, LAWS OF UTAH 1947, REMOVING THE INSURANCE DEPARTMENT OF THE STATE OF UTAH FROM THE SUPERVISION AND CONTROL OF THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 119 By Messrs. Fowles, Brockbank and Day

AN ACT AMENDING SECTION 43-2-2, UTAH LAWS, 1947, WHICH AUTHORIZED THE GOVERNOR, WITH THE CONSENT OF THE SENATE, TO APPOINT A COMMISSIONER OF INSURANCE; DESIGNATING A TENURE OF OFFICE FOR THE INSURANCE COMMISSIONER; AND FIXING HIS ANNUAL SALARY AT $6,000, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 120 By Messrs. Fowles, Brockbank and Day

AN ACT TO BE DESIGNATED AS SECTION 43-2-2A, LAWS OF UTAH 1949, WHICH AUTHORIZES THE GOVERNOR TO REMOVE THE INSURANCE COMMISSIONER FOR INEFFICIENCY, NEGLECT, MALFEASANCE AND FOR OTHER GOOD AND SUFFICIENT CAUSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 121 By Messrs. Larsen and Elggren

AN ACT RELATING TO THE NOMINATION AND ELECTION OF DISTRICT AND SUPREME COURT JUDGES; PROVIDING FOR A NO-PARTY PRIMARY AND GENERAL ELECTION BALLOT AND FOR NOMINATION PETITIONERS; AND AMENDING SECTIONS 25-3-8, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, AND SECTION 25-3-10, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 122 By Messrs. Fowles, Brockbank and Day

AN ACT AMENDING SECTION 43-4-3, LAWS OF UTAH 1947, PERMITTING THE COMMISSIONER OF INSURANCE TO DESIGNATE HEARINGS AND TO DETERMINE WHAT HEARINGS MAY BE OPEN TO THE PUBLIC, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 123 By Messrs. Fowles, Brockbank and Day

AN ACT AMENDING SECTION 43-2-5, LAWS OF UTAH 1947, PERMITTING THE COMMISSIONER OF INSURANCE TO MAINTAIN AN OFFICE IN THE STATE CAPITOL, HIRE NECESSARY EMPLOYEES, APPOINT A DEPUTY, ETC. AND REMOVING SUCH AUTHORITY FROM THE COMMISSION OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 124 By Mr. Brockbank

AN ACT TO PROVIDE FOR THE SALE OF THE STATE CENTER FOR THE BLIND BY THE DEPARTMENT OF FINANCE AND TO DEPOSIT ALL MONEY ACCRUING THEREFROM TO THE CREDIT OF THE UTAH COMMISSION FOR THE BLIND FOR THE PURCHASE OF EQUIPMENT, FURNISHINGS, AND OTHER FACILITIES FOR THE PROPOSED NEW CENTER FOR THE BLIND AT SALT LAKE CITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 125 By Messrs. Elggren, Jones and Marthakis

AN ACT MAKING UNLAWFUL THE DISCRIMINATION IN EMPLOYMENT ON ACCOUNT OF RACE, RELIGIOUS BELIEF, OR ANCESTRY; DECLARING STATE POLICY WITH REGARD THERETO; DEFINING UNLAWFUL EMPLOYMENT PRACTICES IN CONNECTION WITH SUCH DISCRIMINATION; INVESTING THE INDUSTRIAL COMMISSION OF UTAH WITH JURISDICTION AND POWER TO ADMINISTER THIS ACT; DEFINING THE POWER, DUTIES, AND FUNCTIONS OF SAID INDUSTRIAL COMMISSION IN CONECTION WITH SUCH ADMINISTRATION; MAKING IT A MISDEMEANOR TO VIOLATE ORDERS OF SAID INDUSTRIAL COMMISSION; AND PROVIDING FOR JUDICIAL REVIEW OF SAID INDUSTRIAL COMMISSION'S ORDERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 126 By Messrs. Fowles, Brockbank and Day

AN ACT AMENDING THE TITLE OF SECTION 43-4-2, LAWS OF UTAH 1947, TO DESCRIBE THE CONTENTS OF THE SECTION AND TO AMEND A TECHNICAL CORRECTION IN THE SUBJECT MATTER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 127 By Messrs. Brockbank, Melich, Larsen and Orser

AN ACT AMENDING SECTION 80-10-68, UTAH CODE ANNOTATED 1943, RELATING TO THE SALE AND LEASE OF UNREDEEMED TAX TITLE PROPERTY BY COUNTY COMMISSIONERS, PRESCRIBING THE TERMS UPON WHICH THE PROPERTY MAY BE SOLD, AND PERMITTING COUNTIES TO RESERVE OIL, GAS AND MINERAL RIGHTS, AND TO SELL AND LEASE THE SAME, AUTHORIZING THE COUNTY COMMISSIONERS TO ENTER INTO AGREEMENTS FOR THE POOLING AND UNITIZATION OF ACREAGE WITH OTHERS FOR UNIT OPERATIONS FOR THE PRODUCTION OF OIL OR GAS, OR BOTH, AND RATIFYING EXISTING MINERAL, ASPHALT, OIL AND GAS LEASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 128 By Messrs. Brockbank, Melich, Larsen, Orser and Gibson

AN ACT AMENDING SECTION 1 OF CHAPTER 127, LAWS OF UTAH 1945, AUTHORIZING THE STATE LAND BOARD ON BEHALF OF THE STATE TO JOIN IN CO-OPERATIVE UNIT PLANS FOR THE DEVELOPMENT OF OIL AND GAS, AND IN CONNECTION THEREWITH TO MODIFY THE TERM AND PROVISIONS OF STATE LEASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 129 By Messrs. Brockbank, Melich, Larsen, Orser and Gibson

AN ACT AMENDING SECTION 86-1-44, UTAH CODE ANNOTATED 1943, RELATING TO THE LEASING OF STATE LANDS, AND PROVIDING THAT THIS SECTION SHALL NOT APPLY TO MINERAL LEASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130 By Mr. Knight

AN ACT AMENDING SECTION 100-9-4, UTAH CODE ANNOTATED 1943, RELATING TO NOTICE OF ELECTION, WHO IS ENTITLED TO VOTE, AND DIRECTORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 131 By Messrs. Knight, Marthakis, Brockbank and Jolley

AN ACT AMENDING SECTIONS 50-1-1, 50-1-2 AND 50-1-3, UTAH CODE ANNOTATED 1943, RELATING TO AND FIXING THE REPRESENTATION IN THE SENATE AND IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AND PROVIDING FOR THE DIVISION OF COUNTIES HAVING MORE THAN ONE REPESENTATIVE INTO REPRESENTATIVE DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 132 By Messrs. Marthakis, Milliman and Jolley

AN ACT AMENDING CHAPTER 124, LAWS OF UTAH 1947, RELATING TO DESIGNATION OF THE OLD UTAH PRISON SITE AS A STATE PARK AND REPEALING CHAPTER 161, LAWS OF UTAH 1937, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 133 By Messrs. Gibson, Day, Clegg, Fowles, Marthakis, Elggren, Brockbank, Melich, Knight, Reese, Larsen, Orser and Jenkins

AN ACT AMENDING SECTION 14-4-8, UTAH CODE ANNOTATED 1943 RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND THE METHOD OF APPROVING SUCH CONSENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 134 By Messrs. Milliman, Reese and Marsden

AN ACT AMENDING SECTIONS 19-13-13, 19-13-14, AND 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CH. 30 LAWS OF UTAH 1943, AND BY CHS. 34 AND 35, LAWS OF UTAH 1945 AND AS AMENDED BY CH. 23, LAWS OF UTAH 1947 AND AS AMENDED BY CH. 1, LAWS OF UTAH 1948 (SPECIAL SESSION) PROVIDING FOR THE CLASSIFICATION OF COUNTIES, SALARIES OF COUNTY OFFICERS AND FIXING AND DETERMINING SALARIES, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 135 By Messrs. Lund and Milliman

AN ACT TO DEFINE AND TO REGULATE THE PRACTICE OF THE HEALING ART; TO DEFINE THE TERM BASIC SCIENCES; PROVIDE FOR THE ADMINISTRATION OF THE ACT THROUGH THE DEPARTMENT OF REGISTRATION IN COLLOBORATION WITH A COMMITTEE OF EXAMINERS IN THE BASIC SCIENCES AND TO DEFINE THEIR POWERS AND DUTIES; TO PROVIDE FOR THE APPOINTMENT OF SUCH COMMITTEE; TO PROVIDE THAT CERTIFICATION BY THE DEPARTMENT OF REGISTRATION BE A PREREQUSITE OF ELIGIBILITY FOR EXAMINATION FOR LICENSE TO PRACTICE THE HEALING ART; TO PROVIDE PENALTIES AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 136 By Messrs. Jolley and Brockbank

AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 15, LAWS OF UTAH 1943, AND AS FURTHER AMENDED BY CHAPTER 20, LAWS OF UTAH 1945, SECTION 14-6-2, UTAH CODE ANNOTATED 1943;

SECTION 14-6-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 21, LAWS OF UTAH 1945; SECTIONS 14-6-6, 14-6-8, 14-6-9, 14-6-10, 14-6-13, 14-6-14, 14-6-15, 14-6-18, 14-6-19, 14-6-22, 14-6-25, AND 14-6-28, UTAH CODE ANNOTATED 1943, PERTAINING TO CHILD LABOR AND REGULATIONS FOR THE EMPLOYMENT OF MINORS; ENACTING A NEW SECTION TO BE KNOWN AS SECTION 14-6-27, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE PAYMENT OF COMPENSATION TO MINORS WHO ARE INJURED WHILE ILLEGALLY EMPLOYED; AND REPEALING SECTIONS 14-6-12, 14-6-16, 16-6-17, 14-6-21, 14-6-23, AND 14-6-24, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 137 By Mr. Melich

AN ACT AMENDING SECTIONS 42-2-4, 42-2-6, 12-2-10, AND 42-2-11, UTAH CODE ANNOTATED 1943, RELATING TO WORKMEN'S COMPENSATION, OCCUPATIONAL DISEASE AND THE STATE INSURANCE FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 138 By Mr. Melich

AN ACT TO PREQUALIFY HIGHWAY CONTRACTORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 139 By Mr. Melich

AN ACT AMENDING SECTIONS 34-0-1, 34-0-2, 34-0-3 AND REPEALING SECTIONS 34-0-4, 34-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE UTAH GEOLOGICAL AND MINERALOGICAL SURVEY AND ITS GOVERNING BOARD WITHIN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND TRANSFERING ALL RIGHTS, POWERS AND DUTIES OF SAID SURVEY, ITS GOVERNING BOARD, AND THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT IN REFERENCE THERETO, TO THE STATE SCHOOL OF MINES AND MINERAL INDUSTRIES OF THE UNIVERSITY OF UTAH, PROVIDING FOR AN ADVISORY BOARD TO ASSIST IN ATTAINING THE OBJECTS OF SAID SURVEY; AND APPROPRIATING $50,000 FOR CARRYING OUT THE PURPOSES OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Bailey, excused.

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

On motion of Senator Marthakis it was agreed that when the Senate adjourns today, it stand adjourned until Thursday, January 20, 1949 at 2:00 p.m.

On motion of Senator Day the Senate adjourned.

ELEVENTH DAY

January 20, 1949

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

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

Prayer by the Chaplain.

January 20, 1949

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,

P. S. MARTHAKIS
LEWIS H. LARSEN

Report adopted and filed.

Senator Marthakis moved that when the Senate adjourns today, it stand adjourned until Monday, January 24, 1948 to permit the Senators to accept the invitation to visit the Weber County Institutions on Friday, January 21, 1949.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

January 18, 1949

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. 1*, by Emergency Committee on Relief, entitled,

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO GRANT EMERGENCY DEFICIENCY APPROPRIATIONS TO FEDERAL AGENCIES OPERATING IN UTAH FOR THE PURPOSE OF SAVING HUMAN AND ANIMAL LIVES ENDANGERED BY UNPRECEDENTED STORMS, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

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

Motion carried.

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Bailey, excused.

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

January 20, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 1*, by Messrs. Hopkin and Melich, entitled,

AN ACT RATIFYING THE UPPER COLORADO RIVER BASIN COMPACT ENTERED INTO AT SANTA FE, NEW MEXICO, ON OCTOBER 11, 1948, BY THOSE STATES OF THE UPPER COLO-

RADO RIVER BASIN, NAMELY, ARIZONA, COLORADO, NEW MEXICO, UTAH AND WYOMING, BY THE REPRESENTATIVES OF THOSE STATES, WITH THE APPROVAL OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA, and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEES

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. M. No. 1*, by Messrs. Knight, Marthakis and Elggren, entitled:

A CONCURRENT MEMORIAL URGING THE CONGRESSIONAL DELEGATION FROM THE STATE OF UTAH TO INTRODUCE A RESOLUTION IN THE CONGRESS OF THE UNITED STATES REQUESTING PRESIDENT TRUMAN TO USE HIS GOOD OFFICE IN SECURING THE APPOINTMENT OF A FACT FINDING BOARD TO INVESTIGATE AND RECOMMEND A BASIS FOR SETTLEMENT OF THE EXISTING LABOR-MANAGEMENT DISPUTE BETWEEN THE KENNECOTT COPPER CORPORATION, UTAH COPPER DIVISION, AND THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, SUCH AS WAS RECOMMENDED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE AND THE INDUSTRIAL COMMISSION OF THE STATE OF UTAH ON NOVEMBER 6, 1948, COPY ATTACHED, examined by this committee and has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
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.

January 19, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. M. No. 2 was ordered printed and referred to the Committee on Public Institutions.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 5*, by Messrs. Brockbank, Milliman, Day, Jolley, Melich and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 5 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 6*, by Messrs. Brockbank, Milliman, Day, Jolley, Melich and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 19, 1949

Mr. President:

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

Respectfuliy,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 7 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman

Report filed.

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

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35*, by Messrs. Fowles and Jolley, for return to its authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report adopted and filed.

S. B. No. 35 was returned to the authors for rewriting.

On motion of Senator Jolley, *S. B. No. 35*, as rewritten, is to retain its number.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 37*, by Messrs. Day, Fowles, Melich and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 37 was ordered printed and referred to the Committee on Banking and Commerce.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 49*, by Messrs. Knight, Elggren and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 49 was ordered printed and referred to the Committee on Welfare.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 85*, by Messrs. Melich, Fowles, Reese and Knight, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 36-2-17, UTAH CODE ANNOTATED 1943, APPROPRIATING TO THE STATE ROAD COMMISSION THE MONIES IN THE MOTOR VEHICLE REGISTRATION FUND FOR USE ON CLASS "B" AND CLASS "C" ROADS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 36-2-16.10 MAKING AN APPROPRIATION TO STATE ROAD COMMISSION AND REPEALING SECTIONS 36-2-16 AND 36-2-18, UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 85 was ordered printed and referred to the Committee on Highways.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 91*, by Messrs. Gibbons, Jones, Jenkins and Jolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 91 was ordered printed and referred to the Committee on Revenue and Taxation.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 96*, by Messrs. Day, Gibson and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, by Messrs. Day, Gibson and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 97 was ordered printed and referred to the Committee on Highways.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98*, by Messrs. Day, Gibson and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on Highways.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 100*, by Messrs. Elggren, Jolley, Marthakis and Jones, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 100 was ordered printed and referred to the Committee on Welfare.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 101*, by Messrs. Jenkins and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 101 was ordered printed and referred to the Committee on Public Institutions.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 102*, by Messrs. Knight, Marthakis and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 102 was ordered printed and referred to the Committee on Health and Labor.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 103*, by Messrs. Gibson, Knight, Marthakis and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 103 was ordered printed and referred to the Committee on Health and Labor.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 104*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 104 was ordered printed and referred to the Committee on Judiciary.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 105*, by Messrs. Day and Burns, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 105 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No 109*, by Messrs. Elggren, Day and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 109 was ordered printed and referred to the Committee on Education.

January 20, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 33*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

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

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 50*, by Messrs. Day and Jolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 44*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

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

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

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

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 3*, by Mr. Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. R. No. 6*, by Mr. Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 2*, by Messrs. Brockbank, Elggren and Marthakis, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 36*, by Mr. Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 36 was placed on the Second Reading Calendar.

January 20, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 4*, by Messrs. Clegg, Bailey, Knight, Melich and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 32*, by Messrs. Fowles, Day, Jenkins and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 8 By Committee on Rules and Contingent Expenses

A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-EIGHTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 10 By Messrs. McShane, Hopkin, Reese, Melich, Lund, Larsen, Jones, Gibbons, Marsden, Orser, Burns, Fowles, Milliman and Gibson

A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE IX, CONSTITUTION OF THE STATE OF UTAH, SECTIONS 2, 3, AND 4 THEREOF, RELATING TO LEGISLATIVE APPORTIONMENT, REVISION AND ADJUSTMENT OF APPORTIONMENT FOR SENATORS AND REPRESENTATIVES, FIXING THE NUMBER OF MEMBERS OF THE LEGISLATURE AND FORMATION OF SENATORIAL AND REPRESENTATIVE DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 11 By Messrs. Day, Jenkins, and McShane

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF STATE RETIREMENT PLANS AND PENSIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 12 By Messrs. McShane, Orser and Day

A JOINT RESOLUTION PROVIDING FOR A STUDY OF THE EFFECTS OF HEAVY VEHICLE TRAFFIC UPON THE UTAH HIGHWAYS AND THE ADEQUACY OF TAXES AND FEES LEVIED UPON SUCH VEHICLES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 13 By Messrs. Knight, Brockbank and Marthakis

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE 13, SECTION 2 OF THE CONSTITUTION OF THE STATE OF UTAH AS AMENDED BY THE GENERAL ELECTION OF 1930, AS AMENDED BY THE GENERAL ELECTION OF 1936, AS AMENDED BY THE GENERAL ELECTION OF 1946, RELATING TO THE TAXATION OF TANGIBLE PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling

INTRODUCTION OF BILLS

S. B. No. 5 By Mr. Clegg
(Rewritten)

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76B-0-4.1, UTAH CODE ANNOTATED 1943, ADULT CHILDREN WHO ARE FINANCIALLY ABLE, LIABLE FOR OBLIGATION OF FINANCIAL ASSISTANCE RENDERED PARENTS 65 YEARS OF AGE IN NEED OR ASSISTANCE, SETTING FORTH PROCEDURE, FIXING LIABILITY, MANNER OF COLLECTION AND BURDEN OF PROOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Messrs. Gibson, Fowles, Jenkins, Day and Knight
(Rewritten)

AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION BY AMENDING SECTIONS 25-1-7, UTAH CODE ANNOTATED 1943, AND 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 25-3-10, CHAPTER 35, LAWS OF UTAH 1947, TO PROVIDE A NON-PARTISAN METHOD OF SELECTING JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS OF UTAH; AND ENACTING NEW SECTIONS 20-8-1, 20-8-2, 20-8-3, 20-8-4 AND 20-8-5, UTAH CODE ANNOTATED 1943; PROVIDING FOR THE CREATION OF JUDICIAL SELECTION COMMISSIONS TO SELECT PERSONS FOR AND TO FILL VACANCIES IN SAID OFFICES; FOR THE SELECTION OF THE MEMBERS OF SUCH COMMISSIONS, THEIR TERMS OF OFFICE, THEIR DUTIES AND REMUNERATION; PROHIBITING INCUMBENTS OF AND CANDIDATES FOR SUCH JUDICIAL OFFICES FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND BEING CANDIDATES FOR OR ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTANT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 140 By Messrs. Day, Milliman and Marsden

AN ACT AMENDING SECTIONS 82c-7-1 AND 82c-7-2, UTAH CODE ANNOTATED 1943, RELATING TO INTERSTATE COOPER-

ATION AND DESIGNATING THE UTAH LEGISLATIVE COUNCIL AS THE UTAH COMMITTEE FOR THE LEGISLATIVE BRANCH OF THE STATE GOVERNMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 141 By Messrs. Marthakis and Fowles

AN ACT AMENDING SECTION 75-2-1, UTAH CODE ANNOTATED 1943, RELATING TO FEES OF INSTITUTIONS OF HIGHER EDUCATION BY EMPOWERING THE GOVERNING BOARDS OF SAID INSTITUTIONS TO EXACT AND ANNUAL FEE OF $55, OR MORE, IN ADDITION TO THE TUITION AND OTHER FEES, FROM EACH STUDENT WHOSE DOMICILE IN NOT IN THE STATE OF UTAH; AND RE-ENACTING AND INCORPORATING INTO SAID SECTION 75-18-16, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 93, LAWS OF UTAH, 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 142 By Messrs. Knight, Marthakis and Bailey

AN ACT DECLARING THE NECESSITY FOR CITIES HAVING A POPULATION OF 3,000 OR MORE, AND COUNTIES; TO UNDERTAKE PROJECTS TO CLEAR BLIGHTED AREAS AND TO PROVIDE HOUSING IN URBAN AND RURAL AREAS FOR PERSONS OF LOW INCOME, INCLUDING FARMERS AND VETERANS; TO MAKE LAND AVAILABLE FOR REDEVELOPMENT BY PRIVATE ENTERPRISE OR PUBLIC AGENCIES IN ACCORDANCE WITH APPROVED REDEVELOPMENT PLANS; 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 THEREFOR; TO PROVIDE THAT ANY SUCH CITY OR COUNTY MAY OBTAIN THE ATTORNEY GENERAL'S OPINION UPON BONDS AND OTHER OBLIGATIONS ISSUED PURSUANT TO THIS ACT; TO AUTHORIZE ANY SUCH CITY AND ANY COUNTY TO CREATE A HOUSING AND REDEVELOPMENT AUTHORITY AND DELEGATE TO SUCH AUTHORITY CERTAIN POWERS CONFERRED BY THIS ACT; TO DECLARE THAT THE HOUSING AND REDEVELOPMENT 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 OF DEDICATING PROPERTY, BY FURNISHING PARKS, PLAYGROUNDS, STREETS, ROADS, WATER, SEWER, OR DRAINAGE FACILITIES, AND OTHER IMPROVMENTS AND FACILITIES, BY EXERCISING CERTAIN OTHER POWERS AND BY MAKING AGREEMENTS RELATING 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.

S. B. No. 143 By Messrs. Brockbank, Knight, Bailey and Marthakis

AN ACT AUTHORIZING AND DIRECTING THE STATE BOARD OF HEALTH TO TRANSMIT, WITHOUT COST, DULY AUTHENTICATED COPIES OF DEATH CERTIFICATES OF ALL VETERANS, RESIDENT OR NON-RESIDENT, WHO DIED IN THE STATE OF UTAH, TO THE UTAH STATE DEPARTMENT OF VETERANS' AFFAIRS, was read the first time and referred to the Commitee on Revision and Enrolling.

S. B. No. 144 By Messrs. Brockbank, Marthakis, Knight and Bailey

AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, AND 25-5-6, UTAH CODE ANNOTATED, AS AMENDED, RELATING TO VOTING BY ABSENT ELECTORS AND DISABLED VETERAN ELECTORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 145 By Messrs. Knight, Brockbank, Marthakis and Bailey

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 OR SUBSECTION 3 AND 4, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 146 By Messrs. Marthakis, Knight, Brockbank and Bailey

AN ACT AMENDING SECTION 25-2-7, UTAH CODE ANNOTATED 1943, AS AMENDED, RELATING TO REGISTERING ABSENT VOTERS BY THE COUNTY CLERK OR PHYSICALLY DISABLED VOTERS BY MAIL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 147 By Messrs. Knight, Marthakis, Brockbank and Bailey

AN ACT PROVIDING FOR THE EDUCATION OF UNREMARRIED WIDOWS AND CHILDREN OF UNREMARRIED WIDOWS AND PERSONS WHO SERVED AS A MEMBER OF THE ARMY, NAVY, COAST GUARD OR MARINE CORPS OF THE UNITED STATES, WHO WAS KILLED IN ACTION OR DIED AS A RESULT OF WAR SERVICE IN WORLD WAR II, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No 148 By Messrs. Gibbons and Jones

AN ACT AMENDING SECTION 57-12-9, UTAH CODE ANNOTATED 1943, RELATING TO THE ALLOCATION OF THE BALANCE OF THE RECEIPTS OF THE EXCISE TAX CREDITED THE AERONAUTIC FUND; CREATING A MOTOR FUEL RESERVE FUND FOR ADMINISTERING THE MOTOR FUEL REFUND ACT OF 1949, was read the first time and referred to the Commitee on Revision and Enrolling.

S. B. No. 149 By Messrs. Marsden and Melich

AN ACT AMENDING SECTIONS 80-14-16, 80-16-18, 80-14-34, 80-14-37, 80-14-46, 80-14-52, AND 80-14-53, UTAH CODE ANNOTATED 1943, RELATING TO: THE FILING OF INCOME TAX RETURNS; KEEPING RECORDS AND PROVIDING INFORMATION TO THE TAX COMMISSION; THE PERIOD OF LIMITATION FOR MAKING INCOME TAX ASSESSMENTS; THE PERIOD OF LIMITATION FOR MAKING INCOME TAX REFUNDS AND GRANTING CREDITS IN RELATION THERETO; THE FILING OF PARTNERSHIP RETURNS; THE FILING OF RETURNS BY FIDUCIARIES; PROVIDING OF INFORMATION BY INDIVIDUALS, PARTNERSHIPS, CORPORATIONS, JOINT STOCK COMPANIES AND ASSOCIATIONS OF ALL PAYMENTS MADE BY THEM OF OVER FOUR HUNDRED DOLLARS TO ANY TAXPAYER; ELIMINATING THE REQUIREMENT THAT RETURNS BE MADE UNDER OATH AND PROVIDING THAT RETURNS BE MADE UNDER PENALTY OF SECOND DEGREE PERJURY; AND EXTENDING THE LIMITATION PERIOD FROM TWO TO THREE YEARS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 150 By Mr. Melich

AN ACT AMENDING SECTION 80-14-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1947, RELATING TO THE GRANTING OF CREDITS AGAINST NET INCOME AND GRANTING A CREDIT FOR NET INCOME DERIVED FROM SOURCES WITHOUT THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 151 By Mr. Melich

AN ACT AUTHORIZING AND EMPOWERING THE UNIVERSITY OF UTAH TO APPOINT ONE OR MORE PERSONS TO BE MEMBERS OF THE UNIVERSITY OF UTAH POLICE DEPARTMENT AND PRESCRIBING THE POWERS AND AUTHORITY OF SAID DEPARTMENT AND THE MEMBERS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 152 By Messrs. Clegg, Milliman and Larsen

AN ACT AMENDING SECTION I, CHAPTER 100, LAWS OF UTAH 1943, RELATING TO THE RIGHT OF MEMBERS OF THE

LEGISLATURE OF THE STATE OF UTAH TO HOLD OR BE APPOINTED TO OTHER STATE POSITIONS AND THE PAYMENT OF THEIR COMPENSATION, AND PROVIDING THAT IT SHALL NOT APPLY TO COUNTIES, MUNICIPALITIES AND SCHOOLS. was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day the Senate adjourned.

FIFTEENTH DAY

January 24, 1949

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

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

Prayer by the Chaplain.

January 24, 1949

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,

P. S. MARTHAKIS
LEWIS H. LARSEN

Report adopted and filed.

On motion of Senator Marthakis, the Senate recessed to meet with the House in Joint Convention, to receive the Governor's Budget Message.

JOINT CONVENTION

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

Prayer by the Chaplain of the Senate.

On motion of Representative Larsen the President of the Senate appointed a joint commitee consisting of Senator Brockbank and Representatives Brotherson and Cullimore to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

The Joint Committee returned escorting His Excellency, Governor J. Bracken Lee, who was presented to the Joint Convention by President Hopkin.

The Governor then delivered the following message:

GOVERNOR'S BUDGET MESSAGE

Ladies and Gentlemen of the Legislature:

Today I have the honor of addressing you for the second time. My remarks will be directed toward a frank discussion of budget matters — matters which are so vital to the future welfare of our people. To discuss them is not an easy task. In the nature of things, such a discussion in all probability will fail to receive universal approval or acclaim. You may rest assured, however, that what I say will spring from an intense desire to suggest to you an over-all budget plan which I believe to be most beneficial to all the people of the State in light of anticipated income.

As I have said many times, government should live within its income. Certain fundamental and essential functions of government must receive priority in the expenditure of our revenues. If, in satisfying these essential and universally beneficial functions, the income of the State is exhausted, other less important functions, must be deferred until such time as the State can afford to pay for them. Those suffering from unfortunate circumstances or adversity must receive assistance to the exclusion of less pressing demands on government, if we are to satisfy our obligations to those whom we represent.

You and I would like to have more and better trains, houses, churches, educational facilities, cultural undertakings, relief measures and other advantages for our citizens. We would like to have more of everything good for our people generally. But just as a family income determines the volume and quality of the necessaries of life which can be given to such members, so must government income determine how far we can go in furnishing community necessaries. Let us be mindful of the fact that per capita we are not a rich state. Our taxpayers already are burdened to the point where we must give them one hundred cents worth of odministration for every dollar entrusted by them to us — and such administration must be directed toward the welfare of all of the people of the State.

Many groups and individuals have honestly, conscientiously and for the most part very thoughtfully created and fostered meritorious plans for the betterment of our people. This is true even though at first blush they may appear to be beneficial only to a class. Some of these plans require the expenditures of funds which, if encouraged, may seriously affect the infirm, the aged, or the normal and necessary functions of government. Current funds requested aggregate a staggering $81,520,000 compared with $49,520,000 for the last biennium. No stretch of the imagination can anticipate a State income the size of the current request. Of neces-

sity, therefore, my remarks must be directed toward pointing out the impossibility of committing our taxpayers to such a colossal figure. Of necessity, also, my recommendations will disappoint the proponents of what I know are spendid and desirable projects. But I am convinced that considering the common welfare, these proponents will bear with me when I suggest curtailments necessary to elimiate impossible individual and collective demands.

I know the maximum we can anticipate in the way of income, so I know approximately what we can spend. Constitutionally, we are prevented from spending more than our income, so that the pieces in our budgetary jig-saw puzzle must be so fashioned as to drop into place in order to form a clear picture of financial stability. I earnestly hope that wherever I have recommended an amount less than that requested by a department, those vitally interested in such request will understand clearly that such recommendation is motivated by a belief on my part that such reduction is imperative in view of my often repeated assertion that the people of Utah cannot bear an increase in their tax burden at this time. Common sense dictates that we simply cannot spend $81,520,000 during the next biennium. To do so, in my humble opinion, would constitute failure in our obligation to the taxpayer, and a complete refusal to adhere to the wishes of the people.

For your information, there is submitted with this address a detailed summary of actual expenditures made by various departments of State government for the years from June 30, 1945 to June 30, 1948, plus an estimate of expenditures for the year ending June 30, 1949, based upon appropriations authorized by previous sessions of the Legislature. The requests of the various Departments about which I have spoken, also are detailed for your information. In addition, the actual General Fund revenues for the same years are presented, out of which expenditures were made; also estimated revenues for the ensuing biennium.

The amounts which are recommended to be appropriated to these various departments and institutions aggregate a figure beyond which there is danger to our financial structure, in the light of our ability to pay, and in the light of recommendations made in my initial message to you that a cushioning reserve be created for a possible economic rainy day which might result from decreased revenues, increased demands for employment or other unforeseeable circumstance. The wisdom in preparing against such circumstance is illustrated clearly in the action of the 27th Legislature, which required that the Mine Occupation Tax should be administered so as to create a reserve against potential decrease in revenue from that source. The prolonged work stoppage at the Utah Copper Division of the Kennecott Copper Corporation has imperiled dangerously the receipts for this year from that source, and were it not for the foresight of the last session of the Legislature in creating the reserve device of which I speak, the impact upon our revenues for the forthcoming biennium would have been substantially increased in seriousness.

In making my recommendations to you. I earnesly have in mind strengthening our financial structure against the day when adversity may strike by continuing the policy already initiated by your Bodies of creating and building necessary reserves.

DEPARTMENTAL AND INSTITUTIONAL REQUESTS

It appears to me that there has developed over a period of years a situation wherein departmental and institutional requests are based on the theory that the more they request the more they will receive.

This fact is driven home when you consider that such requests for the next biennium total $81,520,000, as compared with $49,520,000 for the last biennium appropriations. This is a staggering increase of $32,000,000. Obviously, the departments and institutions have no hope of obtaining such substantial increases. It is incoceivable to me that the individual or collective thinking behind such aggregate requests could remotely picture the ability of the State to meet them.

I strongly recommend that when you study the appropriations bill that you impress upon these departments and institutions that future requests must be made upon a basis of reasonable need commensurate with the ability of the State to pay.

I am advised that our Finance Department estimates there will be a General Fund surplus at the end of the present biennium of $1,520,000. This surplus will be reduced, however, by any General Fund deficiency appropriations which the Legislature may see fit to authorize. The estimated General Fund revenue for the next biennium will amount to $11,776,000, making a total of General Fund revenue available for the forthcoming biennium of $13,280,000. In passing, I might comment that we entered upon this present biennium with a General Fund surplus of $1,700,000, and during the biennium in addition to appropriating all current revenues have reduced this surplus to $1,500,000.

The recommended expenditures in the budget document call for general fund approriations of $12,580,000 which will produce at the end of the next biennium an estimated surplus of only $700,000. This is too dangerously close to provide a margin of saftey for the recommended expenditures without even considering a cushioning reserve.

However, I have hopes that during the ensuing two years necessary and proper savings can be made by requiring all departments to live well within their budgets and substantially increase, rather than deplete, this estimated surplus. Broadly speaking, our General Fund is the only source of revenue available to maintain the usual and normal departments of state, the prison, state courts, public health, and the institutions of higher learning. Practically all the other revenues of the State have been earmarked for such specific activities as welfare and welfare institutions, highways, and public schools.

EARMARKING

In harmony with my previous message to the Legislature, wherein I suggested a careful scrutiny of the practice of earmarking public funds, may I direct your attention to the fact that out of my total recommended expenditure in excess of $43,500,000, only $12,500,000 is available for the General Fund. The remaining $31,000,000 will come from earmarked funds. To my mind, this creates an undue restraint upon the Legislature and Executive branches of the government; and one which cannot help but create serious financial distortions in the foreseeable future.

ADMINISTRATIVE DEPARTMENTS

Your attention is directed to the fact that in every instance my recommendation for the appropriation to administrative departments is substantially less than the appropriations for the last biennium. I am satisfied that with the installation of proper efficiency and the elimination of waste and extravagances those administrative departments which are under the direct supervision of my office can operate within the amounts which I have requested.

DUPLICATION OF SERVICES

In the brief opportunity which has been afforded me to examine into the administrative affairs since January 3, it has been forcibly demonstrated that there are substantial and expensive duplications of service within our State. Those that have so far been brought to light, I have endeavored to adjust in my budget requests. As a noteworthy example let me cite that we have at least four separate departments under separate administration dealing with highway safety. These are a department in the State Road Commission, a department in the Tax Commission, a department in Highway Patrol, and a separate and individual department in the Utah Safety Council. In my budget request I have theoretically created under the judisdiction of the State Highway Patrol, a department of Safety, Drivers' Licenses, and Inspection. For this consolidated department I have requested an appropriation of $200,000 for the biennium. Such a consolidation will result in a saving of at least $200,000 for the biennium. Some statutory amendments, which I shall submit to you, will be necessary to affect this. In addition to incorporating this $200,000 saving the proposed legislation will bring highway safety and all related subjects under a single control and will eliminate substantial duplications now apparent. I would suggest that in the consideration of this matter the State should retain the extremely effective and valuable advice of the present Safety Council, which is composed of patriotic, interested citizens.

In passing, there is unquestionably substantial duplications existing in our vocational education program, our agricultural activities, and the Extension Division of the Utah State Agricutural College. It occurs to me, that all of the educational activities directed toward livestock and agriculture should and can be concentrated under our college extension division. This division is set up for the specfic purpose of exploring new

and better agricultural and farming methods, the teaching of accepted and new practices and the dissemination of pertinent related agricultural information to our citizens. This will elimnate the conflict. which invaribly follows overlapping authority, and will effect a substantial saving to our citizens.

FEDERAL AID PROGRAMS

I have recommended certain reductions in appropriations for some so-called Federal aid programs and suggest a careful scrutiny of such programs now and in the future. The State, in some instances, has been lead into these jointly participating programs on the assumption that practically all of the cost will be carried by the Federal government with the State paying only a minor share. However, as the program develops, the Federal participation often is reduced and the State is faced with the necessity of using more of its own funds to continue the work. A specific example of this is the Rehabilitation program wherein the last Congress reduced the Federal appropriations substantially and thus forced the State of Utah to either carry an additional portion of the total cost or restrict the activities. Unfortunately, the tendancy is always to maintain and even increase the activities under these programs and throw the resultant burden on our citizens. Another example is the purely Federal program of "Veterans-on-the-Job Training." In this case the State was merely requested to exercise a nominal supervision over this program, the Federal government carrying the brunt of the activity. Although in the budget document you will notice that an increase of 70% is being requested from State funds to carry on the nominal supervision which the State was originally requested to assume.

NEW SERVICES

I have no quarrel with the philosophy of the many new and worthy services which our State has embarked upon. In fact, were our citizens able, I would say that we should extend to the handicapped every conceivable service and advantage. However, the duty of the Legislature and myself is to fairly and equitably consider every citizen of this State. I have recommended certain definite curtailments of recent new services and the elimination of increased expenditures for them. No matter how meritorious these services are it is beyond the ability of the people of Utah to pay for them. For example, in the biennium ended June 30, 1945, we expended only $65,000 for the Rehabilitation program under the Superintendent of Public Instruction. The request for the next biennium is $410,000. For vocational education under the Department of Public Instruction we expended in the 1944-45 biennium $86,000. The request is now $171,000. In the biennium ended June 30, 1947 $275,000 was appropriated to the Salt Lake Area Vocational School. All of this money was forwarded without expenditure into the present biennium. As of June 30, 1948, only $4,000 had been expended. Nevertheless, the present request for this avtivity is $1,555,826. I have recommended no appropriation for this activity not as an expression of its lack of merit but because there is no money in the General Fund for such an activity. Such monies must of necessity be provided for by new taxes, which, in

my opinion, are unthinkable. The Legislature has set up in Utah County the Central Utah Vocational School which in the light of Geneva Steel Company and other industry has been most effective. But this request represents an amount beyond our ability to pay. The initial appropriation made in the present biennium for this activity was $100,000. The requested appropriation, based upon an extensive building program and enlarged services, now is $325,000. I have recommended the same appropriation as was allowed by the previous session, and respectfully suggest that this activity not be permitted to expand beyond our ability to pay.

Another case in point is the Utah Institue of Fine Arts. For the biennium ended June 30, 1945, the Legislature made an appropriation of $20,000 for this highly creditable activity. However, in keeping with the mushrooming growth of these new services the appropriation request this year is $355,000. I have recommended going back to the initial amount of $20,000.

In the biennium ended June 30, 1945, an appropriation was made to the State Health Service of $15,000, with a Federal grant of $16,000. In the next biennium the appropriation was $405,000, with a Federal grant of only $7,000. The last biennium saw an appropriation of $580,000, without a Federal grant. I recommended that this be cut back to $500,000, simply because we cannot afford to pay more.

UTAH VETERANS AFFAIRS

In the biennium ended June 30, 1947, $15,000 was appropriated to to the Utah Veterans' Administration under the theory that it would serve as a liaison agency between the State and the various veterans' organizations. The last Legislature appropriated $150,000, for this operation. The present Legislature is requested to appropriate $147,000. A personal investigation into this department indicated to me that its work largely duplicates that conducted by various recognized veterans' organizations. It now represents a wasteful extravagance of State monies, and is not being wholly directed for the purpose for which it was organized. I have recommended to you that this amount be reduced to $25,000, and that the functions of the department be restricted to that of liaison only.

UTAH WATER AND POWER BOARD

As I recommended to you in my initial message, necessary changes should be made in the statute covering the Utah Water and Power Board to permit you to exercise control over the planning of projects and the appropriating of State Funds for them. In harmony with this, I have recommended no oppropriation for the revolving fund for this board. I do not believe this will render any hardship since only about $500,000, of the appropriation of $1,000,000, for construction made by the 1947 session has been allocated to specific projects. This leaves at the end of 1½ years an unallocated amount substantially equal to that expended so far. In passing, I might say that I have reduced by $38,000 the approp-

riation for administration of this fund to $160,000, this administration cost still seems somewhat excessive in comparison with the amounts actually allocated. I feel I should not pass up this subject without saying to you again that the functions and theory of the Utah Water and Power Board are highly laudable and should be continued. But the proper functioning of our government requires they be subjected to control and scrutiny of the Legislative branch.

JUVENILE COURTS

No recommendation is made for an appropriation to the Juvenile Court System, it being my hope that the Legislature will make a study of the sytem, and the recommendations made in my initial message, with a view toward correcting the present inadequacies of the system, and of transferring to the District Courts whatever functions of the Juvenile Court system the Legislature deems advisable for the welfare of our children. Should the Legislature not see fit to abolish this activity then necessary provisions must be made for its continuance upon whatver scale you deem wise.

DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT

I have made no recommendation for an appropriation to the Publicity and Industrial Development Department. This is in harmony with my suggestion that this department be abolished and in lieu thereof, a modest advertising appropriation be substituted. Actual expenditures for this department during 18 months of the present biennium were in excess of $882,000, which, in my opinion, did not in any measure produce comparable benefit to our State. Should you adopt my recommendation as to the abolishment of this department and create a new advertising agency at much less expense, it will be necessary to provide Legislation and an appropriation for that agency.

INSTITUTIONS OF HIGHER EDUCATION

I have suggested to you the repeal of Title 79, 1947 Session Laws, carrying the so-called basic budget formula and which also gives to these institutions exclusive control over dedicated credits. However, as long as this Title is the law, it is necessary for me to recommend to you a lump sum appropriation for all senior and junior colleges. I have so recommended the amount of $5,700,000, plus each institution's departmental collections or dedicated credits, the total of which for last year was $4,2000,000.

I am firmly grounded upon the theory that appropriation to any department or institution should be based upon reasonable need limited only by the ability of the State to pay. Their requests were made soley on a mathematical calculation of an amount arrived at using the basic budget formula. After the answer was arrived at through this formula each institution then broke down that amount and arrived at a theoretical detail of personnel services, current expenses, travel, and so forth;

the total of which agrees exactly with the total determined under the basic budget formula. To my mind, this means that neither the Governor nor your respective Appropriations Committees will have before them any itemization as to the needs of the institution, but rather an arbitrary guess resulting from the application of an arbitrary formula. This leaves both of us without any information as to the actual need of the institution or as to the comparative need between institutions due to special or unusual circumstances.

The interpretation placed upon that section of Title 79, which reserves to these institutions use of their dedicated credits and autonomous use of funds, has resulted in a situation whereby it required a special request of your Finance Department to determine the actual departmental collections or dedicated credits received by the various institutions for the last fiscal year. This information disclosed the interesting situation wherein one institution granted an appropriation in the last biennium of $3,050,000 (based upon an estimated departmental collection of $3,074,000), actually will collect almost $3,7000,000 from departmental collections, or $700,000 in excess of the amount considered by the Legislature when it arrived at this appropriation two years ago. Another institution received $176,000 as compared with the estimated figure of $100,000 considered by the Legislature. Another institution obtained more than $300,000 for the one year of the biennium, as compared with an estimate furnished our bodies two years ago of ony $476,000 for the two years. Truly, each institution is entitled to the benefit of, and possibly some advantage from, its departmental collections, but, nevertheless, those collections are funds which should be used in determining the final appropriation. In other words, the measure of need should be determined. Then we should deduct the departmental collections and take them into consideration before making a final appropriation, based on our ability to pay.

WELFARE

I am recommending a reduced appropriation for welfare administration costs. The amount for general assistance is the same as for the last biennium, plus the deficit appropriation already made and now being considered. I am making this as a temporary recommendation in view of the fact that it is the concensus of your Legislative Council and myself that a careful investigation should be made immediately as to the entire picture of the welfare policy insofar as it affects our State and all of our citizens. I have requested Dr. A. C. Lambert, a student in that field, to make some preliminary investigations for me and upon receipt of his report I will communicate further with this session on this particular field.

TEACHERS' RETIREMENT FUND

The State has an obligation to its teachers under the Teachers' Retirement fund which requires that the State appropriate matching amounts paid by individual contributors. Our State has never maintained its relative proprtion of appropriations. The practice has been to ap-

propriate $750,000 each biennium, and that is the sum I am recommending again this year and, still permit us to stay within our income. I recommend, however, that a study be made of this fund, either by the present Legislature or during the interim between sessions, to adopt a firm and definite policy setting up for the future, procedure for the State to maintain its obligation in full. If it should be that the requirement upon our State is greater than our ability to carry, then we should fairly and honestly review the fundamental obligation and adjust the requirements in such a manner that we may keep faith with the individuals contributing monthly to the fund.

BUILDING PROGRAM

I have made no specific recommendation for a building program and, as I indicated in my opening message, this program should be considered after the normal expenses of government have been taken care of and necessary cushioning reserves created. I might add, however, that as of December 31, 1948 there is still an unexpended balance of more than $4,310,000 on building programs authorized in your 1947 session.

REVENUE

You are being furnished with an estimate of the potential revenues for the next biennium. May I urge you to consider the fact that these figures are estimates only and that a slight change in general economy could prove disastrous to an appropriation policy that does not contemplate a reserve for emergencies. It is common knowledge that, slight as it may be, there has been a reduction in the cost of living. Trends and theories indicate this reduction will continue. Sales tax arises almost directly from the factors which go to makeup the cost of living. A decrease of 10% in the cost of living would have the impact of reducing by $2,600,000 the estimated sales tax revenue.

Other unforeseen conditions may likewise adversely affect these revenue increases. For example, it has been estimated that the work stoppage at Utah Copper Division of Kennecott Copper Corporation is costing the State, schools, and counties approximatly $368,000 per month in aggregate taxes. This means that it has already cost us substantial funds. A prolongation of this controversy or the inception of any other large-scale controversy will directly bear upon the revenues from which you may appropriate; and, so I say to you, that in considering your potential revenue income for the biennium, which starts next July, we must jointly keep in mind that this is an estimate based upon current economic conditions and one which may be substantially reduced by both foreseeable and unforeseeable conditions. The State of Utah must develop a substantial reserve not only for its General Fund, but also for its so-called "earmarked" funds. We presently have only one General Fund reserve arising from the Mine Occupation Tax, which will be called upon in this present year to help sustain our equilibrium and one reserve on welfare to the amount of only $5,000,000 which would be only sufficient to care for six months' expenditures at the present basis.

CONCLUSION

In the nature of things, a budget message is at best uninspiring. I am grateful to you for your indulgence in giving me your attention at this meeting, knowing that you could read what I have to say later at your leisure. Your presence reflects your interest in your State and its people, and as I have said before, our task is mutual and calls for harmony and cooperation between the Legislative and Executive branches. I know that some of you may disagree with me on matters of policy, but I am sure that we are all agreed that our every effort should be directed with a view toward benefiting those we represent. I repeat that the welfare of the people comes before our own personal likes or dislikes, and if we adhere to such a philosophy I know we cannot go wrong. I will cooperate in every way with your Appropriations Committee, and extend to you and all other committees the facilities of my own office and the administrative departments with which I am connected. I will be happy to consult with you at all times, and can assure you that I will be the first to admit it when I am wrong.

I may have been unduly lenghtly in this message, but I keenly feel the vital importance of the relationship between wise appropriations and the financial stability of our State. Like you, I am deeply concerned with the public trust that is ours, and feel that we should administer it together so as to make our State grow strong and healthy. I am sure in my own mind that the time has come when curbs should be placed upon excessive expenditures, and rigid economies initiated. At the risk of repetition and in conclusion may I repeat one paragraph from my previous message to you:

"Unless our present taxes and expenditures are stemmed, the State in a more nearly normal economy well might wreck itself financially by attempted spending in excess of revenues it reasonably could hope to anticipate. The Legislature and the Governor must have the courage and the ability to say 'No'."

The Joint Committee then escorted Governor Lee to his chambers.

On motion of Senator Marthakis the President of the Senate announced the Joint Convention was dissolved.

The Senate reassembled at 3:10 p.m. with all Senators present except Senator Bailey, excused.

President Hopkin appointed Senators Gibbons and Reese to revise the Journal for the week beginning January 24, 1949.

COMMUNICATIONS FROM THE HOUSE

January 20, 1949

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 Messrs. Knight, Marthakis and Elggren, entitled,

A CONCURRENT MEMORIAL URGING THE CONGRESSIONAL DELEGATION FROM THE STATE OF UTAH TO INTRODUCE A RESOLUTION IN THE CONGRESS OF THE UNITED STATES REQUESTING PRESIDENT TRUMAN TO USE HIS GOOD OFFICE IN SECURING THE APPOINTMENT OF A FACT FINDING BOARD TO INVESTIGATE AND RECOMMEND A BASIS FOR SETTLEMENT OF THE EXISTING LABOR-MANAGEMENT DISPUTE BETWEEN THE KENNECOTT COPPER CORPORATION, UTAH COPPER DIVISION, AND THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, SUCH AS WAS RECOMMENDED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE AND THE INDUSTRIAL COMMISSION OF THE STATE OF UTAH ON NOVEMBER 6, 1948, COPY ATTACHED, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

January 20, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 9*, by Messrs. Walker, Mitchell and Davis, entitled,

AN ACT PROVIDING THAT THE STATE PAY A PORTION OF THE COST OF PRIMARY AND GENERAL ELECTIONS TO THE VARIOUS COUNTIES, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 9 was read the first time and referred to the Committee on State and Municipal Affairs.

January 20, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 37*, by Mr. Aldous, entitled,

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-54C UTAH CODE ANNOTATED, 1943, LIMITING THE NUMBER OF SPECIAL DEER PERMITS TO BE ISSUED A PERSON IN ANY YEAR, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 37 was read the first time.

On motion of Senator Day, the rules were suspended and *H. B. No. 37* was placed at the head of the Second Reading Calendar.

January 20, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 58*, by Mmes. Jack, Mitchell, Messrs. Rees and Walker, entitled,

AN ACT AMENDING SECTION 25-6-16, UTAH CODE ANNOTATED 1943, RELATING TO DESIGNATION OF POLING PLACES, PROVIDING FOR BOOTHS, AND PROVISIONS THEREFOR AND ARRANGEMENT THEREOF, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 58 was read the first time and referred to the Committee on Judiciary.

COMMUNICATIONS

January 20, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the attached request from Hon. Reese M. Reese, State Auditor, for a deficiency appropriation in the amount of $2,330.06 for the remainder of the current biennium ending June 30, 1949.

Also, a request is transmitted for a deficiency appropriation in the amount of $30,832.28 requested by Hon. Ferrell H. Adams, former State Auditor, to defray the expenses of the District Courts for the biennial period ending June 30, 1949.

These requests for deficiency appropriations are referred to you for your consideration and action.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

January 24, 1949

Mr. President:

We, your Committee on Senate Rules, beg leave to report that we have carefully considered the Senate Rules and recommend that the Rules as adopted and printed in the Senate Journal of the 27th Session be adopted as permanent rules of the 28th Session of the State Senate, with the following amendments:

Senate Rule No. 75, sub-section 8, that the Committee on Interstate Cooperation be deleted; that under Senate Rule No. 75 a new Committee on Military Affairs of five members be added and inserted in alphabetical order.

That Senate Rule No. 115 be amended to read as follows:

The rules contained in "Robert's Rules of Order Revised" shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules and order of the Senate.

Respectfully submitted,

L. RULON JENKINS,
Chairman

Communication filed.

Committee report read and adopted.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12* (rewritten), by Messrs. Jolley, Milliman and Marthakis, with a few minor changes assented to by the authors, and recommends that the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 12 (rewritten), was ordered printed and referred to the Committee on State and Municipal Affairs.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13* (rewritten), by Messrs. Jolley, Jones, Orser and Marthakis, with a few minor changes assented to by the authors, and recommends that the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 13 (rewritten), was ordered printed and referred to the Committee on Judiciary.

January 20, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling roports back *S. B. No. 78*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 78 was ordered printed and referred to the Committee on Judiciary.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 80*, by Messrs. Clegg and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 80 was ordered printed and referred to the Committee on Judiciary.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 81*, by Mr. Marthakis, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 81 was ordered printed and referred to the Committee on Revenue and Taxation.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 83*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 83 was ordered printed and referred to the Committee on Judiciary.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 84*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 84, was ordered printed and referred to the Committee on Judiciary.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 106*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 106 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 107*, by Mr. Melich with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 107 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 108*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 108 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 112*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 112 was ordered printed and referred to the Committee on Banking and Commerce.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 113*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 113 was ordered printed and referred to the Committee on Banking and Commerce.

January 20, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 114*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 114 was ordered printed and referred to the Committee on Judiciary.

The following additional committees were appointed by President Hopkin, the first Senator named on each committee to be its chairman:

COMMITTEE ON APPOINTMENTS

Brockbank, Elggren, Gibbons, Lund and Reese.

COMMITTEE ON MILITARY AFFAIRS

Knight, Burns, Larsen, Marthakis and Orser.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 14 By Messrs. Knight, Marthakis, Brockbank and Bailey

A JOINT RESOLUTION PROPOSING AN INVESTIGATION OF THE PROBLEM PRESENTED BY VETERANS INCARCERATED IN A PENAL INSTITUTION AND VETERANS ACCUSED OF COMMITTING CRIMES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 15 By Messrs. Knight and Marthakis

A RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH, AUTHORIZING THE STATE MILITIA, STATE ARMORY BOARD AND THE STATE GUARD TO COOPERATE WITH THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, DEPARTMENT OF UTAH, IN THE ORGANIZATION AND OPERATION OF THE "V.F.W. EMERGENCY SERVICE CORPS," was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 35 By Messrs. Fowles and Jolley
(Rewritten)

AN ACT AMENDING SECTION 19-5-78, UTAH CODE ANNOTATED 1943, PROVIDING FOR COUNTY FIRE DEPARTMENTS AND FOR TAX TO ESTABLISH AND OPERATE SAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No 153 By Messrs. Jolley, Jones and Elggren

AN ACT TO PROVIDE FOR THE ORGANIZATION AND REGULATION OF CONSUMERS AND PURCHASING COOPERATIVE ASSOCIATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 154 By Messrs. Day, Gibson, McShane and Reese

AN ACT REPEALING SECTION 75-4-8, UTAH CODE ANNOTATED 1943, RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 155 By Mr. Larsen

AN ACT EXEMPTING CERTAIN HOMES, HOMESTEADS AND HOUSEHOLD FURNISHINGS, FURNITURE AND EQUIPMENT FROM TAXATION, AMENDING SECTION 80-2-10, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 156 By Messrs. Fowles and Jenkins

AN ACT APPROPRIATING $7,078.05 TO THE STATE INDUSTRIAL SCHOOL FOR THE USE OF OGDEN CITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 157 By Messrs. Fowles and Orser

AN ACT PROVIDING FOR REGULATION OF THE SLAUGHTER OF ANIMALS FOR HUMAN FOOD; PROVIDING FOR THE INSPECTION OF THE MEAT AND MEAT FOOD PRODUCTS OF SUCH ANIMALS; PROVIDING FOR THE COLLECTION OF FEES TO DEFRAY IN PART OR IN WHOLE THE EXPENSES INCURRED BY MAINTAINING SUCH INSPECTION; PROVIDING FOR THE APPOINTMENT AND DUTIES OF OFFICIALS TO CARRY INTO EFFECT THE PROVISIONS OF THIS ACT; PROVIDING FOR THE MARKING OF CARCASSES AND PARTS THEREOF; PROVIDING PENALTIES FOR VIOLATION THEREOF; REPEALING SECTIONS 3-10-64, 3-10-65, 3-10-67, 3-10-68 and 3-10-69, UTAH CODE ANNOTATED 1943; AND PROVIDING FOR AN APPROPRIATION IN THE AMOUNT OF $35,000 TO ADMINISTER THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 158 By Messrs. Brockbank, Burns, Elggren, Fowles, Jolley and Knight

AN ACT AMENDING SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, CHAPTER 131, LAWS OF UTAH, 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 15.1, 15.2, AND 15.3, PROVIDING FOR A RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE STATE OF UTAH AND

MAKING AN APPROPRIATION THEREFOR AND PROVIDING FOR THE APPLICATION OF ITS PROVISIONS TO PERSONS IN THE PUBLIC SERVICE AND DEFINING THAT TERM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 159 By Messrs. Marthakis and Knight

AN ACT APPROPRIATING $50,000 FROM THE GENERAL FUND IN THE STATE TREASURY TO BE USED FOR THE ALLEVIATION OF SUFFERING TO LIVESTOCK AND PERSONS AS A RESULT OF THE WEATHER CONDITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 160 By Messrs. Melich and Hopkins

AN ACT PROVIDING FOR AN APPROPRIATION OF $100,000 TO THE BOARD OF EXAMINERS FOR THE LIVESTOCK EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Melich, *S. B. No. 160* was withdrawn.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 37 was read the second time.

H. B. No. 37 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, and McShane.

On motion of Senator Day, *S. B. No. 33* retained its place on the Second Reading Calendar.

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

Committee report read and adopted.

S. B. No. 34 failed of passage on the following roll call:

Yeas, 5; Nays, 16; Absent, 2.

Those voting in the affirmative were: Senators Day, Fowles, Gibbons, McShane (explained vote) and Milliman.

Those voting in the negative were: Senators Brockbank, Burns, Clegg, Elggren, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, and Marthakis.

S. B. No. 34 was filed.

On motion of Senator Day, *S. B. No. 50* was placed after *S. B. No. 32* on the Second Reading Calendar.

On motion of Senator Clegg, *S. B. Nos. 44 and 41* were placed after *S. B. No. 50* on the Second Reading Calendar.

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

Committee report read and adopted.

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

Line 1, strike the word "hereby."

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

Line 2, strike the words "as follows."

S. B. No. 10 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren (explained vote), Fowles, Gibbons, Gibson (explained vote), Jenkins, Jolley, Knight, Marsden, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Day, Jones, Larsen and McShane.

Absent and not voting: Senators, Bailey, excused, Lund and Marthakis.

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

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

Line 5, strike the figure "$1,250" and insert the figure "$2,000."

On motion of Senator Brockbank, the title was amended as follows:

Line 3, strike the figures "1,250" and insert "2,000" in lieu thereof.

S. B. No. 3 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane (explained vote), Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, excused, Fowles and Reese.

On motion of Senator Jenkins, *S. B. No. 48* was withdrawn.

On motion of Senator Knight the Senate adjourned until January 25, 1949 at 2:00 p.m.

SIXTEENTH DAY

January 25, 1949

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

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

Prayer by the Chaplain.

January 25, 1949

Mr. President:

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

Respectfully,

HYRUM GIBBONS

J. HAROLD REESE

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. C. M. No. 1*, by Emergency Committee of Relief, entitled,

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO GRANT EMERENCY DEFICIENCY APPROPRIATIONS TO FEDERAL AGENCIES OPERATING IN UTAH FOR THE PURPOSE

OF SAVING HUMAN AND ANIMAL LIVES ENDANGERED BY UNPRECEDENTED STORMS. and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

January 24, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 6*, by Messrs. Faust and Cayias, entitled,

AN ACT RELATING TO FOREIGN EXECUTORS AND ADMINISTRATORS WITH THE WILL ANNEXED; AUTHORIZING THEM TO COMMENCE AND PROSECUTE AND DEFEND ACTIONS OR SUITS IN THIS STATE IF RESIDENTS OF THIS STATE, WHEN NO LOCAL EXECUTOR OR ADMINISTRATOR WITH THE WILL ANNEXED HAS BEEN APPOINTED AND QUALIFIED; AND REQUIRING PROOF OF THEIR QUALIFICATIONS, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

January 24, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 12*, by Messrs. Murch and Davis, entitled,

AN ACT PROVIDING FOR THE MANNER IN WHICH THE UTAH CENTENNIAL COMMISSION SHALL DISPOSE OF ALL PROPERTY HELD BY IT AFTER THE CLOSING OF THE CENTENNIAL OBSERVANCE, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 12 was read the first time and referred to the Committee on State and Municipal Affairs.

January 24, 1949

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. 42*, by Messrs. Anderson and Aldous, entitled,

AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 42 was read the first time and referred to the Committee on Fish and Game.

COMMUNICATIONS

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Bain Hamilton Kittle of Salt Lake City in the amount of $66.50 for damages to his 1948 Packard Sedan when he ran into and killed a doe deer November 5, 1948, on Highway 89 nineteen miles north of Gunnison, Utah.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of George Zolintakis covering alledged services and vacation pay due him June 1, 1942 to December 8, 1946.

I was directed by the Board to refer this claim to your Honorable Body with advise that the Board of Examiners approve the amount of $575.89 covering alleged services and vacation pay due him for the period of June 1, 1942, to May 31, 1946; and that the Board recommends that from the sum of $1,712.10 claimed for services rendered by Mr. Zolintakis for the period of time between June 1, 1946, and December 8, 1946, there be deducted from that amount the sum earned by him during that period of time, the payment of which determined amount they approved.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Caleb Tanner of Provo, Utah, in the amount of $3,559.50 for alleged services rendered the State Land Board and expenses incurred as a special engineer and expert for the protection of the State's interest in water filing on the Sevier River under the Piute Project during the years 1928 and 1929.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claims of Fred J. MacFadden in amount of $5,000.00; C. F. Norris in amount of $10,071.00; Harry D. Feiler in amount of $1,075.00; Morris M. Wein in amount of $6,000,00; Willis Anderson in amount of $825.00; Fred J. MacFadden for and on behalf of Ted Metzer in amount of $2,200.00; Wally Keat in amount of $3,000.00; and Ray Copeland in amount of $4,000.00; and also certain materialmen and

laborers for services rendered on the State Fair Grounds; covering cost of construction of buildings on the leased premises on the State Fair Grounds under contract and lease agreement entered into between the Beehive Midways, Inc., and the State Fair Board under date of May 22, 1946, which contract and lease agreement were held null and void by the Third Judicial District Court.

These claims were duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claims to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Beehive Midways, Inc., et al, in amount of $141,948.54 covering the cost of constructing buildings and improving leased premises on the State Fair Grounds under a contract entered into with the State Fair Board May 22, 1946, which contract and lease agreement were held null and void by the Third Judicial District Court.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Mrs. Dorothy Harmon and Daughter, Miss Sally Magleby in amount of $93.46 for damages to Mrs. Harmon's 1937 Chevrolet Sedan when she ran into and killed a deer January 5, 1947, on the highway about one mile north of Pleasant Grove.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of L. R. Wilson of Spanish Fork in amount of $1,600.00 covering damages alleged to have sustained by him to his squash crop during the growing and harvesting season, grown by him on his land in Spanish Fork Canyon four miles east of Thistle, Utah, by wild deer in that area which come down to water at the Spanish Fork River.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Walter K. Strickler of Lewiston, Idaho, (no amount stated), covering an injury received by him while working for Morrison-Knudsen Co. on August 23, 1942, near Echo, Utah.

This claim was duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unamimous vote of the Board, I was directed to transmit all papers in the claim to your Honorable Body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

January 24, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body the claim of Jesse F. Pascoe of Salt Lake City in the amount of $384.59 covering damages sustained by him on July 17, 1948, when his 1937 Plymouth pickup truck collided with a State Road Commission truck being driven by Leland Mickelson down Big Cottonwood Canyon; and also claims of Leon Allen, the father of Aljean Allen of Utah County, in amount of $15,394.00; G. Henry Startup, the father of Virl Val Startup of Salt Lake County, $65.00; M. Elmer Christensen, the father of LaRee Christensen of Salt Lake County, $5,334.00; Mrs. I. B. Morgan, the mother of LaVell Morgan of Salt Lake County, $10,303.90; and G. Henry Startup, the father of Gerald H. Startup of Salt Lake County, $358.50; whose children were occupants of the truck driven by Mr. Pascoe.

These claims were duly filed with the Board and acted upon as provided in Sections 26-0-11 to 26-0-14 of the Utah Code Annotated, 1943. Upon unanimous vote of the Board, I was directed to transmit all papers in the claims to your Honorable Body without recomendation.

Yours very respectfully,

HEBER BENNION, JR.
Secretary, State Board of Examiners.

Communication filed.

Referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 8*, by Committee on Rules and Contingent Expenses, with a few minor changes assented to by the authors.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report read and adopted.

Senator Fowles moved that the rules be suspended and that the Senate now consider *S. J. R. No. 8*.

Motion carried.

S. J. R. No. 8 was read the second time.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, and Knight.

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

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 9*, by Messrs. Day and McShane, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 1*, by Messrs. Hopkin and Melich, entitled:

AN ACT RATIFYING THE UPPER COLORADO RIVER BASIN COMPACT ENTERED INTO AT SANTE FE, NEW MEXICO, ON OCTOBER 11, 1948, BY THOSE STATES OF THE UPPER COLORADO RIVER BASIN, NAMELY, ARIZONA, COLORADO, NEW MEXICO, UTAH AND WYOMING, BY THE REPRESENTATIVES OF THOSE STATES, WITH THE APPROVAL OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA, examined by this committee and has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 5 (rewritten) was ordered printed and referred to the Committee on Welfare.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, (rewritten), by Messrs. Gibson, Fowles, Jenkins, Day and Knight, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Messrs. Brockbank and Clegg, for return to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 16 was returned to the authors for rewriting.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 87*, by Messrs. Day, Brockbank and Melich, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 87 was ordered printed and referred to the Committee on Judiciary.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 88*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 88 was ordered printed and referred to the Committee on Public Institutions.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 89*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 89 was ordered printed and referred to the Committee on Public Institutions.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 90*, by Messrs. Jolley and Jenkins, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 19-24-2, 19-24-3, 19-24-17, AND 19-24-19, UTAH CODE ANNOTATED 1943, RELATING TO THE APPOINTMENT AND TERMS OF OFFICE OF THE COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN, THE ADOPTION OF RULES, THE LIMITATIONS UPON EXPENSES AND THE PROCURING OF TECHNICAL ADVICE; AUTHORIZING THE APPOINTMENT OF AND OUTLINING THE DUTIES OF DISTRICT PLANNING COMMISSIONS; PERMITTING THE COUNTY COMMISSION TO EXTEND THE EXPIRATION DATE OF TEMPORARY ZONING REGULATIONS; AND ENACTING A NEW SECTION TO BE KNOWN AS 19-24-7.10, UTAH CODE ANNOTATED 1943, RELATING TO THE ISSUANCE OF BUILDING PERMITS IN MAPPED STREETS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 90 was ordered printed and referred to the Committee on Judiciary.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 92*, by Messrs. Marthakis, Gibson, Jenkins and Jolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 92 was ordered printed and referred to the Committee on Judiciary.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, by Messrs. Elggren, Brockbank, Gibson and Jones, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 93 was ordered printed and referred to the Committee on Health and Labor.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 115*, by Messrs. Day and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 115 was ordered printed and referred to the Committee on Health and Labor.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 116*, by Messrs. Day, Elggren and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 116 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 118*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 43-2-1, CHAPTER 63 LAWS OF UTAH 1947, REMOVING THE INSURANCE DEPARTMENT OF THE STATE OF UTAH FROM THE SUPERVISION AND CONTROL OF THE COMMISSION OF BUSINESS REGULATION, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 118 was ordered printed and referred to the Committee on Banking and Commerce.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 119*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 43-2-2, CHAPTER 63, LAWS OF UTAH 1947, WHICH AUTHORIZED THE GOVERNOR WITH THE CONSENT OF THE SENATE, TO APPOINT A COMMISSIONER OF INSURANCE; DESIGNATING A TENURE OF OFFICE FOR THE INSURANCE COMMISSIONER; AND FIXING HIS ANNUAL SALARY AT $6,000, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 119 was ordered printed and referred to the Committee on Banking and Commerce.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 120*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT WHICH AUTHORIZES THE GOVERNOR TO REMOVE THE INSURANCE COMMISSIONER FOR INEFFICIENCY, NEGLECT, MALFEASANCE AND FOR OTHER GOOD AND SUFFICIENT CAUSE, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 120 was ordered printed and referred to the Committee on Banking and Commerce.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 122*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 43-4-3, CHAPTER 63 LAWS OF UTAH 1947, PERMITTING THE COMMISSIONER OF INSURANCE TO DESIGNATE HEARINGS AND TO DETERMINE WHAT HEARINGS MAY BE OPEN TO THE PUBLIC, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 122 was ordered printed and referred to the Committee on Banking and Commerce.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 124*, by Mr. Brockbank, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 124 was ordered printed and referred to the Committee on Welfare.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 126*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 43-4-2, CHAPTER 63 LAWS OF UTAH 1947, RELATING TO HEARINGS BEFORE THE STATE INSURANCE COMMISSION, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 126 was ordered printed and referred to the Committee on Banking and Commerce.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 127*, by Messrs. Brockbank, Melich, Larsen and Orser, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 127 was ordered printed and referred to the Committee on Revenue and Taxation.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 128*, by Messrs. Brockbank, Melich, Larsen, Orser and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 128 was ordered printed and referred to the Committee on Mining and Smelting.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 129*, by Messrs. Brockbank, Melich, Larsen, Orser and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 129 was ordered printed and referred to the Committee on Mining and Smelting.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 131*, by Messrs. Knight, Brockbank, Jolley and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 131 was ordered printed and referred to the Committee on Judiciary.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 135*, by Messrs. Lund and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 135 was ordered printed and referred to the Committee on Health and Labor.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No.* 138, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 138 was ordered printed and referred to the Committee on Highways.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 139*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B .No. 139 was ordered printed and referred to the Committee on Mining and Smelting.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 143*, by Messrs. Brockbank, Knight, Bailey and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 143 was ordered printed and referred to the Committee on Military Affairs.

January 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 152*, by Messrs. Clegg, Milliman and Larsen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 152 was ordered printed and referred to the Committee on Judiciary.

January 24, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 1*, by Mr. Clegg, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. R. No. 4*, by Mr. Clegg, has carefully considered said resolution and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. R. No. 7* by Mr. Clegg, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. M. No. 1*, by Mr. Knight, has carefully considered said memorial and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. R. No. 3*, by Mr. Clegg, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 47*, by Messrs. Marthakis, Fowles, Brockbank and Elggren, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 4* by Mr. Melich, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 67*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 67 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 71*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 73*, by Messrs. Melich and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 74*, by Messrs. Melich and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 74 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 3*, by Messrs. Melich and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 75*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 75 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 72*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 72 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 70*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

January 24, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 23*, by Mr. Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

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

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 24, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 28*, by Messrs. Jolley and Knight, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 85*, by Messrs. Melich, Fowles, Reese and Knight, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

January 25, 1949

Mr. President:

Your Committee on Education, to which was referred *S. R. No. 5*, by Mr. Clegg, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

T. P. BROCKBANK,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 6*, by Messrs. Brockbank, Milliman, Day, Jolley, Melich and Jenkins, has carefully considered said resolution and reports the same out favorably.

Respectfully,

T. P. BROCKBANK,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

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

Respectfully,

T. P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 24 was ordered printed and referred to the Committee on Appropriations and Claims.

January 25, 1949

Mr. President:

Your Committee on Education, to which we referred *S. B. No. 31*, by Messrs. Fowles, Day, Jenkins and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

T. P. BROCKBANK,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 109*, by Messrs. Elggren, Day and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

T. P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 109 was placed on the Second Reading Calendar.

January 25, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 22*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 29*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

COMMUNICATIONS FROM THE HOUSE

January 25, 1949

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. 1*, by Messrs. Hopkin and Melich, entitled,

AN ACT RATIFYING THE UPPER COLORADO RIVER BASIN COMPACT ENTERED INTO AT SANTE FE, NEW MEXICO, ON OCTOBER 11, 1948, BY THOSE STATES OF THE UPPER COLORADO RIVER BASIN, NAMELY, ARIZONA, COLORADO, NEW MEXICO, UTAH AND WYOMING, BY THE REPRESENTATIVES OF THOSE STATES, WITH THE APPROVAL OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

INTRODUCTION OF BILLS

S. B. No. 160 By Messrs. Elggren and Brockbank

AN ACT AUTHORIZING THE STATE LAND BOARD TO REMOVE FROM ITS FILES AND DESTROY GRAZING LEASE APPLICATION FILES WHICH ARE NO LONGER IMPORTANT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 161 By Mr. Melich

AN ACT CREATING A STATE ATHLETIC COMMISSION, PRESCRIBING ITS JURISDICTION, POWERS, DUTIES AND FUNCTIONS, PROVIDING FOR DEPUTY COMMISSIONERS, EXECUTIVE DIRECTOR AND OFFICE PERSONEL, REQUIRING LICENSES TO CONDUCT, HOLD AND GIVE PROFESSIONAL BOXING, SPARRING AND WRESTLING CONTESTS, MATCHES AND EXHIBITIONS AND LICENSES FOR REFEREES, MATCHMAKERS, MANAGERS AND OTHER PERTINENT PERSONEL; PROVIDING FOR REVOCATION AND SUSPENSION OF SUCH LICENSES; PROVIDING FOR BUILDING SAFETY REQUIREMENTS; RECEIPTS TO BE TRANSMITTED TO STATE TREASURY, REPORTS TO GOVERNOR AND LEGISLATURE, AND PENALTY FOR VIOLATIONS OF THIS ACT, AND APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 162 By Messrs. Jones, Gibbons, Jenkins and Orser

AN ACT AMENDING SECTION 75-11-15, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF THE CLERK OF EACH BOARD OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 163 By Messrs. Gibson and Fowles

AN ACT AMENDING SECTION 20-4-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 36, LAWS OF UTAH, 1943, AS AMENDED BY CHAPTER 40, LAWS OF UTAH, 1945, RELATING TO COMPENSATION OF JUDGES OF THE CITY COURT AND PROVIDING FOR AN INCREASE IN SALARIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 164 By Mr. Knight

AN ACT TO AUTHORIZE CITIES OF THE FIRST AND SECOND CLASS TO RAISE REVENUE BY LEVYING AND COLLECTING AN OCCUPATION TAX, IN ADDITION TO ALL POWERS NOW EXISTING AND GRANTED TO SUCH CITIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 165 By Mr. Melich

AN ACT AMENDING SECTION 100-5-5, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS BY THE ADDITION OF A PROVISO CONCERNING IMPOUNDING DAMS FOR STOCK WATERING PURPOSES IN REMOTE LOCATIONS WITH RESPECT TO RESIDENTIAL AREAS OR OTHER WORKS OF MAN, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 37 was read the third time and placed on its final passage.

H. B. No. 37 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, and Knight.

H. B. No. 37 was returned to the House.

On motion of Senator Melich, *S. B. No. 10* retained its place on the Third Reading Calendar.

On motion of Senator Clegg, *S. B. No. 3* retained its place on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Melich, *S. B. No. 30* was made a Special Order of Business for January 26, 1949, at 3:00 p.m.

On motion of Senator Day, the enacting clause of *S. B. No. 33* was struck.

On motion of Senator Clegg, *S. R. No. 6* retained its place on the Second Reading Calender.

S. J. R. No. 2 was read the second time.

Committee report read and adopted.

Senator Fowles moved that *S. J. R. No. 2* be returned to the Committee on Revenue and Taxation for reconsideration.

Motion lost.

S. J. R. No. 2 then failed of passage on the following roll call:

Yeas, 6; Nays, 15; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Fowles, Jenkins and Marthakis.

Those voting in the negative were: Senators Clegg, Day, Gibbons, Gibson, Jolley, Jones, Knight (explained vote), Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, excused, and Reese.

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

S. B. No. 36 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *S. B. No. 36* was withdrawn.

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

Committee report read and adopted.

S. B. No. 4 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 8; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibson, Jolley, Knight, Lund, Marsden, Marthakis, Melich and Milliman.

Those voting in the negative were: Senators Day, Gibbons, Jenkins, Jones, Larsen (explained vote), McShane, Orser and Mr. President.

Absent and not voting: Senators Bailey, excused, and Reese.

On motion of Senator Marthakis the Senate adjourned until January 26, 1949 at 2:00 p.m.

SEVENTEENTH DAY

January 26, 1949

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

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

Prayer by the Chaplain.

January 26, 1949

Mr. President:

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

Respectfully,

HYRUM GIBBONS

J. HAROLD REESE

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 2*, by Messrs. Doty, Young, Baker, Marble, Bonacci, Larsen, Anderson, Openshaw, Aldous and Elswood, entitled,

AN ACT AMENDING SECTION 75-6-2, UTAH CODE ANNOTATED, 1943, RELATING TO WEBER COLLEGE, CHANGING THE NAME TO WEBER STATE COLLEGE, AND PERMITTING IT TO OFFER COMPLETE TERMINAL COURSES AND GRANT DEGRES IN THE FIELDS OF THE ARTS AND SCIENCES, BUSINESS, AND EDUCATION, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 2 was read the first time.

On motion of Senator Fowles the rules were suspended and *S. B. No. 32* was withdrawn and *H. B. No. 2* was ordered to take its place on the Second Reading Calendar.

REPORTS OF STANDING COMMITTEES

January 26, 1949

Mr. President:

In view of the critical emergency which has arisen in the State of Utah in the matter of providing necessary feed and relief to livestock, we respectfully recommend that Joint Rule No. 13 be suspended as regards all appropriation bills now pending providing for appropriations of monies necessary to alleviate the suffering of livestock.

Respectfully,

LORENZO E. ELGGREN
Chairman Senate Joint Rules Committee

MAURICE ANDERSON
Chairman House Joint Rules Committee

Report adopted and filed.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 11*, by Messrs. Day, Jenkins and McShane, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 12*, by Messrs. McShane, Orser and Day, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 12 was ordered printed and referred to the Committee on Highways.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 26*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 30-0-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, REPEALING CHAPTER 43, SECTION 2, SUBSECTION 30-0-3A, LAWS OF UTAH 1943; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS 30-0-3.10 AND 30-0-3.20, UTAH CODE ANNOTATED 1943, PROVIDING FOR A FISH AND GAME DIRECTOR, SPECIFYING HIS QUALIFICATIONS, POWERS, METHOD OF SELECTION, SERVICE, RESTRICTION OF POLITICAL ACTIVITIES, AND INCREASING HIS SALARY; SPECIFYING QUALIFICATIONS OF AND MANNER OF HIRING DEPARTMENT EMPLOYEES AND RESTRICTING THEIR POLITICAL ACTIVITIES, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 39*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 6, TITLE 85, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE INDUSTRIAL SCHOOL; REVISING THE METHOD OF APPOINTING THE SUPER-

INTENDENT; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND THE BOARD OF TRUSTEES TO THE STATE BOARD OF PUBLIC WELFARE, AND AMENDING SECTIONS 85-6-1, 85-6-1.10, 85-6-5, 85-6-5.10, 85-6-6, 85-6-8, 85-6-9, 85-6-10, 85-6-11, 85-6-12, 85-6-15, 85-6-16, AND 85-6-17, UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 82*, by Messrs. Brockbank, Milliman, Jenkins, Day, Jolley and Melich, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 82 was ordered printed and referred to the Committee on Education.

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 110*, by Mr. Melich, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 1 OF CHAPTER 126, LAWS OF UTAH 1945, AND AS AMENDED BY CHAPTER 132, LAWS OF UTAH 1947, CHANGING AND FIXING SALARIES OF THE BUILDING COMMISSION SUPERINTENDENT OF CONSTRUCTION; STATE FISH AND GAME DIRECTOR; MEMBERS OF THE INDUSTRIAL COMMISSION; STATE ENGINEER; MEMBERS OF THE COMMISSION OF FINANCE; ASSISTANT LIBRARIAN, STATE LIBRARY; CLERK OF THE SUPREME COURT; MEMBERS OF THE STATE TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE COMMISSION OF BUSINESS REGULATION; MEMBERS OF THE LIQUOR CONTROL COMMISSION; MEMBERS OF THE STATE BOARD OF AGRICUL-

TURE; MEMBERS OF THE COMMISSION OF PUBLICITY AND INDUSTRIAL DEVELOPMENT; MEMBERS OF THE ENGINEERING COMMISSION, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 110 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 117*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 117 was ordered printed and referred to the Committee on Banking and Commerce.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 123*, by Messrs. Fowles, Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 43-2-5, CHAPTER 63, LAWS OF UTAH 1947, PERMITTING THE COMMISSIONER OF INSURANCE TO MAINTAIN AN OFFICE IN THE STATE CAPITOL, HIRE NECESSARY EMPLOYEES, APPOINT A DEPUTY, ETC. AND REMOVING SUCH AUTHORITY FROM THE COMMISSION OF BUSINESS REGULATION, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 123 was ordered printed and referred to the Committee on Banking and Commerce.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 130*, by Mr. Knight, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 100-9-4, UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION DISTRICTS, NOTICE OF ELECTION, WHO IS ENTITLED TO VOTE, AND DIRECTORS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 130 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 133*, by Messrs. Gibson, Day, Clegg, Fowles, Marthakis, Elggren, Brockbank, Melich, Knight, Reese, Larsen, Orser and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 133 was ordered printed and referred to the Committee on Welfare.

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 137*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 137 was ordered printed and referred to the Committee on Health and Labor.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 140*, by Messrs. Day, Milliman and Marsden, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 140 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 142*, by Messrs. Knight, Marthakis and Bailey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 142 was ordered printed and referred to the Committee on Military Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 145*, by Messrs. Knight, Brockbank, Marthakis and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT PROVIDING FOR LICENSING OF CONTRACTORS, REQUIREMENTS FOR POSTING BOND, AND PROVIDING FOR RECOVERY ON SUCH BOND OR DEPOSIT, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 145 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 148*, by Messrs. Gibbons and Jones, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 148 was ordered printed and referred to the Committee on Highways.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 149*, by Messrs. Marsden and Meilch, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 149 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 150*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 150 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 151*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 151 was ordered printed and referred to the Committee on Judiciary.

January 25, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 14*, by Messrs. Day and Fowles, has carefully considered said bill, reports the same out with recommendation, and recommends the following amendments:

Line 11, page 1. The words "state cattle and horse growers' association" shall read: "State Cattle and Horse Growers' Association."

Line 12, Page 1. The words "state wool growers' association" shall begin with capital letters. Insert deletion marks before the word "two." Delete the word "State" between the words "Utah" and "wildlife," and begin the word "wildlife" with a capital letter.

Line 13, page 1. In the word "federations," capitalize the "f" and delete the "s".

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 100*, by Messrs. Elggren, Jolley, Marthakis and Jones, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 16 By Messrs. Day, Knight, Brockbank and Elggren

A RESOLUTION EXPRESSING APPRECIATION TO JUNIOR RESERVE OFFICER TRAINING CORPS UNITS OF THE THREE SALT LAKE CITY HIGH SCHOOLS FOR THEIR PARTICIPATION IN FUNERAL AND MEMORIAL SERVICES FOR VETERANS OF THE WARS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 16 By Messrs. Brockbank and Clegg
(Rewritten)

AN ACT AMENDING SECTION 3 OF TITLE 19 OF THE LAWS OF UTAH 1947, RELATING TO THE ESTABLISHMENT OF PENSION RETIREMENT, SICKNESS, DISABILITY AND DEATH BENEFIT SYSTEMS IN CITIES AND INCORPORATED TOWNS; PERMITTING LIBRARIANS, ASSISTANT LIBRARIANS AND EMPLOYEES OF PUBLIC LIBRARIES OF SUCH CITIES AND TOWNS

TO PARTICIPATE THEREIN; PROVIDING FOR EMPLOYMENT, DISMISSAL AND TRANSFER OF EMPLOYEES OF SAID CITIES AND INCORPORATED TOWNS, OTHER THAN MEMBERS OF POLICE AND FIRE DEPARTMENTS; CREATING AN APPEAL BOARD AND PROVIDING FOR THE APPEAL OF TRANSFERS AND DISMISSALS TO SUCH BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 166 By Mr. Clegg

AN ACT AMENDING SECTION 80-7-2, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 110, LAWS OF UTAH, 1947, TO AUTHORIZE THE ABATEMENT OF TAXES OF INDIGENT POOR WHO ARE RECIPIENTS OF OLD AGE ASSISTANCE AND WHO PLEDGE THEIR PROPERTY TO A COUNTY WELFARE BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 167 By Mr. Brockbank

AN ACT APPROPRIATING THE SUM OF $35,000.00 FROM THE STATE GENERAL FUND TO THE UTAH STATE BUILDING BOARD FOR COMPLETION OF THE PIONEER MEMORIAL BUILDING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 168 By Messrs. Jolley, Lund, Jones, Milliman and Larsen

AN ACT AMENDING SECTIONS 85-7-1.10; 85-7-4; 85-7-4.10; 85-7-5; 85-7-7; 85-7-12; 85-7-16; 85-7-28; 85-7-30; 85-7-38; 85-7-42; 85-7-43; 85-7-45 UTAH CODE ANNOTATED 1943; AND SECTIONS 85-7-11; 85-7-27; 85-7-32; 85-7-54 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121 LAWS OF UTAH, 1945, AND SECTION 85-7-6 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 123, LAWS OF UTAH 1947, RELATING TO THE UTAH STATE HOSPITAL PLACING THE GOVERNMENT CONTROL OF THE UTAH STATE HOSPITAL IN A BOARD COMPOSED OF SEVEN MEMBERS, PROVIDING FOR THE APPOINTMENT THEREOF; PROVIDING FOR A LAY SUPERINTENDENT AND A MEDICAL STAFF, AND REPEALING SECTIONS 85-7-13; 85-7-14; UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 169 By Mr. Knight

AN ACT AMENDING SECTION 40-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1943, AS FURTHER AMENDED BY CHAPTER 64, LAWS OF UTAH 1945, RELATING TO AND PROVIDING FOR PREMARITAL EXAMINATION FOR VENEREAL DISEASES BY LICENSED PHYSICIANS AND SURGEONS INCLUDING ANY LICENSED PRAC-

TITIONER OF THE HEALING ARTS; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSE; FORM OF CERTIFICATES TO BE USED, INCLUDING ACCEPTATION OF CERTIFICATES FROM OTHER STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 170 By Agriculture Committee

AN ACT MAKING AN APPROPRIATION OF TWO HUNDRED FIFTY THOUSAND ($250,000.00) DOLLARS OR SO MUCH THEREOF AS MAY BE NECESSARY TO THE STATE BOARD OF EXAMINERS, FROM THE STATE GENERAL FUND, OUT OF ANY MONIES NOT OTHERWISE APPROPRIATED, TO BE USED AS A REVOLVING FUND AND TO MATCH ANY FEDERAL FUNDS MADE AVAILABLE IN AID OF THE LIVESTOCK INDUSTRY OF THE STATE OF UTAH, PRESENTLY SUFFERING SEVERE LOSSES AND THREATENED WITH SUBSTANTIAL ADDITIONAL LOSSES FROM THE IMPACT OF BITTER LOW TEMPERATURES AND DEEP SNOWS, was read the first time.

Senator Marthakis moved that the rules be suspended and that the Senate do now consider *S. B. No. 170*.

Motion carried.

On motion of Senator Marthakis the rules were suspended and *S. B. No. 170* was read the second and third times and placed on its final passage.

S. B. No. 170 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane (explaned vote), Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Bailey, excused.

S. B. No. 170 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

January 26, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 170*, by Agriculture Committee, entitled,

AN ACT MAKING AN APPROPRIATION OF TWO HUNDRED FIFTY THOUSAND ($250,000.00) DOLLARS OR SO MUCH THEREOF AS MAY BE NECESSARY TO THE STATE BOARD OF EX-

AMINERS, FROM THE STATE GENERAL FUND, OUT OF ANY MONIES NOT OTHERWISE APPROPRIATED, TO BE USED AS A REVOLVING FUND AND TO MATCH ANY FEDERAL FUNDS MADE AVAILABLE IN AID OF THE LIVESTOCK INDUSTRY OF THE STATE OF UTAH, PRESENTLY SUFFERING SEVERE LOSSES AND THREATENED WITH SUBSTANTIAL ADDITIONAL LOSSES FROM THE IMPACT OF BITTER LOW TEMPERATURES AND DEEP SNOWS, and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 170 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 170*, by Agriculture Committee, entitled:

AN ACT MAKING AN APPROPRIATION OF TWO HUNDRED FIFTY THOUSAND ($250,000.00) DOLLARS OR SO MUCH THEREOF AS MAY BE NECESSARY TO THE STATE BOARD OF EXAMINERS, FROM THE STATE GENERAL FUND, OUT OF ANY MONIES NOT OTHERWISE APPROPRIATED, TO BE USED AS A REVOLVING FUND AND TO MATCH ANY FEDERAL FUNDS MADE AVAILABLE IN AID OF THE LIVESTOCK INDUSTRY OF THE STATE OF UTAH, PRESENTLY SUFFERING SEVERE LOSSES AND THREATENED WITH SUBSTANTIAL ADDITIONAL LOSSES FROM THE IMPACT OF BITTER LOW TEMPERATURES AND DEEP SNOWS, examined by this committee and has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 170 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

January 26, 1949

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. 170*, by Agriculture Committee, entitled,

AN ACT MAKING AN APPROPRIATION OF TWO HUNDRED FIFTY THOUSAND ($250,000.00) DOLLARS OR SO MUCH THEREOF AS MAY BE NECESSARY TO THE STATE BOARD OF EXAMINERS, FROM THE STATE GENERAL FUND, OUT OF ANY MONIES NOT OTHERWISE APPROPRIATED, TO BE USED AS A REVOLVING FUND AND TO MATCH ANY FEDERAL FUNDS MADE AVAILABLE IN AID OF THE LIVESTOCK INDUSTRY OF THE STATE OF UTAH, PRESENTLY SUFFERING SEVERE LOSSES AND THREATENED WITH SUBSTANTIAL ADDITIONAL LOSSES FROM THE IMPACT OF BITTER LOW TEMPERATURES AND DEEP SNOWS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 170 was transmitted to the Governor.

INTRODUCTION OF BILLS

S. B. No. 171 By Messrs. Knight and Burns

AN ACT RELATING TO THE DEFINITION, REGISTRATION AND EXAMINATION OF SANITARIANS EMPLOYED FULL TIME IN STATE AND LOCAL DEPARTMENTS OF PUBLIC HEALTH AND OTHER STATE AGENCIES, THAT TITLE 79, REVISED STATUTES OF UTAH, 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, IS AMENDED TO READ AS FOLLOWS: was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 172 By Messrs. Day and Milliman

AN ACT RELATING TO THE NEW UTAH STATE PRISON AT THE POINT OF THE MOUNTAIN IN SALT LAKE COUNTY, AND APPROPRIATING FUNDS FOR ITS COMPLETION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 173 By Messrs. Day and Brockbank

AN ACT TO AMEND SECTION 79-3-6 OF THE UTAH CODE ANNOTATED, 1943, RELATING TO THE DEFINITION OF THE PRACTICE OF ARCHITECTURE, MAKING SPECIFIC SUCH DEFINITION, ESTABLISHING EXEMPTIONS THEREFROM, PROHIBITING UNAUTHORIZED PERSONS FROM USING THE TITLE OF "ARCHITECT" OR REPRESENTING THEMSELVES AS SUCH; AND EXCLUDING CERTAIN GOVERNMENTAL EMPLOYEES FROM THE APPLICATION THEREOF; AND ENACTING NEW SECTIONS, TO BE KNOWN AS SECTIONS 79-3-6 (a), 79-3-6 (b) AND 79-3-6 (c), RELATING TO AUTHORSHIP OF DRAWINGS AND SPECIFICATIONS, PROHIBITING AVOIDANCE OF PROVISIONS OF THIS ACT, PROVIDING RESTRICTIONS AS TO WHO MAY BE LICENSED AS ARCHITECTS, PROHIBITING IMPROPER REPRESENTATIONS BY UNLICENSED PERSONS AND PRESCRIBING FOR CERTAIN EXEMPTIONS FROM THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 174 By Messrs. Day and Brockbank

AN ACT TO SPECIFY THE QUALIFICATIONS OF APPLICANTS FOR LICENSES AS ARCHITECTS AND TO MAKE CERTAIN THE EDUCATIONAL AND OTHER REQUIREMENTS FROM APPLICANTS FOR SUCH LICENSES; AMENDING SECTIONS 79-3-1 AND 79-3-2, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 175 By Messrs. Day and Brockbank

AN ACT TO PROVIDE FOR SAFE AND SANITARY CONSTRUCTION OF STRUCTURES TO BE USED BY THE PUBLIC; DEFINING WHEN A BUILDING IS CONSIDERED SAFE AND SANITARY; PROVIDING FOR ADEQUATE DRAWINGS AND SPECIFICATIONS TO BE PREPARED BY LICENSED ARCHITECTS OR PROFESSIONAL ENGINEERS; AUTHORIZING INJUNCTIVE PROCEDURE ON APPLICATION OF DEPARTMENT OF REGISTRATION WHERE BUILDING IS UNSAFE OR UNSANITARY; AND MAKING VIOLATION A MISDEMEANOR, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Fowles, *S. B. No. 37* was ordered reprinted for correction of typographical errors.

SPECIAL ORDER

S. B. No. 30, being a Special Order of Business, was before the Senate.

S. B. No. 30 was read the second time.

Committee report read and adopted.

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

Page 1, line 14, after the word "program" insert the words:

"The board shall also have power to furnish hospital care and treatment for alcoholics under rules and regulations prescribed by the board."

Page 2, line 11, after the figure "8" strike the balance of lines 11, 12 and 13 and add the following:

"To carry out the functions of this act, there is hereby transferred and appropriated to the Board all unexpended sums appropriated under Chapter 86, Laws of Utah 1947, and remaining on hand at the time of the passage of this act."

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

After the word "alcoholics" in the amendment of Senator Melich, add the words "unable to provide such treatment personally."

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

Page 1, line 17, strike the figure "$5500.00" and insert the figure "$4500."

Page 2, line 2, after the word "act" add the following: "The director shall devote his full time and attention to the duties of his office."

S. B. No. 30 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Gibbons (explained vote), Gibson, Jenkins, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Clegg, Jolley (explained vote), Jones and McShane (explained vote).

Absent and not voting: Senators Bailey, excused, and Fowles.

CONSIDERATION OF BILLS ON THIRD READING

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

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

Strike all the material following the enacting clause and in lieu thereof insert the following:

Section 1. Sec. 19-5-62, Utah Code Annotated 1943, is hereby amended to read as follows:

19-5-62. The board of county commissioners may, if they deem it necessary and expedient so to do, annually at their session at which the annual tax levy for county purposes is fixed and levied, assess and levy a tax not exceeding one mill on the dollar for the following purposes, to wit:

(1) The care, maintenance and relief of the indigent sick or dependent poor persons having a lawful settlement in the county.

(2) The temporary relief of indigent persons not having a lawful settlement in the county temporarily residing therein, and for the burial of such indigent person who shall die within the county.

And not exceeding one mill on the dollar in counties having an assessed valuation for the current year of more than $15,000,000, and not more than four mills on the dollar in all other counties, for the following additional purposes:

(3) The erection and maintenance of hospitals, infirmaries or poor houses, and farms in connection therewith.

(4) The employment of a superintendent for such county hospitals, poor houses and infirmaries, and any other necessary help therein.

(5) The salary of the County physician attending the indigent sick or dependent poor.

The taxes herein authorized shall be collected in the same manner as other county taxes are assessed, levied and collected.

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

Yeas, 17; Nays, 4; Absent, 2.

Those voting in the affirmative were: Senators Brockbank (explained vote), Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jolley, Knight (explained vote), Lund, Marsden, Marthakis, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Gibbons, Jones (explained vote), Larsen and McShane.

Absent and not voting: Senators Bailey, excused, and Reese.

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

On motion of Senator Clegg, *S. B. No. 3* retained its place on the Third Reading Calendar.

S. B. No. 4 was read the third time and placed on its final passage.

Senator Melich moved that the bill be amended as follows:

Page 1, line 19, omit the deletion marks and in lieu therof insert the following:

"5. Upon oleomargarine, as defined in Section 93-1-16 of this act, five cents per pound or fractional part thereof."

The President recognized former Governor Charles R. Mabey, who addressed the Senate briefly.

On motion of Senator Hopkin, the Senate adjourned until January 27, 1949 at 2:00 p.m.

EIGHTEENTH DAY

January 27, 1949

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

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

Prayer by the Chaplain.

January 27, 1949

Mr. President:

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

Respectfully,

HYRUM GIBBONS
J. HAROLD REESE

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 24, 1949

To the Senate
State Capitol Building

Gentlemen:

I have this day approved and transmitted to the Secretary of State *S. C. M. No. 1*, by Messrs. Knight, Marthakis and Elggren, entitled,

A CONCURRENT MEMORIAL URGING THE CONGRESSIONAL DELEGATION FROM THE STATE OF UTAH TO INTRODUCE A RESOLUTION IN THE CONGRESS OF THE UNITED STATES RE-

QUESTING PRESIDENT TRUMAN TO USE HIS GOOD OFFICE IN SECURING THE APPOINTMENT OF A FACT FINDING BOARD TO INVESTIGATE AND RECOMMEND A BASIS FOR SETTLEMENT OF THE EXISTING LABOR-MANAGEMENT DISPUTE BETWEEN THE KENNECOTT COPPER CORPORATION, UTAH COPPER DIVISION, AND THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN, SUCH AS WAS RECOMMENDED BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE AND THE INDUSTRIAL COMMISSION OF THE STATE OF UTAH ON NOVEMBER 6, 1948.

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

January 26, 1949

To the Senate
State Capitol Building

Gentlemen:

Acting Governor Heber Bennion, Jr., has this day approved *S. B. No. 170*, by Agriculture Committee entitled:

AN ACT MAKING AN APPROPRIATION OF TWO HUNDRED FIFTY THOUSAND ($250,000.00) DOLLARS OR SO MUCH THEREOF AS MAY BE NECESSARY TO THE STATE BOARD OF EXAMINERS, FROM THE STATE GENERAL FUND, OUT OF ANY MONIES NOT OTHERWISE APPROPRIATED, TO BE USED AS A REVOLVING FUND AND TO MATCH ANY FEDERAL FUNDS MADE AVAILABLE IN AID OF THE LIVESTOCK INDUSTRY OF THE STATE OF UTAH, PRESENTLY SUFFERING SEVERE LOSSES AND THREATENED WITH SUBSTANTIAL ADDITIONAL LOSSES FROM THE IMPACT OF BITTER LOW TEMPERATURES AND DEEP SNOWS.

The same is transmitted to the Secretary of State.

Respectfully yours,

WILLIAM S. ADAMSON,
Administrative Assistant to the Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 26, 1949

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. 8*, by Committee on Rules and Contingent Expense, entitled,

A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-EIGHTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Fowles, the Senate concurred in the House amendments.

S. J. R. No. 8, as amended by the House, then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Bailey, excused.

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

January 26, 1949

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. 9*, by Messrs. White, Mayers and Reese, entitled,

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF JAMES B. WILSON — IN MEMORIAM, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 9 was read the first time.

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

H. J. R. No. 9 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, and Larsen.

H. J. R. No. 9 was returned to the House.

January 27, 1949

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. 10*, by Mrs. Jack, entitled,

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH DESIGNATING FEBRUARY 2, 1949, AS POT O' GOLD DAY IN THE UTAH FUNDS RAISING CAMPAIGN ON BEHALF OF THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS, URGING GENERAL SUPPORT OF THIS POT O' GOLD DAY BY CONTRIBUTION AND ATTENDANCE OF THE POT O' GOLD BALL, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 10 was read the first time.

On motion of Senator Marthakis the rules were suspended and *H. J. R. No. 10* was read the second and third times and placed on its final passage.

On motion of Senator Day, the resolution was amended as follows:

Insert the words "Senate and the" between the words "the House."

On motion of Senator Day, the title was amended as follows:

In line 1, insert the word "JOINT" between the words "A RESOLUTION" and strike the words "OF THE HOUSE OR REPRESENTATIVES OF THE STATE OF UTAH."

H. J. R. No. 10 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, and Lund.

H. J. R. No. 10 was returned to the House.

January 26, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 11*, by Messrs. Larson, Bonacci and Bell, entitled,

AN ACT AMENDING SECTION 49-14-7, UTAH CODE ANNOTATED 1943, RELATING TO AND PROHIBITING EMPLOYERS REQUIRING PHYSICAL EXAMINATIONS FROM EMPLOYEES OR PERSONS APPLYING FOR, OR ACCEPTING EMPLOYMENT, UNLESS ALL MEDICAL FEES AND EXPENSES INCIDENT THERETO ARE PAID BY EMPLOYER, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 11 was read the first time and referred to the Committee on Health and Labor.

January 26, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 27*, by Mrs. Jack, entitled,

AN ACT APPROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $398,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE BIENNIUM ENDING JUNE 30, 1949, AND EMPOWERING THE PUBLIC WELFARE COMMISSION TO MAKE EXPENDITURES ON A BIENNIAL BASIS, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 27 was read the first time and referred to the Committee on Welfare.

January 26, 1949

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. 37*, by Mr. Aldous, entitled,

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-54C UTAH CODE ANNOTATED, 1943, LIMITING

THE NUMBER OF SPECIAL DEER PERMITS TO BE ISSUED A PERSON IN ANY YEAR, and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 37 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, (rewritten), by Messrs. Brockbank and Clegg, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 3 OF CHAPTER 19 OF THE LAWS OF UTAH 1947, RELATING TO THE ESTABLISHMENT OF PENSION RETIREMENT, SICKNESS, DISABILITY AND DEATH BENEFIT SYSTEMS IN CITIES AND INCORPORATED TOWNS; PERMITTING LIBRARIANS, ASSISTANT LIBRARIANS AND EMPLOYEES OF PUBLIC LIBRARIES OF SUCH CITIES AND TOWNS TO PARTICIPATE THEREIN; PROVIDING FOR EMPLOYMENT, DISMISSAL AND TRANSFER OF EMPLOYEES OF SAID CITIES AND INCORPORATED TOWNS, OTHER THAN MEMBERS OF POLICE AND FIRE DEPARTMENTS; CREATING AN APPEAL BOARD AND PROVIDING FOR THE APPEAL OF TRANSFERS AND DISMISSALS TO SUCH BOARD, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 16 (rewritten) was ordered printed and referred to the Committee on Public Institutions.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35* (rewritten), by Messrs. Fowles and Jolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 35 (rewritten) was ordered printed and referred to the Committee on State and Municipal Affairs.

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 38*, by Messrs Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT RELATING TO PUBLIC WELFARE ADMINISTRATION; CREATING A STATE DEPARTMENT OF PUBLIC WELFARE; PROVIDING FOR THE APPOINTMENT OF A STATE BOARD OF PUBLIC WELFARE; AUTHORIZING THE APPOINTMENT OF A DIRECTOR AND OTHER ASSISTANTS AND EMPLOYEES OF THE DEPARTMENT AND PROVIDING FOR THEIR COMPENSATIONS; DEFINING THE POWERS AND DUTIES OF SUCH BOARD AND SUCH DIRECTOR; AUTHORIZING THE BOARD TO ACT AS THE OFFICIAL AGENCY OF THE STATE IN THE ADMINISTRATION OF ANY STATE OR FEDERAL FUNDS MADE AVAILABLE FOR RELIEF AND WELFARE PURPOSES; PROVIDING FOR THE CREATION OF COUNTY OR DISTRICT DEPARTMENTS OF PUBLIC WELFARE AND DEFINING THEIR POWERS AND DUTIES; TRANSFERRING THE ADMINISTRATION OF THE STATE DEPARTMENT OF PUBLIC WELFARE TO THE STATE BOARD OF PUBLIC WELFARE, TERMINATING THE TERMS OF OFFICE OF THE MEMBERS OF THE PUBLIC WELFARE COMMISSION; AMENDING SECTION 76A-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1947, SECTION 76A-1-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 91, LAWS OF UTAH 1947, SECTIONS 76A-1-5, 76A-1-8, 76A-1-12, 76A-1-13, 76A-1-29, 76A-1-33, 76A-1-34, UTAH CODE ANNOTATED 1943, AND SECTION 76A-1-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1947; CREATING NEW SECTIONS DESIGNATED 76A-1-2, 76A-1-3, 76A-1-19, 76A-1-20, AND REPEALING SECTIONS 2 AND 3, CHAPTER 69, LAWS OF UTAH 1935, AS AMENDED BY CHAPTER 88, LAWS OF UTAH 1937; AND SECTIONS 76A-1-19, 76A-1-20, 76A-1-21, 76A-1-22, 76A-1-23, 76A-1-24, 76A-1-26, 76A-1-27, 76A-1-28, 76A-1-30, UTAH CODE ANNOTATED 1943; AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 153*, by Messrs. Jolley, Jones and Elggren, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 153 was ordered printed and referred to the Committee on Judiciary.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 154*, by Messrs. Day, Gibson, McShane and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 154 was ordered printed and referred to the Committee on Education.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 160*, by Messrs Elggren and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 160 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 162*, by Messrs. Jones, Gibbons, Jenkins and Orser, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 162 was ordered printed and referred to the Committee on Education.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 163*, by Messrs. Gibson and Fowles, with a few changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 163 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 164*, by Mr. Knight, with a few minor changes assented to by the author and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 164, was ordered printed and referred to the Committee on Revenue and Taxation.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 165*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 165 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 166*, by Mr. Clegg, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 166 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 104*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 114*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 114 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 84*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 84 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 13*, by Messrs. Jolley, Jones, Orser and Marthakis, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 58*, by Mmes. Jack, Mitchell, Messrs. Rees and Walker, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 58 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 80*, by Messrs. Clegg and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 80 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 78*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 78 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 83*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 68*, by Mr. Knight, has carefully considered said bill and reports the same out favorably with the following amendment: on line 10 after the word "than" insert the words "time and."

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 68 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 69*, by Mr. Knight, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 102*, by Messrs. Knight, Marthakis and Brockbank, has carefully considered said bill and reports the same out without recommendation, and with the correction that the name "Gibson" be inserted immediately after the word "Messrs." on the top line of bill.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 102 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 103*, by Messrs. Gibson, Knight, Marthakis and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 103 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 128*, by Messrs. Brockbank, Melich, Larsen, Orser and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. E. BURNS,
Chairman.

Report filed.

S. B. No. 128 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 129* By Messrs. Brockbank, Melich, Larsen, Orser and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. E. BURNS,
Chairman.

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 19*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

January 27, 1949

Mr. President:

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

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

January 27, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 59*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 60*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 61*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 61 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 63*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 63 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 112*, by Mr. Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 112 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 113*, by Mr. Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 24*, by Messrs. Knight and Jolley, has noted the amount of the appropriation on the Joint Committee records and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

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

January 25, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 31*, by Messrs. Fowles, Day, Jenkins and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

T. P. BROCKBANK,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 2*, by Mr. Clegg, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 7*, by Mr. Clegg, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. R. No. 2*, by Messrs. Clegg and Knight, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 7*, by Mr. Clegg, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 5*, by Messrs. Brockbank, Milliman, Day, Jolley, Melich and Jenkins, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 105*, by Messrs. Day and Burns, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 108*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 108 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 107*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 107 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 106*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 106 was placed on the Second Reading Calendar.

January 26, 1949

Mr. President:

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

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 9*, by Messrs. Walker, Mitchell and Davis, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 176 By Messrs. Elggren, Knight, Brockbank and Jolley

AN ACT TO ESTABLISH QUALIFICATION, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINE, REEMPLOYMENT, AND TENURE OF OFFICE OF APPOINTEES AND EMPLOYEES . . . . OF THE STATE OF UTAH BASED ON MERIT; TO ACHIEVE A MORE EFFICIENT AND ECONOMICAL ADMINISTRATION THROUGH THE ESTABLISHMENT OF A CAREER SYSTEM AND THE SELECTION OF THE BEST QUALIFIED EMPLOYEES; TO PROVIDE UNIFORM WORKING CONDITIONS INCLUDING EQUAL PAY FOR EQUAL WORK; TO ESTABLISH AND PROVIDE APPOINTMENT, QUALIFICATIONS, TENURE OF OFFICE, COMPENSATION, POWERS, AND DUTIES OF A CIVIL SERVICE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 177 By Messrs. Reese, McShane and Larsen

AN ACT RELATING TO HORSE RACING AND PROVIDING FOR THE CREATION OF A UTAH RACING ASSOCIATION AND DEFINING ITS DUTIES AND POWERS; PERMITTING WAGERS TO BE MADE UNDER THE COOPERATIVE OR PARI-MUTUEL SYSTEM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 178 By Mr. Fowles

AN ACT TO ESTABLISH A REGIONAL CENTER FOR THE BLIND AT OGDEN, UTAH, AND TO APPROPRIATE $125,000 TO PURCHASE A SITE, ERECT BUILDINGS AND PROVIDE EQUIPMENT FOR SAID CENTER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 179 By Mr. McShane

AN ACT AMENDING CHAPTER 86, LAWS OF UTAH 1947, AUTHORIZING THE PUBLIC WELFARE COMMISSION OF THE STATE OF UTAH TO COOPERATE WITH A BOARD OF FIVE MEMBERS TO BE APPOINTED BY THE GOVERNOR AND WHOSE DUTIES IT SHALL BE TO INVESTIGATE THE CAUSES OF ALCOHOLICS AND ALCOHOLISM AND PROVIDE FOR EDUCATION THEREON AND TREATMENT OF ALCOHOLICS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Marthakis, the enacting clause of *S. B. No. 159* was struck.

On motion of Senator Marthakis, the Senate accepted an invitation to join with the House in visiting the State Institutions in Utah County on February 2, 1949.

On motion of Senator McShane, the President was authorized to appoint a Committee to join with the House in visiting the State Institutions in Utah County on February 2, 1949.

UNFINISHED BUSINESS

S. B. No. 4 was before the Senate.

S. B. No. 4 then passed on the following roll call.

Yeas, 14; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibson, Knight, Larsen (explained vote), Lund, Marsden, Marthakis, Melich, Milliman and Mr. President.

Those voting in the negative were: Senators Day, Gibbons, Jenkins, Jolley, Jones, McShane, Orser and Reese.

Absent and not voting: Senator Bailey, excused.

Senator Melich moved that the Senate reconsider the vote by which *S. B. No. 4* was passed.

Motion carried.

On motion of Senator Melich, *S. B. No. 4* was placed on the Calendar as Unfinished Business.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Clegg, *S. B. No. 3* retained its place on the Third Reading Calendar.

S. B. No. 30 was read the third time and placed on its final passage.

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

Line 2, strike the word "SHOWN" and insert the word "KNOWN."

S. B. No. 30 then passed on the following roll call:

Yeas, 14; Nays, 8; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibson, Jenkins, Knight, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Clegg, Gibbons, Jolley, Jones, Larsen, Lund, Marsden and McShane.

Absent and not voting: Senator Bailey, excused.

S. B. No. 30 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Senator Marthakis, with the aid of five Senators, requested a call of the Senate.

The Sergeant-at-Arms made his report.

On motion of Senator Marthakis, the call was lifted.

On motion of Senator Fowles, the Senate recessed.

The Senate reassembled.

On motion of Senator Marthakis the Senate adjourned until January 28, 1949 at 2:00 p.m.

NINETEENTH DAY

January 28, 1949

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

Roll Call—All Senators present except Senators Bailey and Reese, excused.

Prayer by the Chaplain.

January 28, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the eighteenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

HYRUM GIBBONS

J. HAROLD REESE

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 27, 1949

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. 9*, by Messrs. White, Meyers and Reese, entitled,

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF JAMES B. WILSON — IN MEMORIAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 9 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

January 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. J. R. No. 10*, by Mrs. Jack, entitled,

A JOINT RESOLUTION DESIGNATING FEBRUARY 2, 1949, AS POT O' GOLD DAY IN THE UTAH FUNDS RAISING CAMPAIGN ON BEHALF OF THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS, URGING GENERAL SUPPORT OF THIS POT O' GOLD DAY BY CONTRIBUTION AND ATTENDANCE OF THE POT O' GOLD BALL.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

January 28, 1949

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. 10*, by Mrs. Jack, entitled,

A JOINT RESOLUTION DESIGNATING FEBRUARY 2, 1949, AS POT O' GOLD DAY IN THE UTAH FUNDS RAISING CAMPAIGN ON BEHALF OF THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS, URGING GENERAL SUPPORT OF THIS POT O' GOLD

DAY BY CONTRIBUTION AND ATTENDANCE OF THE POT O' GOLD BALL, and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 10 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

January 27, 1949

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. 19*, by Mr. Dean, entitled,

AN ACT APPROPRIATING $3,400 FROM THE GENERAL FUND OF THE STATE TREASURY TO THE STATE BOARD FOR VOCATIONAL EDUCATION FOR THE PURCHASE OF EQUIPMENT, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 19 was read the first time and referred to the Committee on Appropriations and Claims.

January 27, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the House, *H. B. No. 21*, by Messrs. Davis, Poulson and Openshaw, entitled,

AN ACT AMENDING SECTION 7-7-11, UTAH CODE ANNOTATED 1943, REGARDING THE ELECTIONS, POWERS AND DUTIES OF DIRECTORS AND EXECUTIVE OFFICERS OF CREDIT UNIONS, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 21 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 8*, by Committee on Rules and Contingent Expense, entitled,

A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-EIGHTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, examined by this committee and has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 10*, by Messrs. McShane, Hopkin, Reese, Melich, Lund, Larsen, Jones, Gibbons, Marsden, Orser, Burns, Fowles, Milliman and Gibson, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 10 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 13*, by Messrs. Knight, Brockbank and Marthakis, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 14*, by Messrs. Knight, Marthakis, Brockbank and Bailey, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 14 was ordered printed and referred to the Committee on Military Affairs.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 15*, by Messrs. Knight and Marthakis, with a few minor changes assented to by the authors and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 15 was ordered printed and referred to the Committee on Military Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 40*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 2, 14, 15, 18 AND 20, CHAPTER 89, LAWS OF UTAH 1947, SECTIONS 9, 10 AND 19, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948 FIRST SPECIAL SESSION, SECTIONS 30, 32, 33 AND 35, CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, RELATING TO PUBLIC WELFARE, ELIMINATING THE WELFARE ADVISORY COUNCIL BY REPEALING SECTION 28, CHAPTER 89, LAWS OF UTAH 1947; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 40 was ordered printed and referred to the Committee on Welfare.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 42*, by Messrs. Clegg and Brockbank, for return to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 42 was returned to the authors for rewriting.

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 43*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 7, TITLE 14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 16, LAWS OF UTAH 1947, RELATING TO CHILD WELFARE; REVISING THE METHOD OF ESTABLISHING JUVENILE COURT DISTRICTS; TRANSFERRING POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND JUVENILE COURT AND PROBATION COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, AND AMENDING SECTIONS 14-7-1.10 AND 14-7-1.11, UTAH CODE ANNOTATED 1943, AND SECTION 14-7-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 16, LAWS OF UTAH 1947, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 45*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 7, TITLE 85, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945, AND CHAPTER 123, LAWS OF UTAH 1947, RELATING TO THE UTAH STATE HOSPITAL; REVISING THE METHOD OF APPOINTING THE MEDICAL SUPERINTENDENT, STEWARD, AND ASSISTANT PHYSICIANS; TRANSFERRING THE POWERS

AND DUTIES OF THE BOARD OF TRUSTEES, OTHER STATE HOSPITAL BOARDS, AND THE PUBLIC WELFARE COMMISSION TO THE STATE BOARD OF PUBLIC WELFARE, AND AMENDING SECTIONS 85-7-1.10, 85-7-4, 85-7-4.10, 85-7-5, 85-7-7, 85-7-12, 85-7-13, 85-7-14, 85-7-16, 85-7-30, 85-7-38, 85-7-42, 85-7-43, 85-7-45, UTAH CODE ANNOTATED 1943, SECTIONS 85-7-11, 85-7-27, 85-7-32, 85-7-54, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945, AND SECTIONS 85-7-6, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945 AND CHAPTER 123, LAWS OF UTAH 1947, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 46*, by Messrs. Clegg and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 5, LAWS OF UTAH 1943, AS AMENDED BY CHAPTERS 93 AND 94, LAWS OF UTAH 1947, RELATING TO THE TUBERCULOSIS SANITORIUM; REVISING THE METHOD OF APPOINTING THE MEDICAL DIRECTOR; TRANSFERRING THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION AND THE STATE BOARD OF HEALTH TO THE STATE BOARD OF PUBLIC WELFARE, AND AMENDING SECTIONS 76A-5-3, 76A-5-4, 76A-5-5, 76A-5-11, 76A-5-12, 76A-5-14, AND 76A-5-21, UTAH CODE ANNOTATED 1943, SECTIONS 76A-5-17, 76A-5-18, AND 76A-5-19, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 93, LAWS OF UTAH 1947, AND SECTION 76A-5-22, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 94, LAWS OF UTAH 1947, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 132*, by Messrs. Marthakis, Milliman and Jolley, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 124, LAWS OF UTAH 1947, RELATING TO DESIGNATION OF THE OLD UTAH PRISON SITE AS A STATE PARK, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 132 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 136*, by Messrs. Jolley and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 15, LAWS OF UTAH 1943, AND AS FURTHER AMENDED BY CHAPTER 20, LAWS OF UTAH 1945, SECTION 14-6-2, UTAH CODE ANNOTATED 1943; SECTION 14-6-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 21, LAWS OF UTAH 1945; SECTIONS 14-6-6, 14-6-8, 14-6-9, 14-6-10, 14-6-13, 14-6-14, 14-6-15, 14-6-18, 14-6-19, 14-6-22, 14-6-25, AND 46-6-28, UTAH CODE ANNOTATED 1943, PERTAINING TO CHILD LABOR AND REGULATIONS FOR THE EMPLOYMENT OF MINORS; ENACTING A NEW SECTION TO BE KNOWN AS SECTION 14-6-27, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE PAYMENT OF COMPENSATION TO MINORS WHO ARE INJURED WHILE ILLEGALLY EMPLOYED; AND REPEALING SECTIONS 14-6-12, 14-6-16, 14-6-17, 14-6-21, 4-6-23, AND 14-6-24, UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 136 was ordered printed and referred to the Committee on Health and Labor.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, AND 25-5-6, UTAH CODE ANNOTATED 1943, RELATING TO VOTING BY ABSENT ELECTORS AND DISABLED VETERAN ELECTORS, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 144 was ordered printed and referred to the Committee on Judiciary.

January 27, 1949

Mr. President:

Your Committee on Revision and Enrollong reports back *S. B. No. 155*, by Mr. Larsen, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 80-2-10, UTAH CODE ANNOTATED 1943, EXEMPTING CERTAIN HOMES, HOMESTEADS AND HOUSEHOLD FURNISHINGS, FURNITURE AND EQUIPMENT FROM TAXATION, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S, B. No. 155 was ordered printed and referred to the Committee on Revenue and Taxation.

January 27, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 17*, by Mr. Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

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

January 27, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 91*, by Messrs. Gibbons, Jones, Jenkins and Jolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 91 was placed on the Second Reading Calendar.

January 27, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 127*, by Messrs. Brockbank, Melich, Larsen and Orser, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 127 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 17 By Messrs. McShane, Jenkins, Day, Fowles and Jones

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 28TH LEGISLATURE OF THE STATE OF UTAH RELATING TO A STUDY OF CITY AND COUNTY GOVERNMENTAL FUNCTIONS AND SERVICES AND THE POSSIBILITY OF COMBINING SUCH SERVICES TO IMPROVE EFFICIENCY AND OBTAIN ECONOMY IN LOCAL GOVERNMENT AND DESIGNATING THE UTAH LEGISLATIVE COUNCIL AS THE AGENT TO CONDUCT A STUDY AND PREPARE A FINAL REPORT AND PROPOSE LEGISLATION TO THE 29TH LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 18 By Messrs. Hopkin, Day and Lund

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE 10, SECTION 4, OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE, AUTHORIZING THE LEGISLATURE TO CREATE A GOVERNING BOARD FOR INSTITUTIONS OF HIGHER LEARNING, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 180 By Mr. Brockbank

AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1943, PROVIDING FOR PAYMENT OF PUBLIC ASSISTANCE TO OTHER THAN THE APPLICANT OR RECIPIENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 181 By Messrs. Marthakis, Jenkins, Fowles and Hopkin

AN ACT AUTHORIZING THE GOVERNOR TO APPOINT A COMMITTEE OF THREE COMPETENT ENGINEERS TO DETERMINE THE FEASIBILITY OF CONSTRUCTING A SUPER HIGHWAY BETWEEN OGDEN CITY AND PROVO CITY, UTAH, AND TO DETERMINE THE KIND AND CHARACTER THEREOF AND TO MAKE REPORT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 182 By Mr. Knight

AN ACT AUTHORIZING COUNTIES, CITIES AND TOWNS BY ORDINANCE TO LEVY A SALES AND USE TAX AND AUTHORIZE AND DIRECT THE STATE TAX COMMISSION TO COLLECT THE SAME AND REMIT THE TAX SO COLLECTED, LESS COST OF COLLECTION, AND REQUIRING THE PROCEEDS SO COLLECTED TO BE EXPENDED FOR CERTAIN IMPROVEMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 183 By Mr. Knight

AN ACT AMENDING SECTION 80-15-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 93, LAWS OF UTAH 1943, RELATING TO SALES TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 184 By Mr. Knight

AN ACT TO CREATE A FUND TO BE KNOWN AS THE CITY AND COUNTY CAPITOL IMPROVEMENT FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 185 By Mr. Knight

AN ACT AMENDING SECTION 80-15-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 111, LAWS OF UTAH 1945 AND CHAPTER 119, LAWS OF UTAH 1947, RELATING TO SALES TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 186 By Mr. Knight

AN ACT AMENDING SECTION 80-16-3, UTAH CODE ANNOTATED 1943, RELATING TO USE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 187 By Mr. Knight

AN ACT AMENDING SECTION 80-16-25, UTAH CODE ANNOTATED 1943, RELATING TO USE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the Secretary was directed to send a letter to President Glenn E. Snow of Dixie College, expressing the thanks of the Senate for his invitation to visit Dixie College.

On motion of Senator Day, it was agreed that when the Senate adjourns today, it stand adjourned until Monday, January 31, 1949 at 2:00 p.m.

On motion of Senator Melich, the Sergeant at Arms was directed to purchase twenty-five sets of the 1947 Cumulative Pocket Supplement to the Utah Code Annotated 1943.

UNFINISHED BUSINESS

S. B. No. 4 was before the Senate.

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

Strike line 20, page 1 and all of pages 2 and 3.

On motion of Senator Melich, the title was amended as follows:

Line 1, strike the words "SECTIONS" and insert the word "SECTION."

Line 1, strike the word and figures "AND 93-1-5."

Line 2, after the word "TO" insert the words "EXCISE TAX ON."

Line 2, and 3, after the word "OLEOMARGARINE," change the comma to a period and strike the balance of the title.

On motion of Senator Gibbons, *S. B. No. 4* was made a Special Order of Business for January 31, 1949 at 2:30 p.m.

On motion of Senator Marthakis the Senate recessed.

The Senate reassembled.

H. B. No. 2 was before the Senate.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibson, Jenkins, Jolley, Jones, Knight, Marthakis, Melich (explained vote), Orser and Mr. President.

Those voting in the negative were: Senators Clegg, Gibbons, Larsen, Lund, Marsden and McShane.

Absent and not voting: Senators Bailey, Reese, and Milliman, excused.

On motion of Senator Marthakis the Senate adjourned.

TWENTY-SECOND DAY

January 31, 1949

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

Roll Call—All senators present except Senators Bailey, Jones and Reese, excused.

Prayer by the Chaplain.

January 31, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the nineteenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

HYRUM GIBBONS
J. HAROLD REESE

Report adopted and filed.

President Hopkin appointed Senators Lund and Burns to revise the Journal for the week beginning January 31, 1949.

COMMUNICATIONS FROM THE HOUSE

January 28, 1949

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. 8*, by Committee on Rules and Contingent Expenses, entitled,

A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-EIGHTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 8 was transmitted to the Secretary of State.

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 7*, by Messrs. Davis and Faust, entitled,

AN ACT AMENDING SECTION 28-2-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47 LAWS OF UTAH 1945, RELATING TO FEES TO BE CHARGED BY A COUNTY RECORDER, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 7 was read the first time and referred to the Committee on State and Municipal Affairs.

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 8*, by Messrs. Davis and Faust, entitled,

AN ACT AMENDING SECTION 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO FEES TO BE CHARGED BY A COUNTY CLERK, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 8 was read the first time and referred to the Committee on State and Municipal Affairs.

January 27, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the House, *H. B. No. 30*, by Messrs. Roberts, Preece, Dean and Cullimore, entitled,

AN ACT AMENDING SECTION 87-8-13 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 137, LAWS OF UTAH, 1947, PROVIDE THAT THE POPULATION OF THE JUDICIAL DISTRICT FOR THE PURPOSE OF ENTITLING THE DISTRICT ATTORNEY TO A DEPUTY SHALL BE DETERMINED BY THE STATE BOARD OF EXAMINERS, WHO SHALL USE THE LAST PRECEDING UNITED STATES CENSUS AND OTHER EVIDENCE SATISFACTORY TO SUCH BOARD IN MAKING SUCH DETERMINATION, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 30 was read the first time and referred to the Committee on Judiciary.

January 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 33*, by Mr. Davis, entitled,

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 105-40-1.10, UTAH CODE ANNOTATED 1943, RELATING TO APPOINTMENT OF COUNSEL TO CONDUCT THE APPEAL OF AN INDIGENT PERSON CONVICTED OF CRIME AND PROVIDING FOR FEES FOR COUNSEL IN SUCH CASES, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk

Communication filed.

H. B. No. 33 was read the first time and referred to the Committee on Judiciary.

January 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 34*, by Mr. Davis, entitled,

AN ACT AMENDING SECTION 105-22-12, UTAH CODE ANNOTATED 1943, RELATING TO APPOINTMENT BY THE COURT

OF COUNSEL TO DEFEND INDIGENT PERSONS ACCUSED OF CRIME AND PROVIDING FOR FEES FOR COUNSEL IN SUCH CASES, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 44 was read the first time and referred to the Committee on Judiciary.

January 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 44*, by Messrs. Cayias and Faust, entitled,

AN ACT AMENDING SECTION 52-1-7 UTAH CODE ANNOTATED, 1943, AND FIXING TIME WITHIN WHICH CONTRACTORS, SUB-CONTRACTORS AND OTHER PERSONS INCLUDED IN THE ACT MUST FILE A CERTIFIED CLAIM OF LIEN, AND REQUIRING THE CLAIM TO INCLUDE A STATEMENT OF DEMAND, NAME OF EMPLOYER, AND TERMS OF THE CONTRACT, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 44 was read the first time and referred to the Committee on Judiciary.

January 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 52*, by Mr. Reese, entitled,

AN ACT AMENDING SECTION 48-0-16, UTAH CODE ANNOTATED 1943, RELATING TO THE FILLING OF VACANCIES AND THE PER DIEM SALARY OF A JURY COMMISSIONER, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 52 was read the first time and referred to the Committee on Judiciary.

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 54*, by Mrs. Jack, Messrs. Hinton, Luke and Barton, entitled,

AN ACT AMENDING SECTION 25-2-22, UTAH CODE ANNOTATED, 1943, FIXING THE COMPENSATION OF REGISTRATION AGENTS AT NOT TO EXCEED $5.00 PER DIEM, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 54 was read the first time and referred to the Committee on Judiciary.

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, entitled,

AN ACT AMENDING SECTION 25-6-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, ESTABLISHING METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF, AND THE APPOINTMENT AND COMPENSATION OF A CONSTABLE OF ELECTION IN EACH ELECTION DISTRICT, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 55 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 16*, by Messrs. Day, Knight, Brockbank and Elggren, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 16 was ordered printed and referred to the Committee on Military Affairs.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 17*, by Messrs. McShane, Jenkins, Day, Fowles and Jones, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 17 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 18*, by Messrs. Hopkin, Day and Lund, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 18 was ordered printed and referred to the Committee on Education.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 125*, by Messrs. Elggren, Day and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 125 was ordered printed and referred to the Committee on Health and Labor.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 156*, by Messrs. Fowles and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 156 was ordered printed and referred to the Committee on Public Institutions.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 157*, by Messrs. Fowles and Orser, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 157 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 158*, by Messrs. Burns, Brockbank, Elggren, Fowles, Jolley and Knight, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 158 was ordered printed and referred to the Committee on Education.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 167*, by Mr. Brockbank, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 167 was ordered printed and referred to the Committee on Public Institutions.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 169*, by Mr. Knight, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 40-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1943, AS FURTHER AMENDED BY CHAPTER 64, LAWS OF UTAH

1945, RELATING TO AND PROVIDING FOR PREMARITAL EXAMINATION FOR VENEREAL DISEASES BY LICENSED PHYSICIANS AND SURGEONS INCLUDING ANY LICENSED NATUROPATHIC OR OSTEOPATHIC PHYSICIAN AND SURGEON; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSES; FORM OF CERTIFICATE TO BE USED, INCLUDING ACCEPTANCE OF CERTIFICATES FROM OTHER STATES, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,

Committee report read and adopted. Chairman.

S. B. No. 169 was ordered printed and referred to the Committee on Health and Labor.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 172*, by Messrs. Day and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,

Report filed. Chairman.

S. B. No. 172 was ordered printed and referred to the Committee on Public Institutions.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 173*, by Messrs. Day and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,

Report filed. Chairman.

S. B. No. 173 was ordered printed and referred to the Committee on Public Institutions.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 174*, by Messrs. Day and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,

Report filed. Chairman.

S. B. No. 174 was ordered printed and referred to the Committee on Public Institutions.

January 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 175*, by Messrs. Day and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT TO PROVIDE FOR SAFE AND SANITARY CONSTRUCTION OF STRUCTURES TO BE USED BY THE PUBLIC; DEFINING WHEN A BUILDING IS CONSIDERED SAFE AND SANITARY; PROVIDING FOR ADEQUATE DRAWINGS AND SPECIFICATIONS TO BE PREPARED BY LICENSED ARCHITECTS OR PROFESSIONAL ENGINEERS; AUTHORIZING INJUNCTIVE PROCEDURE ON APPLICATION OF DEPARTMENT OF REGISTRATION WHERE BUILDING IS UNSAFE OR UNSANITARY; CREATING NEW SECTIONS AND MAKING VIOLATION A MISDEMEANOR, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 175 was ordered printed and referred to the Committee on Public Institutions.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 178*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 178 was ordered printed and referred to the Committee on Public Institutions.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 179*, by Mr. McShane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 179 was ordered printed and referred to the Commitee on Judiciary.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 181*, by Messrs. Marthakis, Jenkins, Fowles and Hopkin, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AUTHORIZING THE GOVERNOR TO APPOINT A COMMITTEE OF THREE COMPETENT ENGINEERS TO DETERMINE THE FEASIBILITY OF CONSTRUCTING A SUPER HIGHWAY BETWEEN OGDEN CITY AND PROVO CITY, UTAH, AND TO DETERMINE THE KIND AND CHARACTER THEREOF AND TO MAKE A REPORT, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 181 was ordered printed and referred to the Committee on Highways.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 182*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 182 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 184*, by Mr. Knight, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT TO CREATE A FUND TO BE KNOWN AS THE CITY AND COUNTY CAPITAL IMPROVEMENT FUND; PROVIDING FOR THE ADMINISTRATION THEREOF, AND SUSPENDING SECTION 15-8-80, UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 184 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 185*, by Mr. Knight, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SEC. 80-15-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 111, LAWS OF UTAH 1945 AND CHAPTER 119, LAWS OF UTAH 1947, RELATING TO SALES TAX, AND THE ALLOCATION THEREOF, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 185 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 9*, by Messrs. Gibson, Fowles, Jenkins, Day and Knight, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 6*, by Messrs. Faust and Cayias, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 131*, by Messrs. Knight, Brockbank, Jolley and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 131 was placed on the Second Reading Calendar.

January 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 11*, by Messrs. Day, Jenkins and McShane, has carefully considered said resolution and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. J. R. No. 11 was placed on the Second Reading Calendar.

January 28, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

January 31, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 11*, by Messrs. Larson, Bonacci and Bell, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

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

January 31, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 115*, by Messrs. Day and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 135*, by Messrs. Lund and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 135 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 137*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 137 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *H. B. No. 19*, by Mr. Dean, has noted the amount of the appropriation on the Joint Committee records, and reports the same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 19 By Messrs. McShane and Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF CITY GOVERNMENT WITH PARTICULAR REFERENCE TO THE CITY MANAGER FORM AND ITS ADVANTAGES AND DISADVANTAGES AS APPLIED TO UTAH CITIES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 42 (rewritten) By Messrs. Clegg and Brockbank

AN ACT AMENDING SECTIONS 85-8-1.10, 85-8-4, 85-8-9, 85-8-11, UTAH CODE ANNOTATED 1943, AND SECTION 85-8-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 120, LAWS OF UTAH 1945 AND CHAPTER 125, LAWS OF UTAH 1947, RELATING TO THE UTAH STATE TRAINING SCHOOL; TRANSFERRING THE POWERS AND DUTIES, HERETOFORE EXERCISED BY THE PUBLIC WELFARE COMMISSION, TO THE STATE BOARD OF PUBLIC WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 188 By Messrs. Fowles, Brockbank and Marthakis

AN ACT AMENDING SECTION 82-2-5 AND 82-2-9, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF THE SECURITIES COMMISSION; WITH DUE REGARD FOR THE PARAMOUNT INTEREST OF THE PUBLIC, IN PROVIDING FOR AND ENFORCING THE PROVISIONS OF THE REAL ESTATE ACT, AND ESTABLISHING A REAL ESTATE ADMINISTRATOR PROVIDING FOR HIS APPOINTMENT, SUPERVISION, AND DUTIES — PROVIDING FOR AN AUDIT OF ALL LICENSED REAL ESTATE BROKERS, AND SETTING UP A BOARD OF REAL ESTATE EXAMINERS; PROVIDING FOR INCREASE IN BROKERS AND SALESMAN'S LICENSE FEES TO COVER ADDED COST OF ADMINISTRATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 189 By Committee on State and Municipal Affairs

AN ACT RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF A STATE WIDE RETIREMENT SYSTEM AND PROVIDING FOR THE PAYMENT OF ANNUITIES OR PENSIONS, SICKNESS, DISABILITY, DEATH BENEFITS AND OTHER BENEFITS TO OFFICERS AND EMPLOYEES AND TO BENEFICIARIES

OF OFFICERS AND EMPLOYEES OF CITIES, INCORPORATED TOWNS AND COUNTIES AND THE ESTABLISMENT OF A RETIREMENT BOARD TO ADMINISTER SAID SYSTEM; PERMITTING LIBRARIANS, ASSISTANTS AND EMPLOYEES OF PUBLIC LIBRARY BOARDS OF SUCH CITIES, TOWNS AND COUNTIES TO PARTICIPATE IN SUCH SYSTEM; PRESCRIBING THE CONDITIONS UPON WHICH AND TO WHOM ALLOWANCES AND BENEFITS AND AMOUNTS THEREOF SHALL BE PAID AND FIXING RATES OF CONTRIBUTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 190 By Messrs. Melich and Gibson

AN ACT AMENDING SECTION 14-2-7, UTAH CODE ANNOTATED 1943, RELATING TO JUDGMENTS AND BOND IN BASTARDY PROCEEDINGS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 191 By Messrs. Melich and Gibson

AN ACT AMENDING SECTION 14-2-16, UTAH CODE ANNOTATED 1943, RELATING TO THE COMPROMISE IN BASTARDY PROCEEDINGS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 192 By Messrs. Melich and Gibson

AN ACT AMENDING SECTION 105-36-17, UTAH CODE ANNOTATED, AS AMENDED BY CHAPTER 24, LAWS OF UTAH 1943, RELATING TO SUSPENSION OF SENTENCES, PROBATION, DISMISSAL AND DISCHARGE OF DEFENDANTS IN CRIMINAL CASES, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Jolley, the President was directed to appoint a Committee to draft a resolution of condolence to the family of the late George R. Jones, brother of Senator Jones, and to the family of the late Benjamin Matkin.

The President appointed a committee consisting of Senators Brockbank, Day and Jolley to draft such resolutions.

Senator Day moved that on Tuesday, February 1, 1949, the Senate do not consider any bills on Third Reading Calendar in deference to those senators who will be absent on official business.

Motion carried.

The President appointed a committee consisting of Senators Brockbank, Elggren, Jenkins and Jolley to join with the House in visiting the state institutions in Utah County on February 1, 1949.

Senator Elggren moved that those Senators absent on official business be so recorded in future roll calls.

Motion carried.

Senator McShane announced that there will be a public hearing on *S. B. No. 49 and H. B. No. 57* Tuesday, February 8, 1949 between the hours of 6:00 and 9:00 p.m., Newhouse Hotel.

SPECIAL ORDER

S. B. No. 4, being a special order of business, was before the Senate.

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

Ayes, 14; Nos, 5; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibson, Knight, Larsen, Marsden, Marthakis, McShane (explained vote), Melich, Milliman and Mr. President.

Those voting in the negative were: Senators Day, Gibbons, Jenkins, Jolley and Orser.

Absent and not voting: Senators Bailey, Jones and Reese, excused, and Lund.

S. B. No. 4 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day, *S. B. No. 3* retained its place on the Third Reading Calendar.

H. B. No. 2 was read the third time and placed on its final passage.

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

Line 5, strike the word "DEGRESS" and insert the word "DEGREES."

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

Ayes, 13; Nos, 7; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibson, Jenkins, Jolley, Knight, Marthakis, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Clegg, Gibbons, Larsen, Lund, Marsden, McShane and Melich.

Absent and not voting: Senators Bailey, Jones and Reese, excused.

H. B. No. 2 was returned to the House.

S. B. No. 3 was read the third time and placed on its final passage.

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

Line 4, after the figures "1947," strike the words, "to the value of, but not exceeding an assessed valuation of $2,000.00,".

On motion of Senator Brockbank, the title was amended as follows:

Line 2, after the word "PROPERTY" strike the words "OF AN ASSESSED VALUE NOT EXCEEDING $2,000."

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

Ayes, 10; Nos, 9; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Jenkins, Jolley, Knight, Marthakis, Melich and Milliman.

Those voting in the negative were: Senators Fowles, Gibbons, Gibson, Larsen, Lund, Marsden, McShane, Orser and Mr. President (explained vote).

Absent and not voting: Senators Bailey, Jones, Reese, excused, and Elggren.

S. B. No. 3 was filed.

On motion of Senator Clegg, the enacting clause on *S. B. No. 166* was struck.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg, *S. R. No. 6* retained its place on the Second Reading Calendar.

S. B. No. 50 was read the second time.

Committee report read and adopted.

S. B. No. 50 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank (explained vote), Burns, Day, Elggren (explained vote), Fowles, Gibbons, Jenkins, Jolley, Lund, Marsden, Marthakis, Milliman and Orser.

Those voting in the negative were: Senators Clegg, Gibson, Knight (explained vote), McShane, Melich and Mr. President.

Absent and not voting: Senators Bailey, Jones and Reese, excused, and Larsen.

On motion of Senator Clegg, *S. B. Nos. 44 and 41* retained their place on the Second Reading Calendar.

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

Committee report read and adopted.

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

Line 1, after the figures "48-0-5" insert "and 48-0-16" and change the word "is" to "are".

S. B. No. 11 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 Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting:Senators Bailey, Jones, Reese, excused, and Jenkins.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today, it stand adjourned until Tuesday, February 1, 1949 at 2:00 p.m.

On motion of Senator Fowles the Senate adjourned.

TWENTY-THIRD DAY

February 1, 1949

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

Roll Call--All Senators present except Senators Bailey, Brockbank, Elggren, Jenkins, Jolley and Reese, excused, Senators Brockbank, Elggren, Jenkins and Jolley being absent to join, as the appointed Senate Committee, the members of the House in visiting the State Institutions in Utah County.

Prayer by the Chaplain.

February 1, 1949

Mr. President:

Your Committee on Revision of the Journal, respectfully reports that we have read the Journal for the twenty-second day and find it correct with minor amendments noted on the final copy.

Respectfully,

RAY P. LUND
JAMES E. BURNS

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 31, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 1*, by Messrs. Hopkin and Melich, entitled:

AN ACT RATIFYING THE UPPER COLORADO RIVER BASIN COMPACT ENTERED INTO AT SANTA FE, NEW MEXICO, ON OCTOBER 11, 1948, BY THOSE STATES OF THE UPPER COLORADO RIVER BASIN, NAMELY, ARIZONA, COLORADO, NEW MEXICO, UTAH AND WYOMING, BY THE REPRESENTATIVES OF THOSE STATES, WITH THE APPROVAL OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA.

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 2*, by Messrs. Doty, Young, Baker, Marble, Bonacci, Larsen, Anderson, Openshaw, Aldous and Elswood, entitled,

AN ACT AMENDING SECTION 75-6-2, UTAH CODE ANNOTATED 1943, RELATING TO WEBER COLLEGE, CHANGING THE NAME TO WEBER STATE COLLEGE, AND PERMITING IT TO OFFER COMPLETE TERMINAL COURSES AND GRANT DEGREES IN THE FIELDS OF THE ARTS AND SCIENCES, BUSINESS, AND EDUCATION.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 29*, by Mrs. Jack, Messrs. Walker, Cullimore, O. W. Young, Mitchell, Preece, Olson, Rees and Bonacci, entitled,

AN ACT AMENDING SECTION 3, CHAPTER 19 OF THE LAWS OF UTAH 1947, RELATING TO THE ESTABLISHMENT OF PENSION RETIREMENT, SICKNESS, DISABILITY AND DEATH BENEFIT SYSTEMS IN CITIES AND INCORPORATED TOWNS; PERMITTING LIBRARIANS, ASSISTANT LIBRARIANS AND EMPLOYEES OF PUBLIC LIBRARIES OF SUCH CITIES AND TOWNS TO PARTICIPATE THEREIN; PROVIDING FOR EMPLOYMENT, DISMISSAL AND TRANSFER OF EMPLOYEES OF SAID CITIES AND INCORPORATED TOWNS, OTHER THAN MEMBERS OF POLICE AND FIRE DEPARTMENTS; CREATING AN APPEAL BOARD AND PROVIDING FOR THE APPEAL OF TRANSFERS AND DISMISSALS TO SUCH BOARD, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 29 was read the first time and referred to the Committee on State and Municipal Affairs.

January 31, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 86*, by Mr. Bonacci, entitled,

AN ACT AMENDING SECTION 57-4-21, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE REVOCATION OF OPERATORS LICENSES UNDER CONDITIONS OF THIS ACT AND FOR THE GRANTING, UNDER CERTAIN CIRCUMSTANCES, OF LIMITED DRIVING PRIVILEGES TO PERSONS WHO HAVE BEEN CONVICTED OF VARIOUS OFFENSES, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 86 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

February 1, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 42* (rewritten), by Messrs. Clegg and Brockbank, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 42 (rewritten) was ordered printed and referred to the Committee on Welfare.

January 31, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 76*, by Mr. Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 87*, by Messrs. Day, Brockbank and Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 92*, by Messrs. Marthakis, Gibson, Jenkins, and Jolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 151*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 151 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 152*, by Messrs. Clegg, Milliman and Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 152 was placed on the Second Reading Calendar.

January 31, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. R. No. 1*, by Mr. Clegg, has carefully considered said resolution, and reports the same out favorably with the following amendment: on page 2, line 5 place a period after the word "thereafter" and delete remainder of line 5 and everything from there through line 11.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 136*, by Messrs. Jolley and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 136 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. J. R. No. 14*, by Messrs. Knight, Marthakis, Brockbank and Bailey, has carefully considered said resolution and reports the same out favorably.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. J. R. No. 14 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. J. R. No. 15*, by Messrs. Knight and Marthakis, has carefully considered said resolution and reports the same out favorably.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. J. R. No. 15 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 142*, by Messrs. Knight, Marthakis and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. B. No. 142 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 143*, by Messrs. Brockbank, Knight, Bailey and Marthakis, has carefully considered said bill and reports the same out favorably.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. B. No. 143 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 45*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 45 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 40*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 133*, by Messrs. Gibson, Day, Clegg, Fowles, Marthakis, Elggren, Brockbank, Melich, Knight, Reese, Larsen, Orser and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 133 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 39*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 43*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 43 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 46*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 46 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 38*, by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 119*, by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 119 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce to which was referred *S. B. No. 120*, by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 120 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 122*, by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 122 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 123*, by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 123 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 126*, by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 126 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 118* ,by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 118 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 117*, by Messrs. Fowles, Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

On motion of Senator Day, the Secretary was directed to send a letter to President Franklin S. Harris of the Utah State Agricultural College, expressing the appreciation of the Senate for the invitation to visit the State Agricultural College and informing him that the Senate will be represented by a committee.

PRESENTATION OF RESOLUTIONS

S. R. No. 8 By Committee on Condolences

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF GEORGE R. JONES, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Fowles, Gibbons, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Brockbank, Elggren, Jenkins, Jolley, Reese, excused, and Gibson.

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

S. R. No. 9 By Committee on Condolences

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF BENJAMIN MATKIN, was read the first time.

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

S. R. No. 9 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Gibbons, Gibson, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Brockbank, Elggren, Jenkins, Jolley, Reese, excused, and Fowles.

S. R. No. 9 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTION OF BILLS

S. B. No. 193 By Messrs. Marthakis, Brockbank and Elggren

A BILL TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS ON TRACK MOTOR CARS OPERATED BY COMMON CARRIERS BY RAILROAD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 194 By Messrs. Hopkin, Day and Gibson

AN ACT PROVIDING FOR THE REVISION, PUBLICATION AND ANNOTATION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A REVISION COMMISSION AND MAKING APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 195 By Mr. Day

AN ACT AMENDING SECTION 49-1-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, SECTION 1, LAWS OF UTAH 1947, SECTION 49-9-8, UTAH CODE ANNOTATED 1943, AND SECTION 42-1-41, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 48, SECTION 1, LAWS OF UTAH 1943, AND BY CHAPTER 65, SECTION 1, LAWS OF UTAH 1945, PROVIDING THAT THE OCCUPATION OF SHEEP SHEARING SHALL NOT BE DEEMED AN AGRICULTURAL PURSUIT WITHIN THE

MEANING OF THE LABOR RELATIONS ACT, THE PAYMENT OF WAGES ACT, AND THE WORKMEN'S COMPENSATION ACT, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg, *S. R. No. 6* was placed after *S. R. No. 5* on the Second Reading Calendar.

On motion of Senator Clegg, *S. B. Nos. 44 and 41* retained their place on the Second Reading Calendar.

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

Motion carried.

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

Committee report read and adopted.

On motion of Senator Gibson, the resolution was amended as follows:

Page 2, strike all of lines 5 to 16, both inclusive.

Page 2, strike all of lines 28 to 32, both inclusive.

S. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Gibbons, Gibson, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Those voting in the negative were: Senators Fowles and Milliman.

Absent and not voting: Senators Bailey, Brockbank, Elggren, Jenkins, Jolley, Reese, excused, and Lund.

S. J. R. No. 1 was read the second time.

Committee report read and adopted.

S. J. R. No. 1 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day, Fowles, Gibbons, Gibson, Knight, Larsen, Lund, Marsden, McShane, Melich, Milliman and Orser.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Bailey, Brockbank, Elggren, Jenkins, Jolley, Reese, excused, Jones, Marthakis and Mr. President.

On motion of Senator Clegg, *S. R. Nos. 4 and 7* retained their place on the Second Reading Calendar.

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

Committee report read and adopted.

On motion of Senator Clegg, the memorial was amended as follows:

Page 1, line 7, after the word "legislation" strike the words "authorizing, directing, and providing for the granting of pensions to the veterans of the several wars of the Uunited State and that said legislation"

Page 1, line 9, strike the word "provide" and insert the word "providing."

S. J. M. No. 1 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jones, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Brockbank, Elggren, Jenkins, Jolley and Reese, excused, and McShane.

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis, *S. B. No. 47* retained its place on the Second Reading Calendar.

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

Committee report read and adopted.

S. B. No. 18 was placed on the Third Reading Calendar on the folowing roll call:

Ayes 14, Nos, 0; Absent, 9.

Those voting in the affirmative were: Senators Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jones, Larsen, Lund, Marthakis, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Brockbank, Elggren, Jenkins, Jolley and Reese, excused, Knight, Marsden and McShane.

On motion of Senator Hopkin, the Senate adjourned until February 2, 1949 at 2:00 p.m.

TWENTY-FOURTH DAY

February 2, 1949

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

Roll Call—All Senators present except Senators Bailey, Jones and Reese, excused.

Prayer by the Chaplain.

February 2, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the twenty-third day and find it correct with minor amendments noted on the final copy.

Respectfully,

RAY P. LUND

JAMES E. BURNS

Report adopted and filed.

The President recognized former United States Representative William A. Dawson who addressed the Senate briefly.

On motion of Senator Melich, the Senate resolved itself into a Committee of the Whole to hear Mr. Horace Fort of Fort Worth, Texas, Assistant Director, National Committee on Alcoholism.

The Committee of the Whole was dissolved.

On motion of Senator Fowles, *S. B. No. 37* as reprinted, was substituted for the original bill of the same number now in the Committee on Banking and Commerce.

COMMUNICATIONS FROM THE HOUSE

January 31, 1949

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. 89*, by Mr. Baker, entitled,

AN ACT AMENDING SECTIONS 103-53-1, 103-53-2, AND 103-53-4, UTAH CODE ANNOTATED 1943 AND ADDING SECTION

103-53-5, RELATING TO THE PREVENTION OF THE OPERATION OF CERTAIN BUSINESSES ON SUNDAY, PROVIDING EXEMPTIONS AND PROVIDING PENALTY FOR VIOLATION, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 89 was read the first time and referred to the Committee on Banking and Commerce.

REPORTS OF STANDING COMMITTEES

February 1, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 8*, by Committee on Condolences, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF GEORGE R. JONES, examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 8 was signed by the President in open session in the presence of the Senate and transmitted to the Secretary of State.

February 1, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 9*, by Committee on Condolences, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF BENJAMIN MATKIN, examined by this committee, has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 9 was signed by the President in open session in the presence of the Senate and transmitted to the Secretary of State.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 19*, by Messrs. McShane and Day, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 19 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 1, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 79*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT RELATING TO FOREIGN JUDGEMENTS, AND PROVIDING FOR THEIR REGISTRATION AND ENFORCEMENT AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

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

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 147*, by Messrs. Knight, Marthakis, Brockbank and Bailey, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT PROVIDING FOR THE EDUCATION OF UNREMARRIED WIDOWS AND CHILDREN OF UNREMARRIED WIDOWS AND CHILDREN OF MARRIED WAR WIDOWS AND PERSONS WHO SERVED AS A MEMBER OF THE ARMY, NAVY, COAST GUARD OR MARINE CORPS OF THE UNITED STATES, WHO WAS KILLED IN ACTION OR DIED AS A RESULT OF WAR SERVICE IN WORLD WAR II, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 147 was ordered printed and referred to the Committee on Military Affairs.

February 1, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 161*, by Mr. Melich, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT CREATING A STATE ATHLETIC COMMISSION, PRESCRIBING ITS JURISDICTION, POWERS, DUTIES AND FUNCTIONS, PROVIDING FOR DEPUTY COMMISSIONERS, EXECUTIVE DIRECTOR, AND OFFICE PERSONNEL, REQUIRING LICENSES TO CONDUCT, HOLD AND GIVE PROFESSIONAL BOXING, SPARRING AND WRESTLING CONTESTS, MATCHES AND EXHIBITIONS AND LICENSES FOR REFEREES, MATCHMAKERS, MANAGERS AND OTHER PERTINENT PERSONNEL; PROVIDING FOR REVOCATION AND SUSPENSION OF SUCH LICENSES — PROVIDING FOR BUILDING SAFETY REQUIREMENTS; RECEIPTS TO BE TRANSMITTED TO STATE TREASURY, REPORTS TO GOVERNOR AND LEGISLATURE, AND PENALTY FOR VIOLATIONS OF THIS ACT; AND APPROPRIATION THEREFOR, AND REPEALING TITLE 9, UTAH CODE ANNOTATED 1943, AND ALL ACTS OR PARTS THEREOF IN CONFLICT WITH THE PROVISIONS HEREOF, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 161 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 168*, by Messrs. Jolley, Lund, Jones, Milliman and Larsen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 168 was ordered printed and referred to the Committee on Public Institutions.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 177*, by Messrs. Reese, McShane and Larsen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 177 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 180*, by Mr. Brockbank, with a few minor changes assented to by the author, including the following revision of the title:

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 recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 180 was ordered printed and referred to the Committee on Welfare.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 183*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 183 was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 186*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 186 was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 187*, by Mr. Knight, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 80-16-25, UTAH CODE ANNOTATED 1943, RELATING TO ALLOCATION OF USE TAX, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 187 was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 188*, by Messrs. Fowles, Brockbank and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 188 was ordered printed and referred to the Committee on Judiciary.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 189*, by Committee on State and Municipal Affairs, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 189 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 190*, by Messrs. Melich and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 190 was ordered printed and referred to the Committee on Judiciary.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 191*, by Messrs. Melich and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 191 was ordered printed and referred to the Committee on Judiciary.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 192*, by Messrs. Melich and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 192 was ordered printed and referred to the Committee on Judiciary.

February 1, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 65*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably, and recommends the following amendments in the body:

Section 103-21-7. Strike all underlined material in the bill and insert in lieu thereof:

The parents or guardian of any minor negligently or willfully destroying property or unlawfully killing wild life with firearms or other destructive weapons are hereby made liable for damages to the party or parties damaged.

and the following amendments in the title:

After the figures "1943", in line 2 of the title, strike the balance of the title and insert in lieu thereof:

REGULATING THE USE OF FIREARMS AND FIXING THE RESPONSIBILITY OF PARENTS OR GUARDIAN FOR THE MISUSE OF FIREARMS OR OTHER DESTRUCTIVE WEAPONS BY MINORS AND PROVIDING A PENALTY.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 65 was placed on the Second Reading Calendar.

On motion of Senator Day, *S. B. No. 65* was made a Special Order of Business for February 2, 1949 at 3:00 p.m.

February 1, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 66*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 66 was placed on the Second Reading Calendar.

February 1, 1949

Mr. President:

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

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 42*, by Messrs. Anderson and Aldous, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 26*, by Messrs. Day and Fowles, has carefully considered said bill, reports the same out favorably and recommends the following amendments:

Section 3 to be deleted.

Line 10, page 1. After the word "salary", delete the deletion marks and delete the underlining under "$4,500".

Line 1, page 3. Substitute "weeks" for "weks" at end of line.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

February 1, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 62*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on Welfare, to which was referred *H. B. No 27*, by Mrs. Jack, has carefully considered said bill, reports the same out favorably and recommends the following amendments:

In Title: Line 3, strike "$398,000", and in lieu thereof insert "$145,000".

Line 5, strike comma after 1949 and in lieu thereof insert a period; strike remainder of lines 5, 6, and 7.

In Body: Line 3, strike "$398,000" and in lieu thereof insert "$145,000".

Line 4, strike comma after 1949, and in lieu thereof insert a period; strike remainder of lines 4, 5, 6, and 7.

Delete all of Section 2.

Line 13, delete the number "3" and in lieu thereof insert the number "2".

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 144 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 90*, by Messrs. Jolley and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 90 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 153*, by Messrs. Jolley, Jones and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 30*, by Messrs. Roberts, Preece, Dean and Cullimore, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 34 was placed on the Second Reading Celander.

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 44*, by Messrs. Cayias and Faust, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 54*, by Mrs. Jack and Messrs. Hinton, Luke and Barton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 55 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 7*, by Messrs. Davis and Faust, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 8*, by Messrs. Davis and Faust, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

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

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 21*, by Messrs. Davis, Poulson and Openshaw, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 132*, by Messrs. Marthakis, Milliman and Jolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 132 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 10*, by Messrs. McShane, Hopkin, Reese, Melich, Lund, Larsen, Jones, Gibbons, Marsden, Orser, Burns, Fowles, Milliman and Gibson, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. J. R. No. 10 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 110*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 110 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 140*, by Messrs. Day, Milliman and Marsden, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 140 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 163*, by Messrs. Gibson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 163 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 116*, by Messrs. Day, Elggren and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 35*, by Messrs. Fowles and Jolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 95*, by Messrs. Day, Fowles and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 96*, by Messrs. Day, Gibson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 96 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 145*, by Messrs. Knight, Brockbank, Marthakis and Bailey, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

February 2, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 9*, by Messrs. Day and McShane, has carefully considered said resolution and reports the same out unfavorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

January 31, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 16*, by Messrs. Brockbank and Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,
LORENZO E. ELGGREN,
Chairman.

Report filed.

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

January 31, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. J. M. No. 2*, by Mr. Knight, has carefully considered said memorial and reports the same out favorably.

Respectfully,
LORENZO E. ELGGREN,
Chairman.

Report filed.

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

February 2, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 37*, by Messrs. Day, Fowles, Melich and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,
J. FRANCIS FOWLES,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 196 By Messrs. Marthakis, Fowles, Milliman and Burns

AN ACT REPEALING SECTION 1, CHAPTER 100, LAWS OF UTAH 1943, RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE OF THE STATE OF UTAH TO APPOINTMENT TO AND HOLDING OF PUBLIC OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 197 By Mr. Marsden

AN ACT APPROPRIATING $475,000 TO THE STATE BUILDING BOARD FOR THE PURPOSE OF BUILDING A LIBRARY AUDITORIUM BUILDING AND REMODELING THE SCIENCE BUILDING AT THE BRANCH AGRICULTURAL COLLEGE AT CEDAR CITY, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 198 By Mr. Marsden

AN ACT APPROPRIATING $500,000 TO THE STATE BOARD OF EDUCATION FOR THE PURPOSE OF BUILDING A GYMNASIUM-AUDITORIUM BUILDING AT DIXIE JUNIOR COLLEGE AT ST. GEORGE, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 199 By Mr. Knight

AN ACT MAKING IT A MISDEMEANOR FOR A PERSON UNDER TWENTY-ONE YEARS OF AGE TO OBTAIN BEER OR INTOXICATING LIQUORS BY MISREPRESENTING HIS AGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 200 By Mr. McShane

AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945 AND CHAPTER 54, LAWS OF UTAH 1947; SECTION 42-2a-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 55, LAWS OF UTAH 1947; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH 1947; SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1943 AND CHAPTER 59, LAWS OF UTAH 1947; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1945; AND SECTIONS 42-2a-5, 6, 9, 10, 11, UTAH CODE ANNOTATED 1943 AND ENACTING NEW SECTIONS 42-2a-13.10 AND 42-2a-13.20 RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELIGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; TIME FOR APPEAL; EMPLOYER CONTRIBUTIONS — MERIT RATING; APPEALS REVIEW; ADMINISTRATION; ADMINISTRATION FUNDS; FEDERAL FINANCING; DEFINING TERMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 201 By Mr. Elggren

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 84, SECTION 1, LAWS OF UTAH 1945, AND AS AMENDED BY CHAPTER 129, SECTION

1. LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS, AND ROYALTIES ON LANDS IN THE STATE OF UTAH, AND TO THE ACREAGE LIMITATIONS WITH RESPECT THERETO AND AUTHORIZING THE STATE LAND BOARD TO DISCONTINUE OIL AND GAS LEASES WHEN THERE IS NO COMMERCIAL PRODUCTION BY THE LESSEES WITHIN A TEN YEAR PERIOD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 202 By Mr. Elggren

AN ACT AMENDING SECTION 79-11-13, UTAH CODE ANNOTATED 1943, EXEMPTING PERSONS LICENSED TO PRACTICE MEDICINE AND SURGERY, AND PERSONS SELLING EYEGLASSES UPON PRESCRIPTION OF SUCH LICENSED PERSON, AND PERSONS WHO SELL EYEGLASSES OR SPECTACLES AS ARTICLES OF MERCHANDISE FROM THE OPERATION OF THE CHAPTER ON OPTOMETRISTS, CHAPTER 13, TITLE 79, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 65, being a special order of business, was before the Senate.

S. B. No. 65 was read the second time.

Committee report read and adopted and the bill amended accordingly.

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

After the word "destroying" insert the words "livestock or other".

Senator Marthakis moved that copies of the amendments to *S. B. No. 65* be distributed to the Senators for their information.

Motion carried.

On motion of Senator Marthakis, *S. B. No. 65* was made a special order of business for February 3, 1949 at 2:30 p.m.

On motion of Senator Milliman the Senate recessed.

The Senate reassembled.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 58 was read the second time.

Committee report read and adopted.

H. B. No. 58 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senator Elggren.

Absent and not voting: Senators Bailey, Jones and Reese, excused.

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

Committee report read and adopted.

H. B. No. 9 failed of passage on the following roll call:

Ayes, 10; Nos, 10; Absent, 3.

Those voting in the affirmative were: Senators Brockbank (explained vote), Burns, Fowles, Gibbons, Jolley, Knight, Larsen, Marthakis, Melich and Milliman.

Those voting in the negative were: Senators Clegg, Day, Elggren, Gibson, Jenkins, Lund, Marsden, McShane, Orser and Mr. President.

Absent and not voting: Senators Bailey, Jones and Reese, excused.

H. B. No. 9 was returned to the House.

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

Committee report read and adopted.

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

Page 1, line 3, strike the word "graned" and insert the word "granted".

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Jones and Reese, excused.

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

Committee report read and adopted.

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

Line 3, strike the figures "49-4-7" and insert the figures "49-14-7".

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

Line 11, underscore the semi-colon.

Line 15, underscore all material.

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

Line 15, after the word "costs" insert the word "of" and strike the words "and expenses incident to such".

H. B .No. 11 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 Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Jones and Reese, excused, and Fowles.

H. B. No. 19 was read the second time.

Committee report read and adopted.

On motion of Senator Jolley the rules were suspended and *H. B. No. 19* was read the third time and placed on its final passage.

H. B. No. 19 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Jones and Reese, excused, and Fowles.

H. B. No. 19 was returned to the House.

On motion of Senator Gibson the Senate adjourned until February 3, 1949 at 2:00 p.m.

TWENTY-FIFTH DAY

February 3, 1949

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

Roll Call All Senators present except Senators Bailey and Reese, excused.

Prayer by the Chaplain.

February 3, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the twenty-fourth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RAY P. LUND

JAMES E. BURNS

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 2, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title by the House, *H. B. No. 96*, by Committee on Municipal and County Affairs, entitled,

AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR ELECTION AND FIXING THE TERM OF OFFICE AT FOUR YEARS FOR ELECTED MUNICIPAL OFFICIALS IN CITIES OF THE SECOND AND THIRD CLASS AND TOWNS, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 96 was read the first time and referred to the Committee on State and Municipal Affairs.

February 2, 1949

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. 102*, by Committee on Municipal and County Affairs, entitled,

AN ACT AMENDING SECTION 25-11-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 39, LAWS OF UTAH 1947, PROVIDING FOR THE NOMINATION OF MAYORS, COMMISSIONERS, AUDITOR AND CITY JUDGES BY DIRECT PRIMARY, METHOD OF ANNOUNCEMENT BY CANDIDATE, PETITION, REQUIREMENTS, AND PUBLICATION OF NOTICE THEREOF, BALLOTS, RETURNS AND CANVASS, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 102 was read the first time and referred to the Committee on Judiciary.

February 2, 1949

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. 107*, by Messrs. Anderson, Daly and Crofts, entitled,

AN ACT PROVIDING THAT ALL BOATS OF TWENTY-FIVE FEET OR LESS IN LENGTH SHALL BE REQUIRED TO HAVE LIFE PRESERVERS APPROVED BY THE FISH AND GAME COMMISSION, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 107 was read the first time and referred to the Committee on Fish and Game.

COMMUNICATIONS

January 31, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your Honorable Body a letter dated December 14, 1948, addressed to the Board of Examiners concerning the disposition of the unused balance of $1519.11 collected by the Department of Business Regulation under the provisions of Chapter 16, Session Laws of Utah, 1945, known as the "Barber's Price and Hour Act", which was declared unconstitutional by the Supreme Court of this state.

The Board of Examiners has approved the recommendation of the Department of Business Regulation — Trade Commission of Utah that

your Honorable Body authorize the commission to return this money to the licensed barbers who participated and paid the fee for the annual permit as required by the act.

Yours very respectfully,

HEBER BENNION, JR.,
Secretary, State Board of Examiners

Communication filed.

Referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86*, by Messrs. Day, Brockbank and Melich, and recommends that it be returned to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 86 was returned to the authors for rewriting.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 111*, by Messrs. Brockbank and Day, and recommends that it be returned to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 111 was returned to the authors for rewriting.

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 134*, by Messrs. Milliman, Reese and Marsden, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 134 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141*, by Messrs. Marthakis and Fowles, and recommends that it be returned to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 141 was returned to the authors for rewriting.

January 26, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146*, by Messrs. Marthakis, Knight, Brockbank and Bailey, and recommends that it be returned to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 146 was returned to the authors for rewriting.

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 171*, by Messrs. Knight and Burns, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT RELATING TO THE DEFINITION, REGISTRATION AND EXAMINATION OF SANITARIANS EMPLOYED FULL TIME IN STATE AND LOCAL DEPARTMENTS OF PUBLIC HEALTH AND OTHER STATE AGENCIES, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 171 was ordered printed and referred to the Committee on Welfare.

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 176*, by Messrs. Elggren, Knight, Brockbank and Jolley, and recommends that it be returned to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 176 was returned to the authors for rewriting.

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 193*, by Messrs. Marthakis, Brockbank and Elggren, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS ON TRACK MOTOR CARS OPERATED BY COMMON CARRIERS BY RAILROAD, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 193 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 194*, by Messrs. Hopkin, Day and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 194 was ordered printed and referred to the Committee on Judiciary.

February 3, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 195*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 195 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 3, 1949

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 139*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES E. BURNS,
Chairman.

Report filed.

S. B. No. 139 was referred to the Committee on Appropriations and Claims.

February 2, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 42* (rewritten), by Messrs. Clegg and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

February 3, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 125*, by Messrs. Elggren, Day and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 169*, by Mr. Knight, has carefully considered said bill and reports the same out favorably with the recommendation that the bill be amended as follows:

On line 9, after the word "than" omit the deletion marks and strike out the underlined word "fifteen".

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 169 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 99*, by Mr. Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 160*, by Messrs. Elggren and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 160 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 165*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 165 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 77*, by Messrs. Jolley and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 77 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 82*, by Messrs. Brockbank, Milliman, Jenkins, Day, Jolley and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 154*, by Messrs. Day, Gibson, McShane and Reese, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 154 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 162*, by Messrs. Jones, Gibbons, Jenkins and Orser, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 162 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 18*, by Messrs. Hopkin, Day and Lund, has carefully considered said resolution and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. J. R. No. 18 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 97*, by Messrs. Day, Gibson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 97 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 98*, by Messrs. Day, Gibson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 98 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 138*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 148*, by Messrs. Gibbons and Jones, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 181*, by Messrs. Marthakis, Jenkins, Fowles and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 181 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. J. R. No. 12*, by Messrs. McShane, Orser and Day, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. J. R. No. 12 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 64*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 64 was placed on the Second Reading Calendar.

February 3, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 5* (rewritten) by Mr. Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 111 By Messrs. Brockbank and Day
(Rewritten)

AN ACT AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, SECTION 79-5a-2 UTAH CODE ANNOTATED 1943, SECTION 79-5a-3 UTAH CODE ANNOTATED 1943, SECTION 79-5a-4 UTAH CODE ANNOTATED 1943; PROVIDING FOR CREATION OF CONTRACTORS LICENSING SCREENING BOARD, REQUIRING ALL CONTRACTORS TO BE LICENSED, DEFINING THE TERM CONTRACTOR, AND REQUIRING THAT SUB-CONTRACTORS BE LICENSED TO ENGAGE IN THAT TRADE FOR WHICH HE FILES APPLICATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 141 By Messrs. Marthakis and Fowles
(Rewritten)

AN ACT AMENDING SECTION 75-2-1, UTAH CODE ANNOTATED 1943 RELATING TO FEES OF INSTITUTIONS OF HIGHER EDUCATION BY EMPOWERING THE GOVERNING BOARDS OF SAID INSTITUTIONS TO EXACT AN ANNUAL FEE OF $55, OR MORE, IN ADDITION TO THE TUITION AND OTHER FEES, FROM EACH STUDENT WHOSE DOMICILE IS NOT IN THE STATE OF UTAH; AND REPEALING SECTION 75-18-16, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 93, LAWS OF UTAH 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 203 By Messrs. Day and Milliman

AN ACT REPEALING SECTIONS 57-3a-60, AND 57-3a-61, UTAH CODE ANNOTATED 1943, RELATING TO THE PUBLISHING AND DISTRIBUTION OF REGISTRATION BULLETINS BY THE TAX COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 204 By Messrs. Day and Milliman

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-43.10, UTAH CODE ANNOTATED 1943, REQUIRING COUNTY ASSESSORS TO ISSUE MOTOR VEHICLE LICENSE PLATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 205 By Messrs. Knight, Melich and Day

AN ACT PERMITTING THE STATE OF UTAH TO ASSUME LIABILITY ON STATE OWNED PROPERTY, IN LIEU OF PUR-

CHASING FIRE, THEFT, AND PUBLIC LIABILITY INSURANCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Messrs. Day, Brockbank and Melich
(Rewritten)

AN ACT AMENDING SECTION 79-1-5 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945 AND BY CHAPTER 32, LAWS OF UTAH 1947, RELATING TO THE DEPARTMENT OF REGISTRATION; DIRECTING ITS SUPERVISION, CONTROL AND OPERATION WITH COMMITTEES FROM VARIOUS PROFESSIONS, TRADES, AND OCCUPATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 146 By Messrs. Marthakis, Knight, Brockbank and Bailey
(Rewritten)

AN ACT AMENDING SECTION 25-2-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 38, LAWS OF UTAH 1943, AND BY CHAPTER 3, LAWS OF UTAH 1944, 1ST SPECIAL SESSION, RELATING TO REGISTERING ABSENT VOTERS BY THE COUNTY CLERK OR PHYSICALLY DISABLED VETERAN VOTERS BY MAIL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 176 By Messrs. Elggren, Knight, Brockbank and Jolley
(Rewritten)

AN ACT TO ESTABLISH QUALIFICATION, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINE, REEMPLOYMENT, AND TENURE OF OFFICE OF APPOINTEES AND EMPLOYEES . . . OF THE STATE OF UTAH BASED ON MERIT; TO ACHIEVE A MORE EFFICIENT AND ECONOMICAL ADMINISTRATION THROUGH THE ESTABLISHMENT OF A CAREER SYSTEM AND THE SELECTION OF THE BEST QUALIFIED EMPLOYEES; TO PROVIDE UNIFORM WORKING CONDITIONS INCLUDING EQUAL PAY FOR EQUAL WORK; TO ESTABLISH AND PROVIDE APPOINTMENT, QUALIFICATIONS, TENURE OF OFFICE, COMPENSATION, POWERS, AND DUTIES OF A CIVIL SERVICE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 206 By Messrs. Marthakis and Jenkins

AN ACT AMENDING SECTION 75-29-30, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947 AND SECTIONS 75-29-34 AND 75-29-39 UTAH CODE ANNOTATED 1943, RELATING TO THE TEACHERS' RETIREMENT ACT; PROVIDING THAT CERTAIN MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM WHO ARE ELIGIBLE FOR ANNUITY

PROTECTION BY OTHER ORGANIZATIONS MAY WITHDRAW FROM MEMBERSHIP IN THE TEACHERS' RETIREMENT ACT; PROVIDING FOR TERMINATION OF THEIR MEMBERSHIP; AND PROVIDING FOR THE MANNER AND EXTENT TO WHICH FUNDS MAY BE TRANSFERRED FROM THE TEACHERS' RETIREMENT FUND TO SUCH OTHER ORGANIZATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 207 By Messrs. Marthakis and Jenkins

AN ACT AMENDING SECTION 75-3-1, UTAH CODE ANNOTATED 1943, RELATING TO ASSISTANCE TO TEACHERS AND NON-TEACHING EMPLOYEES OF THE UNIVERSITY OF UTAH, THE UTAH STATE AGRICULTURAL COLLEGE AND THE STATE JUNIOR COLLEGES IN ACQUIRING ANNUITIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 208 By Mr. Jones

AN ACT PROVIDING FOR THE PAYMENT OF FEE UPON THE INTRODUCTION OF A BILL IN THE SENATE OR HOUSE OF REPRESENTATIVES IN THE STATE OF UTAH, AND PROVIDING FOR THE ALLOCATION OF SAID FEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 209 By Messrs. Gibbons and Jolley

AN ACT RELATING TO THE CONTROL AND ERADICATION OF BRUCELLOSIS (BANG'S DISEASE); PROVIDING THE STATE BOARD OF AGRICULTURE AUTHORITY TO FORMULATE TESTING AND VACCINATION PLANS AND DIRECTING ENFORCEMENT PROCEDURES; PROVIDING FOR THE SUPERVISION AND REGULATION OF THE TESTING AND VACCINATION OF CATTLE; REQUIRING CATTLE TO BE TESTED OR VACCINATED BEFORE BEING SOLD, EXCEPT FOR SLAUGHTER; AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FEDERAL OR STATE FUNDS TO ENFORCE THE ACT; PROVIDING FOR RULES AND REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 210 By Mr. Jolley

AN ACT AMENDING SECTION 5, CHAPTER 122, LAWS OF UTAH 1947, RELATING TO THE CREATION OF A RESERVE BUILDING FUND AND THE PROVISION FOR APPROPRIATIONS THERETO AND DISBURSEMENTS THEREFROM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 211 By Mr. Knight

AN ACT APPROPRIATING $20,000 FOR ESTABLISHING AN APPRENTICESHIP COUNCIL AND LOCAL STATE JOINT AP-

PRENTICESHIP COMMITTEES FOR THE PURPOSE OF EFFECTUATING AN APPRENTICE TRAINING PROGRAM IN THE STATE OF UTAH; PROVIDING FOR A DIRECTOR OF APPRENTICESHIP WITHIN INDUSTRIAL COMMISSION OF UTAH; PRESCRIBING A PROCEDURE FOR THE DETERMINATION OF APPRENTICESHIP AGREEMENT CONTROVERSIES; REQUIRING REPORTS TO THE INDUSTRIAL COMMISSION OF UTAH TO BE MADE PUBLIC, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 212 By Messrs. Fowles, Melich and Marthakis

AN ACT APPROPRIATING $50,000 TO THE UTAH STATE INSTITUTE OF FINE ARTS FOR THE UTAH SYMPHONY ORCHESTRA, was read the first time.

On motion of Senator Melich, the rules were suspended and *S. B. No. 212* was ordered printed and placed on the Second Reading Calendar.

On motion of Senator Melich, *S. B. No. 212* was made a special order of business for February 7, 1949 at 3:30 p.m.

SPECIAL ORDER

S. B. No. 65, being a special order of business, was before the Senate.

S. B. No. 65 was placed on the Third Reading Calendar on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Jenkins, Jolley, Jones, Knight, Lund, Marsden, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Elggren, Gibson and Marthakis.

Absent and not voting: Senators Bailey and Reese, excused, and Larsen.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 58 was read the third time and placed on its final passage.

H. B. No. 58 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey and Reese, excused.

H. B. No. 58 was returned to the House.

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

On motion of Senator Gibson, *H. B. No. 6* retained its place on the Third Reading Calendar.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, and Jenkins.

H. B. No. 11 was returned to the House.

On motion of Senator Marthakis, the enacting clause of *S. B. No. 94*, was struck.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 42 was read the second time.

Committee report read and adopted.

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

Line 4, insert the words, "either of" before the word "the" at the beginning of the line.

On motion of Senator Day, *H. B. No. 42* retained its place on the Second Reading Calendar.

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

On motion of Senator Fowles, *H. B. No. 27* was made a special order of business for February 4, 1949 at 2:30 p.m.

H. B. No. 30 was read the second time.

Committee report read and adopted.

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

Line 1, after the figures "1943" insert the words and figures, "as amended by Chapter 137, Laws of Utah, 1947,".

On motion of Senator Gibson, *H. B. No. 30* was referred back to the Committee on Judiciary for further consideration.

H. B. No. 33 was read the second time.

Committee report read and adopted.

H. B. No. 33 failed of passage on the following roll call:

Ayes, 7; Nos, 13; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Day, Knight, Lund, Melich, Milliman and Mr. President.

Those voting in the negative were: Senators Burns, Clegg, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Marsden, Marthakis and Orser.

Absent and not voting: Senators Bailey, Reese, excused, and McShane.

H. B. No. 33 was returned to the House.

On motion of Senator Day, the enacting clause on *S. B. No. 74* was struck.

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

Committee report read and adopted.

H. B. No. 34 failed of passage on the following roll call:

Ayes, 3; Nos, 16; Absent, 4.

Those voting in the affirmative were: Senators Day, Melich and Milliman.

Those voting in the negative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Knight and McShane.

H. B. No. 34 was returned to the House.

On motion of Senator Melich, the enacting clause of *S. B. No. 73* was struck.

H. B. No. 44 was read the second time.

On motion of Senator Gibson, *H. B. No. 44* was made a special order of business for February 7, 1949 at 3:00 p.m.

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

Committee report read and adopted.

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

Line 7, underline the figures "$5.00".

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

Line 3, underline the figures "$5.00".

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

Ayes, 16; Nos, 2; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, Melich, Milliman and Mr. President.

Those voting in the negative were: Senators Day and Lund.

Absent and not voting: Senators Bailey, Reese, excused, Gibbons, McShane and Orser.

H. B. No. 55 was read the second time.

Committee report read and adopted.

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

Page 2, strike all the underlined material in lines 27, 28, 29 and 30.

H. B. No. 55 was placed on the Third Reading Calendar on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, Melich, Milliman and Orser.

Those voting in the negative were: Senators Day, Lund and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, and McShane.

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

Committee report read and adopted.

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

Line 11, strike the figure "$10" and insert the figure "$8".

H. B. No. 52 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Fowles, Gibbons, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, Melich and Orser.

Those voting in the negative were: Senators Lund, Milliman and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Clegg, Elggren, Gibson and McShane.

On motion of Senator Orser the Senate adjourned until February 4, 1949 at 2:00 p.m.

TWENTY-SIXTH DAY

February 4, 1949

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

Roll Call--All Senators present except Senators Bailey, Gibbons, Jolley, Marsden, Milliman and Reese, excused.

Senators Gibbons, Jolley, Marsden and Milliman were excused to visit the Utah State Agricultural College at Logan, Utah, with a committee from the House.

Prayer by the Chaplain.

February 4, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the twenty-fifth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RAY P. LUND

JAMES E. BURNS

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 11*, by Messrs. Larson, Bonacci and Bell, entitled,

AN ACT AMENDING SECTION 49-14-7, UTAH CODE ANNOTATED 1943, RELATING TO AND PROHIBITING EMPLOYERS REQUIRING PHYSICAL EXAMINATIONS FROM EMPLOYEES OR PERSONS APPLYING FOR, OR ACCEPTING EMPLOYMENT, UNLESS ALL MEDICAL FEES AND EXPENSES INCIDENT THERETO ARE PAID BY EMPLOYER.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 14*, by Mr. Larson, entitled,

AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSE FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 14 was read the first time and referred to the Committee on State and Municipal Affairs.

February 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 78*, by Mr. Cayias, entitled,

AN ACT TO AMEND SECTION 49-11-8, UTAH CODE ANNOTATED 1943, PERTAINING TO MAXIMUM WEEKLY HOURS OF

LABOR ON PUBLIC WORKS, AND FIXING A PAY RATE FOR LABOR IN EXCESS THEREOF, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 78 was read the first time and referred to the Committee on Health and Labor.

February 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 94*, by Committee on Municipal and County Affairs, entitled,

AN ACT ENACTING A SECTION TO BE KNOWN AS SECTION 15-6-75, UTAH CODE ANNOTATED 1943, AUTHORIZING GOVERNING BODIES OF CITIES OF THIRD CLASS AND TOWNS TO APPOINT A CITY MANAGER, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 94 was read the first time and referred to the Committee on State and Municipal Affairs.

February 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 95*, by Committee on Municipal and County Affairs, entitled,

AN ACT AMENDING SECTIONS 15-8-92, 15-8-93, 15-8-95, 15-8-96, 15-8-101, 15-8-104, AND 15-8-107, UTAH CODE ANNOTATED 1943, RELATING TO CITY AND TOWN PLANNING COMMISSIONS, MUNICIPAL ZONING ORDINANCES, HEARINGS; PROVIDING FOR TERMS OF OFFICE OF THE BOARD OF ADJUSTMENT, VARIANCES; ENFORCEMENT OF ZONING REGULATIONS, PROVIDING FOR HEARINGS AND COMPENSATION OF THE MEMBERS OF THE BOARD OF ADJUSTMENT AND POWERS OF CITIES AND TOWNS, AND REPEALING SECTION 15-8-94, UTAH CODE ANNOTATED 1943, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 95 was read the first time and referred to the Committee on State and Municipal Affairs.

February 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 114*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, entitled,

AN ACT ESTABLISHING THE TIME WITHIN WHICH THE COLLECTION, PAYMENT THE REVOCATION OF CREDIT FOR, AND DISHONOR OF DEMAND ITEMS BY BANKS MUST BE MADE, AND AUTHORIZING THE PROVISIONS HEREOF TO BE VARIED BY AGREEMENT, AND REPEALING CHAPTER 13, LAWS OF UTAH 1945, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 114 was read the first time and referred to the Committee on Banking and Commerce.

REPORTS OF STANDING COMMITTEES

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 94*, by Messrs. Bailey, Day, Elggren, Fowles and Marthakis, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT (TO SAFEGUARD PERSONS AND PROPERTY AND PROMOTING THE WELFARE OF THE PUBLIC) ESTABLISHING STANDARDS FOR ELECTRICAL EQUIPMENT AND FOR ITS INSTALLATION; PROVIDING REGULATION AND LICENSING OF THOSE ENGAGED IN THE INSTALLATION THEREOF BY DEPARTMENT OF REGISTRATION; APPOINTING A COMMITTEE TO COLLABORATE AND ASSIST; AUTHORIZING POLITICAL SUBDIVISIONS OF THE STATE OF UTAH TO PROVIDE FOR ELECTRICAL INSPECTION; PROVIDING FOR THE APPOINTMENT OF A CHIEF ELECTRICAL INSPECTOR AND DEPUTY STATE INSPECTORS AND PRECRIBING THEIR DUTIES, RIGHTS AND AUTHORITY; MAKING IT UNLAWFUL TO UNDERTAKE THE INSTALLATION OF ELECTRICAL EQUIPMENT WITHOUT A PERMIT THEREFOR EXCEPT AS OTHERWISE PROVIDED; ESTABLISHING STANDARDS OF ELECTRICAL MATERIALS, DEVICES AND APPLIANCES; PROVIDING THAT NO PERSON SHALL SERVE AS AN ELECTRICAL INSPECTOR WITHOUT FIRST OBTAINING AN INSPECTORS CERTIFICATE OF QUALIFICATION FROM THE DEPARTMENT OF REGISTRATION; PROVIDING PEN-

ALTIES FOR VIOLATIONS OF THIS ACT, AND REPEALING ALL STATUTES AND PARTS OF STATUTES IN CONFLICT WITH THIS ACT, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Committee report read and adopted.

S. B. No. 94 was ordered printed and referred to the Committee on Banking and Commerce.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 196*, by Messrs. Marthakis, Fowles, Milliman and Burns, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 196 was ordered printed and referred to the Committee on Judiciary.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 197*, by Mr. Marsden, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 197 was ordered printed and referred to the Committee on Public Institutions.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 198*, by Mr. Marsden, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 198 was ordered printed and referred to the Committee on Public Institutions.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 199*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 199 was ordered printed and referred to the Committee on Judiciary.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 200*, by Mr. McShane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 200 was ordered printed and referred to the Committee on Judiciary.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 201*, by Mr. Elggren, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 201 was ordered printed and referred to the Committee on Mining and Smelting.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 202*, by Mr. Elggren, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 202 was ordered printed and referred to the Committee on Health and Labor.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 203*, by Messrs. Day and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 203 was ordered printed and referred to the Committee on Revenue and Taxation.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 204*, by Messrs. Day and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 204 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 205*, by Messrs. Knight, Melich and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 205 was ordered printed and referred to the Committee on Banking and Commerce.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 88*, by Mr. Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 88 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 89*, by Mr. Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 89 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 101*, by Messrs. Jenkins and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 101 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 156*, by Messrs. Fowles and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 156 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 167*, by Mr. Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 167 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 172*, by Messrs. Day and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 172 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 178*, by Mr. Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 178 was referred to the Committee on Appropriations and Claims.

February 4, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 147*, by Messrs. Knight, Marthakis, Brockbank and Bailey, has carefully considered said bill and reports the same out favorably.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. B. No. 147 was placed on the Second Reading Calendar.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 168*, by Messrs. Lund, Jones, Milliman and Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B .No. 168 was placed on the Second Reading Calendar.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *H. B. No. 29*, by Mrs. Jack, Messrs. Walker, Cullimore, O. W. Young, Mitchell, Preece, Olson, Rees and Bonacci, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

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

February 3, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 124*, by Mr. Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 20 By Mr. Knight

A SENATE JOINT RESOLUTION URGING THE STATE BOARD OF EXAMINERS TO ACCEPT AND INSTALL ELECTRONIC BELLS IN THE STATE CAPITOL BUILDING, AND TO PROVIDE FOR THE PLAYING OF THE SAME, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 213 By Mr. Jenkins

AN ACT ENACTING THREE NEW SECTIONS TO BE KNOWN AS 3-1-34, 3-1-35, AND 3-1-36, UTAH CODE ANNOTATED 1943, RELATING TO AND PROVIDING FOR POWERS, DUTIES, AND AUTHORITY FOR INSPECTORS OF THE UTAH STATE BOARD OF AGRICULTURE; PROVIDING FOR AUTHORITY TO INSPECT CONVEYANCES AND PLACES, AFFIX WARNING TAGS, AND TAKE EVIDENCE OF VIOLATIONS OF LAWS ADMINISTERED BY THE STATE BOARD OF AGRICULTURE; AND PROVIDING VIOLATIONS AND PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 214 By Messrs. Knight and Marthakis

AN ACT APPROPRIATING FROM THE GENERAL FUND OF THE STATE TREASURY TO THE STATE BOARD FOR VOCATIONAL EDUCATION THE SUM OF $515,000.00 FOR THE PAYMENT OF EXPENSES OF OPERATION AND MAINTENANCE OF THE SALT LAKE AREA VOCATIONAL SCHOOL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 215 By Mr. Day

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 40-3-11, UTAH CODE ANNOTATED 1943, PROVIDING THAT THE COURT MAY REFER CERTAIN MATTERS IN ACTIONS FOR SEPARATE MAINTENANCE AND DIVORCE TO THE STATE DEPARTMENT OF PUBLIC WELFARE FOR INVESTIGATION AND REPORT; THAT SUCH REPORTS SHALL BE MADE AND THAT THEY MAY BE CONSIDERED BY THE COURT AND MAY BE SEALED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 216 By Mr. McShane

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.

On motion of Senator McShane the rules were suspended and *S. B. No. 216* was ordered printed and placed on the Second Reading Calendar.

Senator Brockbank moved that the Senate not consider any bills on Third Reading Calendar this date in deference to those Senators who are absent on official business.

Motion carried.

On motion of Senator Melich, *H. B. No. 29* was referred to the Committee on Public Institutions.

On motion of Senator Clegg, *S. R. No. 7* was placed after *S. R. No. 6* on the Second Reading Calendar.

On motion of Senator Melich, the Sergeant at Arms was directed to send to the city officials of Fillmore, a picture of the members of the twenty-seventh Senate of the State of Utah, who met in the first state capital at Fillmore on the occasion of the Utah Centennial Commemorative Session, to be hung in the City Hall.

SPECIAL ORDER

H. B. No. 27, being a special order of business, was before the Senate.

On motion of Senator McShane, *H. B. No. 27* was made a special order of business for February 7, 1949 at 2:30 p.m.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg, *S. B. No. 44 and 41* retained their places on the Second Reading Calendar.

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

Committee report read and adopted.

S. R. No. 4 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jones, Knight, Larsen, Lund, McShane, Melich, Orser and Mr. President.

Those voting in the negative were: Senators Elggren and Marthakis.

Absent and not voting: Senators Bailey, Gibbons, Jolley, Marsden, Milliman, Reese, excused, and Brockbank.

S. B. No. 47 was before the Senate.

Committee report read and adopted.

S. B. No. 47 failed of passage on the following roll call:

Ayes, 4; Nos, 11; Absent, 8.

Those voting in the affirmative were: Senators Burns, Elggren, Fowles and Marthakis.

Those voting in the negative were: Senators Clegg, Day, Gibson (explained vote), Jenkins, Jones, Knight, Lund, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Bailey, Gibbons, Jolley, Marsden, Milliman, Reese, excused, Brockbank and Larsen.

S. B. No. 47 was filed.

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

Committee report read and adopted.

On motion of Senator Marthakis it was agreed that when the Senate adjourns today, it stand adjourned until Monday, February 7, 1949 at 2:00 p.m.

On motion of Senator Knight the Senate adjourned.

TWENTY-NINTH DAY

February 7, 1949

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

Roll Call—All Senators present except Senators Bailey, excused, and Gibbons.

Prayer by the Chaplain.

February 7, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the twenty-sixth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RAY P. LUND
JAMES E. BURNS

Report adopted and filed.

President Hopkin appointed Senators Elggren and Larsen to revise the Journal for the week beginning February 7, 1949.

On motion of Senator McShane it was agreed that when the Senate adjourns today, it stand adjourned until Tuesday, February 8, 1949 at 2:00 p.m.

COMMUNICATIONS FROM THE GOVERNOR

February 5, 1949

To the Honorable Alonzo F. Hopkin
President of the Senate
State Capitol Building
Salt Lake City, Utah

Dear Mr President:

I have been informed that an important meeting will be conducted on Wednesday, February 9, 1949, at Salem, Oregon, to discuss uniform truck legislation for the various states. Other Western States will be represented at this meeting.

May I suggest that you consider sending a delegate from the Senate to attend this meeting? I believe the Board of Examiners will approve such a travel request.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication filed.

On motion of Senator Marthakis, the President appointed Senator Reese as the delegate to represent the Senate at the meeting to discuss uniform truck legislation for the various states at Salem, Oregon on February 9, 1949.

COMMUNICATIONS FROM THE HOUSE

February 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 115*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, entitled,

AN ACT AMENDING SECTIONS 7-3-22 AND 7-3-23, UTAH CODE ANNOTATED 1943, REQUIRING THE EXAMINATION BY BANK DIRECTORS OF CERTAIN BANK PROPERTIES AND AFFAIRS; FIXING FREQUENCY OF EXAMINATIONS, REQUIRING WRITTEN REPORTS THEREOF TO BE FILED WITH BANK RECORDS; SUBJECTING REPORTS TO FURTHER EXAMINATION, BY BANK COMMISSIONER OR BANK EXAMINER; AUTHORIZING BANK COMMISSIONER TO ESTABLISH RULES AND REGULATIONS FOR THE SUBSTITUTION OF EXAMINATION MADE DURING THE YEAR BY THE STATE BANKING DEPARTMENT, THE FEDERAL RESERVE BANK OF SAN FRANCISCO, THE FEDERAL DEPOSIT INSURANCE CORPORATION, OR BY A CLEARING HOUSE ASSOCIATION OF WHICH THE EXAMINED BANK IS A MEMBER; FOR REPORT OF BOARD OF DIRECTORS OF BANK, SPECIFYING CONTENTS OF REPORTS; REQUIRING THE BOARD

OF EXAMINERS OR COMMITTEE APPOINTED BY THE BOARD OF EXAMINERS TO FILE A WRITTEN REPORT OF THEIR FINDINGS AND RECOMMENDATIONS BASED UPON THE SUBSTITUTED EXAMINATION AS AUTHORIZED IN THIS ACT, AND MAKING THE VIOLATION OF THE PROVISIONS HEREOF A MISDEMEANOR PROVIDING A PENALTY THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 115 was read the first time and referred to the Committee on Banking and Commerce.

REPORTS OF STANDING COMMITTEES

February 7, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 20 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 7, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 176* (rewritten), by Messrs. Elggren, Knight, Brockbank and Jolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 176 (rewritten) was ordered printed and referred to the Committee on State and Municipal Affairs.

February 7, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 208*, by Mr. Jones, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 208 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 7, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 78*, by Mr. Cayias, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

H. B. No. 78 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 130*, by Mr. Knight, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 157*, by Messrs. Fowles and Orser, has carefully considered said bill and reports the same out with the recommendation that it be referred back to Committee on Revision and Enrolling.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 157 was referred back to the Committee on Revision and Enrolling.

February 4, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 172*, by Messrs. Day and Milliman, has carefully considered said bill and reports the same out without recomemndation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 172 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. J. R. No. 16*, by Messrs. Day, Knight, Brockbank and Elggren, has carefully considered said bill and reports the same out with the following recommendation:

Amend the body as follows: Line 3, delete the words "at East, South, and West High Schools in Salt Lake City" and insert in lieu thereof the words "of the State High Schools,".

Amend the enacting clause as follows: Change the word "enacted" to the word "resolved".

Amend the title as follows: Line 2, after the word "OF" insert the words "THE STATE" and delete the words "THE THREE SALT LAKE CITY".

Line 14, delete the paragraph.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. J. R. No. 16 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 88*, by Mr. Gibson, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

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

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 89*, by Mr. Gibson, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 89 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 101*, by Messrs. Jenkins and Fowles, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 101 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 139*, by Mr. Melich, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 139 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which has been referred *S. B. No. 156*, by Messrs. Fowles and Jenkins, has noted the amount of the appropriation on the Joint Committee records, and reports the same out without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 156 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 167*, by Mr. Brockbank, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 167 was placed on the Second Reading Calendar.

February 7, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 178*, by Mr. Fowles, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman

Report filed.

S. B. No. 178 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 217 By Messrs. Marsden, Gibson and Marthakis

AN ACT AMENDING SECTION 80-5-57, UTAH CODE ANNOTATED, 1943, RELATING TO THE IMPOSITION OF A NET ANNUAL PROCEEDS TAX AND SETTING FORTH THE MANNER OF ARRIVING AT THE TAX LIABILITY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 218 By Messrs. Marsden, Gibson and Marthakis

AN ACT AMENDING 80-5-66 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 108 LAWS OF UTAH 1947 RELATING TO THE IMPOSITION OF A MINING OCCUPATION TAX UPON METALLIFEROUS MINES AND DETERMINING THE MANNER OF COMPUTING SAID TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 219 By Messrs. Day, Elggren and Marthakis

AN ACT AMENDING SECTION 6-0-10, UTAH CODE ANNOTATED 1943, RELATING TO THE QUALIFICATIONS FOR ADMISSION TO THE PRACTICE OF LAW, ELIMINATING BAR EXAMINATION, AND PROVIDING FOR OATHS AND FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 220 By Mr. Day

AN ACT MAKING A DECLARATION OF POLICY IN CONNECTION WITH SHEEP SHEERING TRADE, DEFINING TERMS AND PROVIDING FOR MAXIMUM HOURS OF LABOR, FAIR WAGES, HEALTH CONDITIONS AND PENALTY FOR VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 221 By Messrs. Day, Knight, Fowles and Marthakis

AN ACT AMENDING SECTION 5, CHAPTER 32, LAWS OF UTAH 1947, RELATING TO THE QUALIFICATIONS OF REGISTERED NURSES AND PROVIDING FOR THEIR REINSTATEMENT ON PAYMENT OF CERTAIN PAST DUE LICENSE FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 222 By Mr. Jolley

AN ACT EMPOWERING CITIES AND SCHOOL DISTRICTS TO CONTRACT AND COOPERATE WITH ONE ANOTHER RESPECTING HEALTH, WELFARE AND CONVENIENCE AND AUTHORIZING CITIES TO APPROPRIATE MONEY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 223 By Messrs. Elggren, Jenkins, Knight and Fowles

AN ACT AMENDING SECTIONS 85-5-3 AND 85-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 123, LAWS OF UTAH 1945; AND ENACTING ONE NEW SECTION TO BE KNOWN AS SECTION 85-5-2-A, UTAH CODE ANNOTATED 1943; RELATING TO THE UTAH STATE HISTORICAL SOCIETY; AUTHORIZING THE SOCIETY TO CONSULT WITH THE ATTORNEY GENERAL OF UTAH AND OTHER PUBLIC OFFICERS OF THE STATE HAVING CUSTODY OF PUBLIC RECORDS, TO DETERMINE THE LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE OF SUCH RECORDS AND UPON UNANIMOUS AGREEMENT OF SAID OFFICIALS THAT CERTAIN PUBLIC RECORDS HAVE NO LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE TO THEN DISPOSE OF SAME; PRESCRIBING THAT THE QUALITY OF PAPER, INK AND OTHER MATERIALS USED IN PUBLIC OFFICES OF THE STATE OF UTAH, FOR THE PURPOSES OF PERMANENT RECORDS, SHALL BE OF DURABLE QUALITY; AUTHORIZING CUSTODIANS OF PUBLIC RECORDS OF THE STATE TO MAKE COPIES BY PHOTOGRAPH, MICROFILM OR SIMILAR PROCESSES OF SAID RECORDS AND PROVIDING FOR THE CERTIFYING OF SUCH COPIES BY THEIR RESPECTIVE CUSTODIANS AS BEING TRUE COPIES THEREOF; PROVIDING FOR THE CATALOGUING, PROTECTION, PRESERVATION, ARRANGING AND DISPLAYING OF SUCH PUBLIC RECORDS AND/OR COPIES THEREOF; AUTHORIZING THE SOCIETY TO PUBLISH AND SELL BOOKS AND MAGAZINES, PROVIDING FOR A BOARD

OF CONTROL OF SAID SOCIETY, COMPENSATION, EXPENSES, EDITORIAL WORK AND OTHER EMPLOYEES AND THE CREATION OF A DEPARTMENT OF SAID SOCIETY TO BE KNOWN AS THE DEPARTMENT OF ARCHIVES AND HISTORY, AND THE EMPLOYMENT OF A STATE ARCHIVIST BY THE SAID SOCIETY IN CONNECTION THEREWITH AND DEFINING THE DUTIES AND FIXING THE COMPENSATION AND PROVIDING THE MANNER OF PAYMENT FOR SUCH SERVICES OF THE SAID STATE ARCHIVIST AND PROVIDING FOR THE PURCHASE AND ACQUIRING BY THE SAID SOCIETY OF THE NECESSARY APPARATUS AND MACHINERY FOR MICROFILMING, MICROFILM READERS AND THE PHOTOGRAPHING OF ALL SUCH PUBLIC RECORDS OF THE STATE BY THE SAID SOCIETY AND WITHIN ITS DISCRETION FOR THE PROTECTION AND PRESERVATION OF ALL SUCH PUBLIC RECORDS OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 224 By Mr. Jolley

AN ACT AMENDING SECTION 14-7-48, UTAH CODE ANNOTATED 1943, RELATING TO DELINQUENT CHILDREN UNDER SIXTEEN YEARS OF AGE; PROVIDING THAT COUNTIES SHALL MAKE PROVISION FOR THEIR CARE AND CUSTODY; AUTHORIZING COUNTIES TO CREATE DETENTION DISTRICTS; AND TO PAY FOR PROPORTIONATE COSTS THEREOF, was read the first time and referred to the Comittee on Revision and Enrolling.

SPECIAL ORDER

H. B. No. 27, being a special order of business, was before the Senate

The committee report was not adopted.

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

Line 4, after the figures "1949" strike the comma and the word "in" and all of lines 5, 6, and 7.

Senator Marthakis moved to amend the bill as follows:

Line 3, strike the figures "$398,000" and insert the figures "$473,000".

Senator Marthakis, with the aid of five Senators, requested a roll call.

The amendment then failed of passage on the following roll call:

Ayes, 7; Nos, 12; Absent, 4.

Those voting in the affirmative were: Senators Burns, Elggren, Fowles, Jenkins, Marthakis, Milliman and Reese.

Those voting in the negative were: Senators Brockbank, Clegg, Day, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane and Orser.

Absent and not voting: Senators Bailey, excused, Gibbons, Melich and Mr. President.

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

Line 3, strike the figures "$398,000" and insert the figures "$189,000"

On motion of Senator Marthakis, the title was amended as follows:

Line 3, strike the figures "$398,000" and insert the figures "$189,000"

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

Line 4, strike the words and figures, "biennium ending June 30, 1949" and insert the words and figures, "quarter ending March 31, 1949" and change the comma after the figures "1949" to a period.

On motion of Senator Day, the title was amended as follows:

Line 5, strike the words and figures "BIENNIUM ENDING JUNE 30, 1949" and insert the words and figures "QUARTER ENDING MARCH 31, 1949" and change the comma after the figure "1949" to a period.

On motion of Senator McShane, the title was amended as follows: Line 5, strike the words "AND EMPOWER-" and all of lines 6 and 7.

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

Strike all of Section 2 and renumber Section 3 to be Section 2.

H. B. No. 27 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser and Reese.

Those voting in the negative were: Senator Elggren.

Absent and not voting; Senators, Bailey, excused, Gibbons, Melich and Mr. President.

S. B. No. 216, being a special order of business, was before the Senate.

S. B. No. 216 was read the second time.

S. B. No. 216 was placed on the Third Reading Calendar on the following roll call:

Ayes, 13; Nos, 7; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Jenkins, Jolley, Knight, Larsen, Lund, Marsden, McShane, Milliman, Orser and Reese.

Those voting in the negative were: Senators Day, Elggren, Fowles, Gibson (explained vote), Jones, Marthakis and Melich.

Absent and not voting: Senators Bailey, excused, Gibbons and Mr. President.

On motion of Senator Day, *H. B. No. 44* was made a special order of business for February 8, 1949 at 2:30 p.m.

S. B. No. 212, being a special order of business, was before the Senate.

S. B. No. 212 was read the second time.

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

Line 3, strike the figures "$50,000.00" and insert the figures "$40,000.00".

On motion of Senator Marthakis, the title was amended as follows:

Line 1, strike the figures "$50,000" and insert the figures "$40,000.00".

On motion of Senator Knight the rules were suspended and *S. B. No. 212* was read the third time and placed on its final passage.

S. B. No. 212 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jolley (explained vote), Jones (explained vote), Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Bailey, excused, Gibbons and Jenkins.

S. B. No. 212 was transmitted to the House.

On motion of Senator Knight the Senate adjourned.

THIRTIETH DAY

February 8, 1949

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

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

Prayer by the Chaplain.

February 8, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the twenty-ninth day and find it correct with minor amendments noted on the final copy.

Respectfully,

LORENZO E. ELGGREN,
LEWIS H. LARSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 8, 1949

To the Senate
Building

Gentlemen:

The following people have been appointed to the offices indicated below. I am submitting their names herewith for the advice and consent of your honorable body.

AS CHAIRMAN OF THE STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

For the four-year period ending January 1, 1953: Hugh F. O'Niel, Weber County.

AS A MEMBER OF THE DEPOSITORY BOARD:

To fill an unexpired term ending June 30, 1950: William J. Fitzpatrick, Salt Lake County.

Yours truly,

J. BRACKEN LEE,
Governor.

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 43*, by Messrs. Cayias and Faust, entitled,

"AN ACT AMENDING SECTION 49-3-1, UTAH CODE ANNOTATED 1943, PERTAINING TO MAXIMUM DAILY HOURS OF LABOR IN PENAL INSTITUTIONS AND ON PUBLIC WORKS, AND ESTABLISHING A RATE OF COMPENSATION OF ONE AND ONE-HALF TIMES REGULAR RATE FOR WORKER FOR TIME IN EXCESS OF EIGHT HOURS IN A GIVEN DAY", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 43 was referred to the Committee on Health and Labor.

On motion of Senator Marthakis, the Secretary was directed to send a letter to Governor and Mrs. Lee, expressing the appreciation of the Senate for the delightful party given the Legislature and its employees on the evening of February 7, 1949.

On motion of Senator Day, the communication from the Chief Justice of the Supreme Court of the State of Utah to the Governor suggesting needed changes in the laws was referred to the Legislative Council for study and consideration as soon as reasonably possible.

REPORTS OF STANDING COMMITTEES

February 8, 1949

Mr. President:

Your Committee on Rules and Contingent Expenses hereby makes report in conformity with *Senate Rule No. 80* as to expenses incurred up to the 30th day. As of today the sum of $19,867.28 has actually been paid or contracted for. This is from a total allotment for the entire session of $30,000.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141* (rewritten), by Messrs. Marthakis and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 141 (rewritten) was ordered printed and referred to the Committee on Education.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146* (rewritten), by Messrs. Marthakis, Knight, Brockbank and Bailey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 146 (rewritten) was ordered printed and referred to the Committee on Military Affairs.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 209*, by Messrs. Gibbons and Jolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 209 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 210*, by Mr. Jolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 210 was ordered printed and referred to the Committee on Appropriations and Claims.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 213*, by Mr. Jenkins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 213 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 214*, by Messrs. Knight and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 214 was ordered printed and referred to the Committee on Education.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 215*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 215 was ordered printed and referred to the Committee on Welfare.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 217*, by Messrs. Marsden, Gibson and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 217 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 218*, by Messrs. Marsden, Gibson and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 218 was ordered printed and referred to the Committee on Revenue and Taxation.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 219*, by Messrs. Day, Elggren and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 219 was ordered printed and referred to the Committee on Judiciary.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 220*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 220 was ordered printed and referred to the Committee on Health and Labor.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 222*, by Mr. Jolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 222 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 223*, by Messrs. Elggren, Jenkins, Knight and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman

Report filed.

S. B. No. 223 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 8, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 224*, by Mr. Jolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 224 was ordered printed and referred to the Committee on Welfare.

February 8, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 94*, by Messrs. Bailey, Day, Elggren, Fowles and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 94 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 205*, by Messrs. Knight, Melich and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 205 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 89*, by Mr. Baker, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 89 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 114*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 114 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committeee on Banking and Commerce, to which was referred *H. B. No. 115*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 115 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 107*, by Messrs. Anderson, Daly and Crofts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

H. B. No. 107 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 225 By Messrs. Jolley, Fowles and Jones

AN ACT AMENDING TITLE 85, CHAPTER 6, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE INDUSTRIAL SCHOOL; REMOVING THE SCHOOL FROM THE OPERATION AND CONTROL OF THE STATE DEPARTMENT OF PUBLIC WELFARE; ESTABLISHING A NON-PARTISAN BOARD OF TRUSTEES TO OPERATE AND CONTROL SAID SCHOOL; DEFINING POWERS AND DUTIES OF SUCH BOARD OF TRUSTEES; PROVIDING FOR A SUPERINTENDENT, INSTRUCTIONS, REGULATIONS FOR PAROLE; CARE OF FEMALES; PENALTIES FOR TRESPASS OR ESCAPE; DISCHARGE OF INMATES; TREATMENT OF INCORRIGIBLES; LIABILITY OF PARENTS, GUARDIANS AND COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 226 By Mr. Brockbank

AN ACT RELATING TO AGRICULTURE; THE ADMINISTRATION OF THE AGRICULTURAL FUNCTIONS AND PROGRAM OF THE STATE; CREATING A DEPARTMENT OF AGRICULTURE; PROVIDING FOR A CHANGE IN MEMBERSHIP OF THE STATE BOARD OF AGRICULTURE AND APPOINTMENTS, TERMS OF OFFICE, QUALIFICATIONS AND SALARIES; POWERS, DUTIES AND FUNCTIONS OF THE BOARD; MAKING A CHANGE IN THE OFFICE OF THE COMMISSIONER OF AGRICULTURE; CREATING A DEPARTMENT OF AGRICULTURE ( ) MEMBERSHIP, TERMS OF OFFICE, QUALIFICATIONS, DUTIES AND FUNCTIONS; TERMINATING THE TERM OF OFFICE OF THE PRESENT COMMISSIONER AND MEMBERS OF THE STATE BOARD OF AGRICULTURE ( ) AND REPEALING SECTIONS 3-1-1, 3-1-2, 3-1-3, 3-1-9, 3-1-10 AND 3-1-11, REVISED STATUTES OF UTAH, 1933, AND SECTION 3-1-4, REVISED STATUTES OF UTAH, 1933, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1937, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1939, AS AMENDED BY CHAPTER 1, LAWS OF UTAH 1941, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 227 By Mr. Day

AN ACT AMENDING TITLE 43, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 63, LAWS OF UTAH 1947, RELATING TO COMPENSATION AND OCCUPATIONAL DISEASE INSURANCE POLICIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 228 By Mr. Melich

AN ACT AMENDING SECTION 105-7-13, UTAH CODE ANNOTATED 1943, RELATING TO REMOVAL OF PUBLIC OFFICERS AND PROVIDING FOR FUTURE DISQUALFICATION FROM HOLDING OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. J. R. No. 4 was before the Senate.

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

Ayes 5; Nos. 17; Absent, 1.

Those voting in the affirmative were: Senators Elggren, Knight, Lund, Melich and Mr. President (explained vote).

Those voting in the negative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Milliman, Orser and Reese.

Absent and not voting: Senator Bailey, excused.

S. J. R. No. 4 was filed.

SPECIAL ORDER

H. B. No. 44, being a special order of business was before the Senate.

Committee report read and adopted.

On motion of Senator Gibson *H. B. No. 44* was amended as follows:

Page 2, strike all of lines 5 to 10, both inclusive, and insert in lieu thereof the following:

"When a sub-contractor or any person furnishes labor or material as stated above at the instance and request of an original contractor, then such sub-contractor's or person's lien rights, as set forth herein, are extended so as to make the final date for the filing of a notice of intention to hold and claim a lien sixty days after completion of the original contract of the original contractor."

On motion of Senator Day the rules were suspended and *H. B. No. 44* was read the third time and placed on its final passage.

H. B. No. 44 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jones, Knight,

Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese, and Mr. President.

Absent and not voting: Senator Bailey, excused, Jolley and Lund.

H. B. No. 44 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 50 was read the third time and placed on its final passage.

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

Page 1, line 5, insert the word "promiscuous" between the words "for" and "indiscrim-".

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

Page 1, line 17, strike the word "enter".

Page 2, line 1, after the word "to", strike the words, "enter or".

On motion of Senator Marthakis, the title was amended as follows:

Line 4, strike the words "ENTER OR" at the end of the line.

Senator Fowles, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Fowles, the call was lifted.

S. B. No. 50 failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Gibbons, Jolley and Lund.

Those voting in the negative were: Senators Elggren, Fowles, Gibson (explained vote), Jenkins, Jones (explained vote), Knight (explained vote), Larsen, Marsden (explained vote), Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Bailey, excused.

S. B. No. 50 was filed.

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

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

Line 10, strike the figures "$10.00" and insert in lieu thereof the figures "$8.00".

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

Strike all of lines 13 to 22, both inclusive.

Line 11, strike the figures "$7.50" and insert in lieu thereof the figures "$6.00".

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

Line 1, after the figures "48-0-5" strike the word and figures "and 48-0-16" and change the word "are" to "is".

On motion of Senator Melich, the title was amended as follows:

Line 1, strike the word "SECTIONS" and insert in lieu thereof, the word "SECTION" and after the figures "48-0-5" strike the word and figures "AND 48-0-16".

Line 3, after the word "FEE" insert a period and strike the balance of line 3 and all of line 4.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Bailey, excused.

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

S. R. No. 3 was read the third time and placed on its final passage.

Senator Clegg, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Marthakis, the call was lifted.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane, Melich and Orser.

Those voting in the negative were: Senators Burns, Elggren, Marthakis, Milliman, Reese, and Mr. President.

Absent and not voting: Senator Bailey, excused.

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

On motion of Senator Fowles, the Senate adjourned until February 9, 1949 at 2:00 p.m.

THIRTY-FIRST DAY

February 9, 1949

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

Roll Call—All Senators present except Senators Bailey, Reese, excused, and Jenkins.

Senator Reese was excused, representing the Senate at a meeting on uniform truck legislation at Salem, Oregon.

Prayer by the Chaplain.

February 9, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirtieth day and find it correct with minor amendments noted on the final copy.

Respectfully,

LORENZO E. ELGGREN,
LEWIS H. LARSEN.

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 212*, by Messrs. Fowles, Melich and Marthakis, entitled,

"AN ACT APPROPRIATING $40,000.00 TO THE UTAH STATE INSTITUTE OF FINE ARTS FOR THE UTAH SYMPHONY ORCHESTRA," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 212 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session in the presence of the House, *H. B. No. 2*, by Messrs. Doty, Young, Baker, Marble, Bonacci, Larsen, Anderson, Openshaw, Aldous and Elswood, entitled,

"AN ACT AMENDING SECTION 75-6-2, UTAH CODE ANNOTATED, 1943, RELATING TO WEBER COLLEGE, CHANGING THE NAME TO WEBER STATE COLLEGE, AND PERMITTING IT TO OFFER COMPLETE TERMINAL COURSES AND GRANT DEGREES IN THE FIELDS OF THE ARTS AND SCIENCES, BUSINESS, AND EDUCATION," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 11*, by Messrs. Larson, Bonacci and Bell, entitled,

"AN ACT AMENDING SECTION 49-14-7, UTAH CODE ANNOTATED 1943, RELATING TO AND PROHIBITING EMPLOYERS REQUIRING PHYSICAL EXAMINATIONS FROM EMPLOYEES OR PERSONS APPLYING FOR, OR ACCEPTING EMPLOYMENT, UNLESS ALL MEDICAL FEES AND EXPENSES INCIDENT THERETO ARE PAID BY EMPLOYER," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 11 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this passed, as amended by the House, *H. B. No. 17*, by Messrs. Larson, Doty, Bonacci, Bell and Roberts, entitled,

"AN ACT REQUIRING PERSONS, PARTNERSHIPS, AND CORPORATIONS TO PROVIDE AT LEAST AN ENGINEMAN AND AN ENGINEMAN HELPER TO OPERATE LOCOMOTIVES WEIGHING 90,000 POUNDS ON ALL DRIVING UNITS AND MAKING THE VIOLATION OF THE SAME A MISDEMEANOR," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 17 was referred to the Committee on Health and Labor.

February 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 19*, by Mr. Dean, entitled,

"AN ACT APPROPRIATING $3,400 FROM THE GENERAL FUND OF THE STATE TREASURY TO THE STATE BOARD FOR VOCATIONAL EDUCATION FOR THE PURCHASE OF EQUIPMENT," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 19 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 8, 1949

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. 58*, by Mmes. Jack, Mitchell, Messrs. Rees and Walker, entitled,

"AN ACT AMENDING SECTION 25-6-16, UTAH CODE ANNOTATED 1943, RELATING TO DESIGNATION OF POLLING PLACES, PROVIDING FOR BOOTHS, AND PROVISIONS THEREFOR AND ARRANGEMENT THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 58 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 8, 1949

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. 13*, by Mr. Roberts, entitled,

"A RESOLUTION REQUESTING THE BOARD OF BIG GAME CONTROL OF THE STATE OF UTAH TO CONVENE AT THE EARLIEST POSSIBLE TIME TO CONSIDER PRESENT BIG GAME EMERGENCIES AND TO HELP MINIMIZE THE PRESENT DAMAGES BEING DONE TO LAND OWNERS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 13 was referred to the Committee on Fish and Game.

February 9, 1949

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. 53*, by Messrs. Anderson, Woolley and Aldous, entitled,

"AN ACT AMENDING SECTION 30-0-54, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE GAME REFUGE COMMITTEE, THE STATE BOARD OF BIG GAME CONTROL MEMBERSHIP, APPOINTMENT, POWERS AND DUTIES, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943; CHAPTER 46, LAWS OF UTAH 1945 AND CHAPTER 42, LAWS OF UTAH 1947," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 53 was referred to the Committee on Fish and Game.

On motion of Senator Elggren, the Senate accepted an invitation to visit the Utah State Prison on Friday, February 11, 1949 at 10:00 a.m.

President Hopkin recognized Hon. David F. Smith, former Senator and former Commissioner of Agriculture, who addressed the Senate briefly.

President Hopkin recognized Judge John A. Hendricks of the Second Judicial District, who addressed the Senate briefly.

President Hopkin recognized Mr. Stewart Wilson of the Council of State Governments.

REPORTS OF STANDING COMMITTEES

February 8, 1949

Mr. President:

I have today appointed, with the consent of Co-chairman Roberts, a Joint Sub-Committee, to be known as the Reserve Building Fund Committee of the Joint Appropriations Committee.

All bills passed by this Legislature with appropriations for Buildings, will be referred to this committee so the proper bill can be introduced to take care of such appropriations.

Members of the committee will be:

Senators Jenkins (Chairman), Marsden and Jolley; Representatives Hinton, Murch and Tippetts.

Respectfully,

FRED J. MILLIMAN,
Chairman.
Joint Appropriations Committee

Report filed.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 3*, by Mr. Clegg, entitled:

"A MEMORIAL TO THE CONGRESS OF THE UNITED STATES URGING THAT NATIONAL RENT CONTROL BE ABANDONED AND THAT THE JURISDICTION OF THE SAME BE RETURNED TO THE PEOPLE AT THE EARLIEST POSSIBLE DATE, AND THAT DURING THE INTERIM ACTION BE TAKEN TO RESTORE SOME DEGREE OF ECONOMIC JUSTICE TO THE OWNERS OF RENTAL PROPERTY," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
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.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8*, by Mr. Clegg, for return to the author to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 8 was returned to the author for rewriting.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86* (rewritten), by Messrs. Day, Brockbank and Melich, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 86 (rewritten) was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 111* (rewritten), by Messrs. Brockbank and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 111 (rewritten) was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 157*, by Messrs. Fowles and Orser, recommitted to this committee for reconsideration, having referred this bill to the reference attorney, finds the same in satisfactory form.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 157 was referred back to the Committee on Agriculture and Irrigation.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 206*, by Messrs. Marthakis and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 206 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 207*, by Messrs. Marthakis and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 207 was ordered printed and referred to the Committee on Education.

February 9, 1949

Mr. President:

Your Commitee on Revision and Enrolling reports back *S. B. No. 211*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 211 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 221*, by Messrs. Day, Knight, Fowles and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 221 was ordered printed and referred to the Committee on Health and Labor.

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 228*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 228 was ordered printed and referred to the Committee on Judiciary.

February 9, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 157*, by Messrs. Fowles and Orser, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 157 was referred to the Committee on Appropriations and Claims.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 194*, by Messrs. Hopkin, Day and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 194 was referred to the Committee on Appropriations and Claims.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 13*, by Messrs. Brockbank, Marthakis and Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. J. R. No. 13 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 149*, by Messrs. Marsden and Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 203*, by Messrs. Day and Milliman, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 203 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 187*, by Mr. Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 187 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 186*, by Mr. Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 186 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 183*, by Mr. Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 183 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 155*, by Mr. Larsen, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 155 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 164*, by Mr. Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 164 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 171*, by Messrs. Knight and Burns, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 171 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 180*, by Mr. Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 180 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 51*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

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

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 52*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

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

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 53*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

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

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 54*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

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

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 55*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 55 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 56*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 56 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 57*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

February 8, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 58*, by Messrs. Day and Bailey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 49*, by Messrs. Knight, Elggren and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

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

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 79*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 190*, by Messrs. Melich and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 190 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 191*, by Messrs. Melich and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 191 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 192*, by Messrs. Melich and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 192 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 199*, by Mr. Knight, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 199 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 196*, by Messrs. Marthakis, Fowles, Milliman and Burns, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 196 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 188*, by Messrs. Fowles, Brockbank and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 188 was placed on the Second Reading Calendar.

February 9, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 200*, by Mr. McShane, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 200 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 21 By Messrs. McShane, Reese and Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 28TH LEGISLATURE OF THE STATE OF UTAH RELATING TO MEMORIALIZING THE CONGRESS OF THE UNITED STATES IN RELATION TO REPEALING THE TRANSPORTATION TAX, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 229 By Messrs. Gibbons, Jones, Orser and Reese

AN ACT TO PREVENT CONFUSION, FRAUD AND DECEPTION IN CONNECTION WITH THE MANUFACTURE, SALE AND SERVING OF OLEOMARGARINE, AND TO PROHIBIT THE MANUFACTURE, TRANSPORTATION, HANDLING, POSSESSION, SALE, USE, OR SERVING OF YELLOW OLEOMARGARINE; AND DEFINING TERMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 230 By Mr. Day

AN ACT AMENDING SECTION 105-49-4, UTAH CODE ANNOTATED 1943, RELATING TO PHYSICIANS' CERTIFICATE IN INSANITY CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 231 By Mr. Day

AN ACT AMENDING SECTION 42-1-16, UTAH CODE ANNOTATED 1943 ESTABLISHING POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION OF UTAH, CREATING A DIVISION OF MEDIATION AND PRESCRIBING DUTIES OF MEDIATOR, AND PROVISING PROCEDURE FOR ARBITRATION, MEDIATION AND CONCILIATION OF LABOR DISPUTES AND PENALTY FOR VIOLATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 232 By Mr. Day

AN ACT AMENDING TITLE 43, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 63, LAWS OF UTAH 1947, RELATING TO THE TERMS OF COMPENSATION AND OCCUPATIONAL DISEASE INSURANCE POLICIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 233 By Mr. Day

AN ACT AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED 1943, RELATING TO THE CONDUCT OF THE BUSINESS OF A BANK AND THE ESTABLISHMENT OF BRANCHES OF A BANK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8 By Mr. Clegg
(Rewritten)

AN ACT CREATING THE DEPARTMENT OF PUBLICITY AND PROMOTION, MAKING AN APPROPRIATION PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS, THEIR TERMS OF OFFICE, POWERS AND DUTIES, AND REPEALING ALL ACTS IN CONFLICT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 234 By Messrs. Jolley, Fowles and Jones

AN ACT RELATING TO THE UTAH STATE TRAINING SCHOOL; PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES TO BE APPOINTED BY THE GOVERNOR TO MANAGE AND CONTROL THE SAME; DEFINING THEIR POWERS AND DUTIES; AND AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11,

85-8-12 AND 85-8-14, UTAH CODE ANNOTATED 1943; AND REPEALING SECTION 85-8-1.10, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 235 By Messrs. Marthakis, Jolley, Fowles and Knight

AN ACT AMENDING SEC. 42-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE FIREMEN'S PENSION FUND; DESIGNATING THE SOURCE AND THE LIMITATION AS TO THE AMOUNT THEREOF; AND THE MANNER OF COLLECTING AND THE PAYMENT THEREOF TO THE STATE TREASURER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 236 By Messrs. Marthakis, Jolley, Fowles and Knight

AN ACT AMENDING SEC. 42-4-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 69, LAWS OF UTAH 1945, AND CHAPTER 61, LAWS OF UTAH 1947, RELATING TO THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO PAID AND VOLUNTEER FIREMEN, THE AMOUNT OF PAYMENT THEREOF, THE PROCEDURE IN APPLYING FOR AND GRANTING SAID PENSIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 237 By Mr. Melich

AN ACT RELATING TO THE INDEPENDENT AUDIT OF THE STATE INSURANCE FUND, STATE LAND FUNDS, AND FIREMEN'S PENSION FUNDS, AND APPROPRIATING $30,000.00 FROM THE GENERAL FUND THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

H. B. No. 6 was before the Senate for its consideration.

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

Ayes, 15; Nos, 2; Absent, 6.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jolley, Larsen, Marsden, Marthakis, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Jones (explained vote), and McShane.

Absent and not voting: Senators Bailey, excused, Gibson, Jenkins, Knight, Lund and Reese.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 54 was read the third time and placed on its final passage.

H. B. No. 54 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Jenkins, Knight and Lund.

H. B. No. 54 was returned to the House.

H. B. No. 55 was read the third time and placed on its final passage.

H. B. No. 55 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Jenkins, Knight and Lund.

H. B. No. 55 was returned to the House.

Senator Larsen moved that the Senate reconsider the vote by which *H. B. No. 6* was passed.

Motion carried.

On motion of Senator Day, *H. B. No. 6* was made a special order of business for February 16, 1949 at 3:00 p.m.

H. B. No. 52 was read the third time and placed on its final passage.

H. B. No. 52 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jones, Knight, Larsen, Marsden, Marthakis, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senator McShane.

Absent and not voting: Senators Bailey, Reese, excused, Jenkins, Jolley and Lund.

H. B. No. 52 was returned to the House.

H. B. No. 27 was read the third time and placed on its final passage.

Senator Elggren, with the aid of five Senators, requested a call of the Senate.

On motion of Senator McShane, the call was lifted.

Senator Elggren moved to amend the bill by deleting all the previous amendments made by the Senate.

Senator Elggren, with the aid of five Senators, requested a roll call.

The amendment then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Fowles, Marthakis and Milliman.

Those voting in the negative were: Senators Clegg, Day, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, and Jenkins.

H. B. No. 27 then passed on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Burns, Elggren and Marthakis.

Absent and not voting: Senators Bailey, Reese, excused, and Jenkins.

H. B. No. 27 was returned to the House.

S. B. No. 216 was read the third time and placed on its final passage.

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

Line 8, strike the word and figures "March 1, 1951" and insert in lieu thereof the word and figures "June 30, 1949".

S. B. No. 216 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senator Elggren.

Absent and not voting: Senators Bailey, Reese, excused, and Jenkins.

S. B. No. 216 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Day, *H. B. No. 42* retained its place on the Second Reading Calendar.

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

Committee report read and adopted.

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

Page 3, line 27, underline the figures "50".

On motion of Senator Day 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, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Elggren, Jenkins, Lund and Melich.

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

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, Milliman, Orser and Mr. President.

Those voting in the negative were: Senator McShane.

Absent and not voting: Senators Bailey, Reese, excused, Elggren, Jenkins, Marthakis and Melich.

H. B. No. 8 was returned to the House.

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

Committee report read and adopted.

On motion of Senator Marthakis, the House amendments to the bill were amended as follows:

Line 13, strike the word "and" and insert in lieu thereof the word "or".

Line 14, strike the word "and" and insert in lieu thereof the word "or".

Also in line 13, strike the last word "or" and insert in lieu thereof the word "and".

H. B. No. 12 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 Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Elggren, and Jenkins.

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

Committee report read and adopted.

On motion of Senator Knight, the rules were suspended and *H. B. No. 21* was read the third time and placed on its final passage.

H. B. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Bailey, Reese, excused, Elggren and Jenkins.

H. B. No. 21 was returned to the House.

On motion of Senator Knight, the Senate adjourned until February 10, 1949, at 2:00 p.m.

THIRTY-SECOND DAY

February 10, 1949

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

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

Prayer by the Chaplain.

On motion of Senator Marthakis, the Senate stood in silence for one minute as a tribute to the memory of the late Senator J. Arthur Bailey, a member of the Twenty-eighth Session of the Utah State Senate, who passed away February 10, 1949.

Senator Melich presented a brief biographical sketch eulogizing the late Senator Bailey.

February 10, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-first day and find it correct with minor amendments noted on the final copy.

Respectfully,

LORENZO E. ELGGREN,
LEWIS H. LARSEN,

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 10, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

There will be an informal meeting at 4:00 p.m. today, Thursday, in the Governor's Board Room to discuss phases of the Welfare Program.

I am respectfully requesting that as many Senators who are interested in this program and who can see their way clear to spare the time to attend this meeting.

The Chairmen of the Welfare Committee in the Senate and the House; members of the Appropriations Sub-Committee on Welfare; Dr. A. C. Lambert, designated by me to make a report on Welfare, and the

Welfare Commission, will be in attendance. Also, invitations have been extended to Grant MacFarlane, Democratic State Chairman, and Vernon Romney, Republican State Chairman, to be present.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication filed.

On motion of Senator Day, it was agreed that when the Senate adjourns today, it stand adjourned until Friday, February 11, 1949 at 2:00 p.m.

On motion of Senator McShane, *S. B. No. 200* was made a special order of business for Monday, February 14, 1949 at 2:30 p.m.

On motion of Senator Knight, the Senate resolved itself into a Committee of the Whole to hear Colonel E. W. Timberlake and students from the Utah State Agricultural College extend an invitation to the Senate to attend the U.S.A.C. Cadet Military Ball at the Utah State Agricultural College at Logan, Utah on March 5, 1949.

The Committee of the Whole was dissolved.

On motion of Senator Day, the enacting clause on *S. B. No. 87* was struck.

On motion of Senator Melich, the President appointed a Special Committee consisting of Senators Day, Burns and Gibbons, to consider all bills introduced during the present session which affect the salaries of state employees.

On motion of Senator Gibbons, the enacting clause on *S. B. No. 229* was struck.

COMMUNICATIONS FROM THE HOUSE

February 9, 1949

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. 10*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, RELATING TO A TAX TO PROVIDE FOR THE CARE, MAINTENANCE AND RELIEF OF INDIGENT PERSONS AND FOR THE ERECTION AND MAINTENANCE OF HOSPITALS AND IN-

FIRMARIES AND FOR THE EMPLOYMENT OF A SUPERINTENDENT OF COUNTY HOSPITALS AND INFIRMARIES AND FOR THE SALARY OF A COUNTY PHYSICIAN," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 10 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 11*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 48-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF TRIAL JURORS AND FIXING THEIR FEE, and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 9, 1949

Mr. President:

I am directed to inform your Honorable Body that on the 9th day of February, 1949, the Governor did veto *H. B. No. 2*, by Messrs. Doty, Young, Baker, Marble, Bonacci, Larson, Anderson, Openshaw, Aldous, and Elswood, entitled,

"AN ACT AMENDING SECTION 75-6-2, UTAH CODE ANNOTATED, 1943, RELATING TO WEBER COLLEGE, CHANGING THE NAME TO WEBER STATE COLLEGE, AND PERMITTING IT TO OFFER COMPLETE TERMINAL COURSES AND GRANT DEGREES IN THE FIELDS OF THE ARTS AND SCIENCES, BUSINESS, AND EDUCATION," and the House after considering said veto message, ordered said bill tabled.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 27*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $189,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE QUARTER ENDING MARCH 31, 1949," and requests the Senate to recede from its amendments.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Marthakis, the Senate refused to recede from its amendments to *H. B. No. 27*, and the President appointed Senators Gibson, Marsden and Orser, as a Conference Committee to confer with a like committee from the House with reference to said amendments.

February 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 44*, by Messrs. Cayias and Faust, entitled,

"AN ACT AMENDING SECTION 52-1-7 UTAH CODE ANNOTATED, 1943, AND FIXING TIME WITHIN WHICH CONTRACTORS, SUB-CONTRACTORS AND OTHER PERSONS INCLUDED IN THE ACT MUST FILE A CERTIFIED CLAIM OF LIEN, AND REQUIRING THE CLAIM TO INCLUDE A STATEMENT OF DEMAND, NAME OF EMPLOYER, AND TERMS OF CONTRACT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 54*, by Mrs. Jack, Hinton, Luke and Barton, entitled,

"AN ACT AMENDING SECTION 25-2-22, UTAH CODE ANNOTATED, 1943, FIXING THE COMPENSATION OF REGISTRATION AGENTS AT NOT TO EXCEED $5.00 PER DIEM."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, entitled,

"AN ACT AMENDING SECTION 25-6-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, ESTABLISHING METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF, AND THE APPOINTMENT AND COMPENSATION OF A CONSTABLE OF ELECTION IN EACH ELECTION DISTRICT," and requests the Senate to recede from its amendments.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Melich, the Senate refused to recede from its amendments to *H. B. No. 55*, and the President appointed Senators Jenkins, Clegg and Marthakis, as a Conference Committee to confer with a like committee from the House, with reference to said amendments.

February 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 69*, by Messrs. Cope and Cannon, entitled,

"AN ACT AMENDING SECTION 1 AND SECTION 4, CHAPTER 62, LAWS OF UTAH 1947, RELATING TO AUTHORIZATION OF FINANCE COMPANIES TO WRITE MOTOR VEHICULAR INSURANCE SUBJECT TO CERTAIN RESTRICTIONS AND LIMITING TO TYPES OF INSURANCE TO BE SOLD AND PROVIDING FOR THE EXTENSION OF THE AUTHORIZATION THEREOF TO AND INCLUDING THE FIRST DAY OF JULY, 1951; SUBJECTING FINANCE COMPANIES TO SECTIONS 43-12-4 AND 8 AND SECTION 43-13, CHAPTER 63, LAWS OF UTAH 1947," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 69 was referred to the Committee on Banking and Commerce.

COMMUNICATIONS

February 9, 1949

Hon. Alonzo F. Hopkin
President Utah Senate
Building

Dear President Hopkin:

At a meeting of the Board of Examiners held on Saturday, February 5, 1949, the State Engineering Commission reported that it has overspent its budget for maintenance of roads to the extent of approximately $235,000.00 They also reported that if the present difficult weather conditions continue for another month, they will overspend their budget for maintenance by an additional $100,000.00. In other words, the Engineering Commission is faced with a probable deficit for maintenance of roads in an amount of approximately $335,000.00.

Because of the announced policy of the Board of Examiners not to allow any deficit appropriations while the Legislature is in session, the Engineering Commission was advised that this matter would be brought to the attention of both Houses.

The Board of Examiners suggests that you refer this matter to the Joint Committee on Appropriations and Claims.

Yours very truly,

STATE BOARD OF EXAMINERS
J. Bracken Lee
Heber Bennion, Jr.
Clinton D. Vernon

Communication filed.

Referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

February 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 212*, by Messrs. Fowles, Melich and Marthakis, entitled:

"AN ACT APPROPRIATING $40,000.00 TO THE UTAH STATE INSTITUTE OF FINE ARTS FOR THE UTAH SYMPHONY ORCHESTRA," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 212 was signed by the President in open session in the presence of the Senate and was transmitted to the House for signature of the Speaker.

February 10, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 225*, by Messrs. Jolley, Fowles and Jones, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 225 was ordered printed and referred to the Committee on Education.

February 10, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 227*, by Mr. Day, and recommends that it be returned to the author to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 227 was returned to the author for rewriting.

February 10, 1949

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 201*, by Mr. Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES E. BURNS,
Chairman.

Report filed.

S. B. No. 201 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 210*, by Mr. Jolley, has noted the amounts on the records of the Joint Committee, and reports the bill back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 210 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 157*, by Messrs. Fowles and Orser, has noted the amount of the appropriation on the records of the Joint Committee, and reports the bill back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 157 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 194*, by Messrs. Hopkin, Day and Gibson, has noted the amount of the appropriation on the records of the Joint Committee, and reports the bill back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 194 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 14*, by Mr. Larson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

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

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 86*, by Mr. Bonacci, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

H. B. No. 86 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 94*, by Committee on Municipal and County Affairs, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

H. B. No. 94 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 95*, by Committee on Municipal and County Affairs, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

H. B. No. 95 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 96*, by Committee on Municipal and County Affairs, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

H. B. No. 96 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 208*, by Mr. Jones, has carefully considered said bill and reports the same out favorably with the recommendation for the following amendment: "provisions of this bill shall be retroactive as of January 10, 1949."

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 208 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal affairs, to which was referred *S. B. No. 161*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 161 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 176* (rewritten), by Messrs. Elggren, Knight, Brockbank and Jolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 176 (rewritten) was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 20*, by Mr. Knight, has carefully considered said resolution and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. J. R. No. 20 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 184*, by Mr. Knight, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 184 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 185*, by Mr. Knight, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 185 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 204*, by Messrs. Day and Milliman, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman

Report filed.

S. B. No. 204 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 19*, by Messrs. McShane and Day, has carefully considered said resolution and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. J. R. No. 19 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 177*, by Messrs. Reese, McShane and Larsen, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 177 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 134*, by Messrs. Milliman, Reese and Marsden, has carefully considered said bill and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 134 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 193*, by Messrs. Marthakis, Brockbank and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 193 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 189*, by Committee on State and Municipal Affairs, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 189 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 182*, by Mr. Knight, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 182 was placed on the Second Reading Calendar.

February 10, 1949

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. J. R. No. 17*, by Messrs. McShane, Jenkins, Day, Fowles and Jones, has carefully considered said resolution and reports the same out unfavorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. J. R. No. 17 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 22 By Messrs. Elggren, Brockbank and Marthakis

A JOINT RESOLUTION OF CONDOLENCE TO RUTH BAILEY UPON THE DEATH OF HER HUSBAND, SENATOR J. ARTHUR BAILEY, was read the first time.

On motion of Senator Marthakis the rules were suspended and *S. J. R. No. 22* was read the second and third times and placed on its final passage.

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

Ayes, 20; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Reese, excused, and Larsen.

S. J. R. No. 22 was transmitted to the House.

On motion of Senator Elggren, *S. J. R. No. 22* was ordered printed in full in the Journal.

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

WHEREAS, the all wise Creator in His infinite wisdom has seen fit to call to his eternal reward our esteemed colleague and warm friend, Senator J. Arthur Bailey, and

WHEREAS, we the members of the twenty-eighth session of the Legislature of the state of Utah are deeply grieved to learn of his untimely passing and do keenly sympathize with his devoted wife and family in their bereavement,

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the state of Utah extend to Mrs. Ruth Bailey and to her family our sincere sympathy and condolence in this hour of bereavement.

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this Resolution to Mrs. Ruth Bailey and her family.

On motion of Senator Day, the poem of G. Gwen Kelsey, Senate messenger, in tribute to the late Senator J. Arthur Bailey, was ordered printed in the Senate Journal.

The finest tribute we can pay
Unto our Senator, dead today,
Is not a wreath of flowers, white or red,
In memory of the life he gave,
It is to stand beside his chair
Each with bowed head reflecting there,
Just what it is he would have us do,
And pledge ourselves as comrades true.

Our hearts must be the roses red,
We place above our Senator's head,
Today beside his chair we must
Renew allegiance in his trust,
Must bare our heads and humbly say,
We hold his philosophy dear today
And stand, as he has stood, to die,
To keep his party standards high.

The finest tribute we can pay,
Unto our Senator dead today,
Is to do the things he would have done,
Had not the master called him home.

INTRODUCTION OF BILLS

S. B. No. 227 By Mr. Day
(Rewritten)

AN ACT RELATING TO COMPENSATION AND OCCUPATIONAL DISEASE INSURANCE POLICIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 238 By Mr. Burns

AN ACT MAKING AN APPROPRIATION TO THE STATE ROAD COMMISSION, FOR THE PURPOSE OF MAINTAINING HIGHWAYS DURING THE PRESENT STORM EMERGENCY AND TO MEET A DEFICIT CAUSED BY SUCH EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 239 By Messrs. Day, Burns and Marthakis

AN ACT TO BE KNOWN AS SECTION 103-25-1A, UTAH CODE ANNOTATED 1943, RELATING TO GAMBLING EQUIPMENT AND PROVIDING THAT GAMBLING EQUIPMENT AND DEVICES SUB-

JECT TO DESTRUCTION MAY BE SOLD AND THE PROCEEDS THEREOF PAID INTO THE TREASURY OF LOCAL GOVERNING BODIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 240 By Mr. McShane

AN ACT AMENDING SECTION 36-8-1, 36-8-2, 36-8-3, AND 36-8-5, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION 36-8-5.1, UTAH CODE ANNOTATED 1943, RELATING TO THE STATE HIGHWAY PATROL, THE SUPERINTENDENT THEREOF, AND PROVIDING FOR THE SUPERVISION OF THE PATROL BY THE STATE ROAD COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 241 By Mr. McShane

AN ACT AMENDING SECTIONS 1, 2, 3, AND 5 OF CHAPTER 68, LAWS OF UTAH 1943, RELATING TO THE GIVING OF PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES WHEN THE OPERATORS' OR CHAUFFEURS' LICENSE OR OWNERS' REGISTRATION IS SUSPENDED OR REVOKED UPON PROOF OF FAILURE TO SATISFY JUDGMENT FOLLOWING A TRAFFIC ACCIDENT AND PROVIDING FOR THE ADMINISTRATION THEREOF BY THE STATE ROAD COMMISSION, AND REPEALING SECTION 4 OF CHAPTER 68, LAWS OF UTAH 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 242 By Mr. McShane

AN ACT AMENDING SECTIONS 57-4-3 AND 57-4-22, UTAH CODE ANNOTATED 1943 RELATING TO THE LICENSING OF MOTOR VEHICLE OPERATORS AND CHAUFFEURS, THE DEFINITIONS PERTAINING THERETO; PROVIDING FOR THE ADMINISTRATION THEREOF BY THE STATE ROAD COMMISSION, AND PROVIDING FOR HEARINGS RELATIVE TO SUSPENSION, REVOCATION OR CANCELLATION OF LICENSES BY MEMBERS OF THE STATE ROAD COMMISSION OR ITS AUTHORIZED AGENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 243 By Mr. McShane

AN ACT AMENDING SECTION 36-2-4, UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS 36-2-4.1, 36-2-4.2, 36-2-4.3, AND 36-2-4.4, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ROAD COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

H. B. No. 42 was before the Senate for its consideration.

On motion of Senator Day the bill was amended by deleting all the House amendments.

H. B. No. 42 was placed on the Third Reading Calendar on the following roll call:

Ayes, 17; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Orser and Mr. President.

Absent and not voting: Senators Reese, excused, Clegg, Knight, Melich and Milliman.

CONSIDERATION OF BILLS ON THIRD READING

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

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

Ayes, 18; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Reese, excused, Jolley, Knight and Milliman.

H. B. No. 12 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 29 was read the second time.

Committee report read and adopted.

H. B. No. 29 was placed on the Third Reading Calendar on the following roll call:

Ayes, 19; Nos, 2; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson (explained vote), Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Knight and McShane.

Absent and not voting: Senator Reese, excused.

On request of Senator Gibbons, *S. B. No. 229* was withdrawn from the Committee on Revision and Enrolling and returned to the author.

H. B. No. 78 was read the second time.

Committee report read and adopted.

H. B. No. 78 was placed on the Third Reading Calendar on the following roll call:

Ayes, 21; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg (explained vote), Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senator Reese, excused.

Senator Elggren moved that the Senate do adjourn on the day of the funeral of the late Senator J. Arthur Bailey, to attend the funeral services in a body.

Motion carried.

On motion of Senator Marthakis, the Senate adjourned.

THIRTY-THIRD DAY

February 11, 1949

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

Roll Call—All Senators present except Senators Jolley, Marsden and Milliman, excused.

Prayer by the Chaplain.

February 11, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-second day and find it correct with minor amendment noted on the final copy.

Respectfully,

LORENZO E. ELGGREN,

LEWIS H. LARSEN,

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor on this day approved and transmitted to the Secretary of State, *H. B. No. 19*, by Mr. Dean, entitled,

"AN ACT APPROPRIATING $3,400 FROM THE GENERAL FUND OF THE STATE TREASURY TO THE STATE BOARD FOR VOCATIONAL EDUCATION FOR THE PURCHASE OF EQUIPMENT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 10, 1949

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. 22*, by Messrs. Elggren, Brockbank and Marthakis, entitled,

"A JOINT RESOLUTION OF CONDOLENCE TO RUTH BAILEY UPON THE DEATH OF HER HUSBAND, SENATOR J. ARTHUR BAILEY," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 22 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 4*, by Messrs. Clegg, Bailey, Knight, Melich and Elggren, entitled,

"AN ACT AMENDING SECTION 93-1-4 AND 93-1-5, UTAH CODE ANNOTATED 1943, PERTAINING TO EXCISE TAX ON TOBACCO (AND OLEOMARGARINE)," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 4 was filed.

February 10, 1949

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. 30*, by Messrs. Melich and Fowles, entitled,

"AN ACT CREATING A BOARD OF FIVE MEMBERS, WHICH SHALL BE KNOWN AS THE STATE BOARD ON ALCOHOLISM, WHOSE DUTIES IT SHALL BE TO INVESTIGATE THE CAUSES OF ALCOHOLICS AND ALCOHOLISM AND TO COOPERATE WITH THE UTAH STATE COMMITTEE FOR EDUCATION ON ALCOHOLISM AND ALCOHOLICS ANONYMOUS AND PROVIDING FOR AN APPROPRIATION THEREFOR," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 30 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 10, 1949

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. 212*, by Messrs. Fowles, Melich and Marthakis, entitled,

"AN ACT APPROPRIATING $40,000.00 TO THE UTAH STATE INSTITUTE OF FINE ARTS FOR THE UTAH SYMPHONY ORCHESTRA," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 212 was transmitted to the Governor.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. J. R. No. 5*, by Messrs. Larsen and Tippetts, entitled,

"A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 8, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE CONTROL AND SUPERVISION OF THE PUBLIC SCHOOL SYSTEM, BY THE STATE BOARD OF

EDUCATION AND THE APPOINTMENT BY THE STATE BOARD OF EDUCATION OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 5 was read the first time and referred to the Committee on Education.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 6*, by Messrs. Larson and Tippetts, entitled,

"A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 1, 10 AND 20 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE STATE EXECUTIVE DEPARMENT, TERMS, RESIDENCE, AND DUTIES OF OFFICERS; THE GOVERNOR'S APPOINTIVE POWER IN FILLING OF VACANCIES IN CERTAIN OFFICES; AND THE COMPENSATION OF STATE OFFICERS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 6 was read the first time and referred to the Committee on State and Municipal Affairs.

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 7*, by Messrs. Davis and Faust, entitled,

"AN ACT AMENDING SECTION 28-2-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47 LAWS OF UTAH 1945, RELATING TO FEES TO BE CHARGED BY COUNTY RECORDER."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 12*, by Messrs. Murch and Davis, entitled,

"AN ACT PROVIDING FOR THE MANNER IN WHICH THE UTAH CENTENNIAL COMMISSION SHALL DISPOSE OF ALL PROPERTY HELD BY IT AFTER THE CLOSING OF THE CENTENNIAL OBSERVANCE."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 26*, by Mrs. Jack, Messrs. Cannon and Walker, entitled,

"AN ACT AMENDING 21-0-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 37, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1947, RELATING TO COMPENSATION OF COURT REPORTERS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 26 was read the first time and referred to the Committee on Judiciary.

February 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 52*, by Mr. Rees, entitled,

"AN ACT AMENDING SECTION 48-0-16, UTAH CODE ANNOTATED 1943, RELATING TO THE FILLING OF VACANCIES AND THE PER DIEM SALARY OF A JURY COMMISSIONER."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 11, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 22*, by Messrs. Elggren, Brockbank and Marthakis, entitled:

"A JOINT RESOLUTION OF CONDOLENCE TO RUTH BAILEY UPON THE DEATH OF HER HUSBAND, SENATOR J. ARTHUR BAILEY," has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 22 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 11, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 11*, by Mr. Melich, entitled:

"AN ACT AMENDING SECTION 48-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF TRIAL JURORS AND FIXING THEIR FEE," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 11 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 10*, by Mr. Melich, entitled:

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, RELATING TO A TAX TO PROVIDE FOR THE CARE, MAINTENANCE AND RELIEF OF INDIGENT PERSONS AND

FOR THE ERECTION AND MAINTENANCE OF HOSPITALS AND INFIRMARIES AND FOR THE EMPLOYMENT OF A SUPERINTENDENT OF COUNTY HOSPITALS AND INFIRMARIES AND FOR THE SALARY OF A COUNTY PHYSICIAN," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 10 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 11, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 30*, by Messrs. Melich and Fowles, entitled:

"AN ACT CREATING A BOARD OF FIVE MEMBERS, WHICH SHALL BE KNOWN AS THE STATE BOARD ON ALCOHOLISM, WHOSE DUTIES IT SHALL BE TO INVESTIGATE THE CAUSES OF ALCOHOLICS AND ALCOHOLISM AND TO COOPERATE WITH THE UTAH STATE COMMITTEE FOR EDUCATION ON ALCOHOLISM AND ALCOHOLICS ANONYMOUS AND PROVIDING FOR AN APPROPRIATION THEREFOR," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 30 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

INTRODUCTION OF BILLS

S. B. No. 244 By Mr. Hopkin

AN ACT AMENDING SECTION 30-0-47, UTAH CODE ANNOTATED 1943, DEFINING GAME ANIMALS, AND SPECIFYING THE HUNTING SEASON THEREOF, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Fowles moved that the President appoint a Sifting Committee consisting of seven members, said committee to begin its functions at the end of the 36th legislative day, and that all bills on the Second Reading Calendar at the end of the said 36th legislative day and all bills subsequently reported by standing committees be referred to this committee.

Motion carried.

Senator Melich moved that the President appoint a Committee consisting of two Senators to meet with the Governor and a like Committee from the House to discuss proposed legislation with respect to the Upper Colorado River Basin Compact.

Motion carried.

The President appointed Senators Melich and Orser to serve as the Committee on Upper Colorado River Basin Compact legislation.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 1 was read the third time and placed on its final passage.

On motion of Senator Clegg, the enacting clause on *S. J. R. No. 1* was amended as follows:

After the word "Utah" strike the words "two-thirds of all members elected to each of the two" and insert in lieu thereof the word "both".

On motion of Senator Fowles, *S. J. R. No. 1* was made a special order of business for Monday, February 14, 1949 at 2:30 p.m.

President Hopkin recognized former Senator Gordon Weggeland, who addressed the Senate briefly.

S. J. M. No. 1 was read the third time and placed on it final passage.

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

Ayes, 17; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jones, Knight, Larsen, Lund, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused, Fowles and Melich.

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

S. B. No. 18 was read the third time and placed on its final passage.

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

Page 1, line 14, after the word "or" strike the words "hereafter provided by law" and insert in lieu thereof "be transferred to the general fund".

S. B. No. 18 then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jones, Knight, Larsen, Lund, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused, Fowles and Melich.

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

S. B. No. 65 was read the third time and placed on its final passage.

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

Strike the words "or unlawfully killing wild life" from the previous amendment.

After the word "damaged" insert the words "not to exceed the sum of $500.00".

S. B. No. 65 then passed on the following roll call:

Ayes, 17; Nos, 2; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jones, Knight, Lund, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Elggren and Larsen.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused.

Senator Brockbank moved that the Senate reconsider the vote by which *S. B. No. 65* was passed.

Motion carried.

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

Delete the previous amendment inserting the words "not to exceed the sum of $500.00" after the word "damaged" and in lieu thereof, change the period after the word "damaged" to a comma and insert "provided however, not to exceed the sum of $500.00".

S. B. No. 65 then passed on the following roll call:

Ayes, 16; Nos, 2; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Gibbons, Gibson, Jenkins, Jones, Knight, Lund, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Elggren and Larsen.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused, and Fowles.

S. B. No. 65 was transmitted to the House.

S. R. No. 4 was read the third time and placed on its final passage.

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

Ayes, 16; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jones, Knight, Larsen, Lund, McShane, Melich, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Burns, Elggren and Marthakis.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused.

S. R. No. 4 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

H. B. No. 42 was read the third time and placed on its final passage.

H. B. No. 42 then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused, Gibson and Reese.

H. B. No. 42 was returned to the House.

On motion of Senator Day, the enacting clause on *S. B. No. 61* was struck.

H. B. No. 29 was read the third time and placed on its final passage.

H. B. No. 29 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson (explained vote), Jenkins,

Jones, Knight (explained vote), Larsen, Lund, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused.

H. B. No. 29 was returned to the House.

On motion of Senator Brockbank, the enacting clause on *S. B. No. 16* was struck.

H. B. No. 78 was read the third time and placed on its final passage.

H. B. No. 78 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Jolley, Marsden, and Milliman, excused.

H. B. No. 78 was returned to the House.

On motion of Senator Day, the enacting clause on *S. B. No. 68* was struck.

On motion of Senator Melich, the enacting clause on *S. B. No. 70* was struck.

COMMUNICATIONS FROM THE GOVERNOR

February 11, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

I am returning to your Honorable Body *Senate Bill No. 212*, entitled, "AN ACT APPROPRIATING $40,000.00 TO THE UTAH STATE INSTITUTE OF FINE ARTS FOR THE UTAH SYMPHONY ORCHESTRA," without my approval.

The reason for the veto action on this measure is basically the same as that expressed by me in my disapproval of *H. B. No. 2*. In brief, the reason is that certain fundamental and essential functions of govern-

ment must receive priority in the expenditure of our revenues, and that the State must live within its income.

A copy of the veto message concerning *H. B. No. 2* is attached.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication filed.

On motion of Senator Melich, consideration of *S. B. No. 212*, being before the Senate by reason of the Governor's veto message, was made a special order of business for Tuesday, February, 15, 1949 at 3:00 p.m. to follow the consideration of *S. J. R. No. 1*.

COMMUNICATIONS FROM THE HOUSE

February 11, 1949

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. 22*, by Messrs. Elggren, Brockbank and Marthakis, entitled,

"A JOINT RESOLUTION OF CONDOLENCE TO RUTH BAILEY UPON THE DEATH OF HER HUSBAND, SENATOR J. ARTHUR BAILEY," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 22 was transmitted to the Secretary of State.

Senator Day moved that the Senate assemble at the Larkin Mortuary on Monday, February 14, 1949 at 1:50 p.m. to attend the funeral of the late Senator J. Arthur Bailey.

Motion carried.

On motion of Senator Knight, it was agreed that when the Senate adjourns today, it stand adjourned until Tuesday, February 15, 1949 at 10:00 a.m.

On motion of Senator Day, the Senate adjourned.

THIRTY-SEVENTH DAY

MORNING SESSION

February 15, 1949

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

Roll Call -All Senators present except Senators Jolley and Jones, excused, and Marsden.

Prayer by the Chaplain.

February 15, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-third day and find it correct with minor amendments noted on the final copy.

Respectfully,

LORENZO E. ELGGREN,

LEWIS H. LARSEN,

Report adopted and filed.

COMMUNICATIONS

STATE OF UTAH
EXECUTIVE DEPARTMENT
Secretary of State's Office

I, HEBER BENNION, JR., SECRETARY OF STATE OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT His Excellency, J. Bracken Lee, Governor of the State of Utah, in pursuance of law did issue on February 14, 1949, a Proclamation appointing Mrs. A. C. Jensen of Sandy, Salt Lake County, Utah, to serve as a member of the State Senate from the Sixth Senatorial District for the remainder of the unexpired term of Honorable J. Arthur Bailey, deceased, ending December 31, 1952.

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 14th DAY OF FEBRUARY, 1949.

HEBER BENNION, JR.,
Secretary of State

Communication filed.

Chief Justice Eugene E. Pratt, of the Supreme Court of Utah, then administered the oath of office to Mrs. A. C. Jensen.

On motion of Senators Fowles, a record of the funeral services of the late Senator J. Arthur Bailey, a member of the Twenty-eighth Session of the Utah State Legislature were entered in the Journal:

Services were held at 260 East South Temple on Monday, February 14, 1949 at 2:00 p.m., the Senate attending in a body.

The services were conducted by Senate Chaplain, C. Clarence Neslen.

The invocation was offered by J. Thomas Fyans, bishop, Butler Ward, Church of Jesus Christ of Latter-day Saints, and Elmer Christensen, former bishop, East Mill Creek Ward, pronounced the benediction.

His Excellency Governor J. Bracken Lee and Hon. Delbert M. Draper, one the late Senator Bailey's law partners, eulogized Senator J. Arthur Bailey.

Resolutions of condolence were read by Senate President Alonzo F. Hopkin, representing the Utah State Senate, Fred L. Finlinson, representing the Salt Lake County Bar Association, and Parnell Black, chairman, Salt Lake County Democratic Committee.

Active pallbearers were Russell M. Miller, J. Richard Mulliner, David T. Lewis, R. B. Porter, Jr., Fred L. Finlinson and H. F. Benson, Jr.

Burial was in the Wasatch Lawn Memorial Park.

On motion of Senator Marthakis, the resolution of respect and condolence by the Committee of the Salt Lake County Democratic Committee was ordered printed in the Journal:

In the very May of life another heart has ceased to beat -night has fallen on noon and in our sorrow we could well embrace the poetic philosophy:

"Ah Love! Could you and I with Him conspire
To Grasp this sorry Scheme of Things entire,
Would not we shatter it to bits -- and then
Re-mould it nearer to the Heart's Desire!"

But "Man that is born of a woman is of few days and full of trouble. He cometh forth like a flower and is cut down. He fleeth also as a shadow and continueth not. Thou has appointeth his bounds that he cannot pass." It is decreed unto all men once to die and no man can forfeit his proper share in the inheritance of the grave. Truly, death is the conqueror of all men. He is in his operations alike irrespective of age, of sex, of condition, of time, of circumstance, of occasion.

During that short span of days, which we in mortality call life, our desires, tastes, talent, and associations lead us into friendships, ambitions, love, trouble and accomplishments. We note differences in men, and make classifications and distinctions between them. But such things

as dislikes, disagreements and intolerances are transitory. A wise creator providentially provided that only those thoughts and traits that are clean and pure and true shall be permitted to survive to exert an influence upon future generations. And so an irrevocable decree issued from the throne of all wisdom that man must die, and those things which are of the earth shall to the earth return. When man shuffles off his mortal coil, the petty things, the weaknesses, the frailties of his life, the sins of his body, those things which man does, or which he seems to be, because of the necessity of expressing himself through a physical medium, those things like his mortal breath end with mortal death.

The only true appraisal of a man therefore is an appraisal of those ambitions, ideals and reactions which we commonly call Things of the Spirit, where the mouth speaketh out of the abundance of the heart. Such an appraisal is the measure of a man in those traits and characteristics which endure after death and stamp their imprint and leave their influence upon future generations.

On February 10, 1949, the monarch of the tomb stretched forth an irresistible hand and took into his own domain all that was earthly of John Arthur Bailey. But the real Art, the personality and the individuality that we knew and admired and loved, He could not take from us. That remains as a part of the warp and woof of our lives. He is an integral part of the thoughts, the outlook, the achievements, and the visions of all of us who knew him. Indelibly he stamped himself upon our hearts and upon our minds.

He loved his country, his fellow men, his wife and children, and was loved by one and all alike. This is enough. The longest life contains no more. This fills the vase of joy. John Arthur Bailey was a kind and loving husband, a good father, a generous neighbor, an honest man, and these build a monument of glory upon the humblest grave. He was always a child, sincere and frank, as full of hope as spring.

He divided all time into today and tomorrow. Tomorrow was without a cloud and of tomorrow he borrowed sunshine for today.

His loyalty to his family, his causes, his principles, his ideals and friends transcended all of his emotions, virtues and vices. He bore no rancor, disdained all disloyal arts, did his public duty uprightly and died at his work and in the love and affection of all.

It is in the hope that we might preserve for those who follow us a glimpse of the noble soul who has outsoared the shadow of our night, a member of the Bar, a member of the State Senate and a former Chairman of the Salt Lake County Democratic Committee, that we present these memorial resolutions:

BE IT RESOLVED that we express our profound sorrow at the passing of the Honorable John Arthur Bailey, and acknowledge our gratitude for his contributions to our lives and our understandings, and for an example of fealty to the highest ideals and traditions of our time and generation.

Let this tribute and this resolution be entered upon the records of the Salt Lake County Democratic Committee and a copy transmitted by the Secretary of that Comittee to the surviving members of his family.

By the Committee,

Parnell Black, County Chairman
Senator P. S. Marthakis
Representative Mrs. Louie C. Mitchell
Representative Mrs. C. L. Jack

COMMUNICATIONS FROM THE HOUSE

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that on February 11, 1949, the Governor approved and transmitted to the Secretary of State *H. B. No. 11*, by Messrs. W. G. Larson, Bonacci and Bell, entitled,

"AN ACT AMENDING SECTION 49-14-7, UTAH CODE ANNOTATED, 1943, RELATING TO AND PROHIBITING EMPLOYERS REQUIRING PHYSICAL EXAMINATIONS FROM EMPLOYEES OR PERSONS APPLYING FOR, OR ACCEPTING EMPLOYMENT, UNLESS ALL MEDICAL FEES AND EXPENSES INCIDENT THERETO ARE PAID BY EMPLOYER."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor on this day approved and transmitted to the Secretary of State, *H. B. No. 58*, by Mesdames Jack, Mitchell and Messrs. Rees and Walker, entitled,

"AN ACT AMENDING SECTION 25-6-16, UTAH CODE ANNOTATED, 1943, RELATING TO DESIGNATION OF POLLING PLACES, PROVIDING FOR BOOTHS, AND PROVISIONS THEREFOR AND ARRANGEMENT THEREOF."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 11, 1949

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. 10*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, RELATING TO A TAX TO PROVIDE FOR THE CARE, MAINTENANCE AND RELIEF OF INDIGENT PERSONS AND FOR THE ERECTION AND MAINTENANCE OF HOSPITALS AND INFIRMARIES AND FOR THE EMPLOYMENT OF A SUPERINTENDENT OF COUNTY HOSPITALS AND INFIRMARIES AND FOR THE SALARY OF A COUNTY PHYSICIAN." and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

February 11, 1949

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 Mr. Melich, entitled,

"AN ACT AMENDING SECTION 48-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF TRIAL JURORS AND FIXING THEIR FEE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

February 11, 1949

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. 30*, by Messrs. Melich and Fowles, entitled,

"AN ACT CREATING A BOARD OF FIVE MEMBERS, WHICH SHALL BE KNOWN AS THE STATE BOARD ON ALCOHOLISM, WHOSE DUTIES IT SHALL BE TO INVESTIGATE THE CAUSES OF ALCOHOLICS AND ALCOHOLISM AND TO COOPERATE WITH THE UTAH STATE COMMITTEE FOR EDUCATION ON ALCOHOLISM AND ALCOHOLICS ANONYMOUS AND PROVIDING FOR AN APPROPRIATION THEREFOR." and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 30 was transmitted to the Governor.

February 11, 1949

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 Jack, Stewart and Bagnall, to act with a like Committee from the Senate to consider *H. B. No. 27*, by Mrs. Jack, entitled,

"AN ACT APROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $189,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE QUARTER ENDING MARCH 31, 1949."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 42*, by Messrs. Anderson and Aldous, entitled,

"AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 11, 1949

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 Ingleby, Jack and Aldous, to act with a like Committee from the Senate to consider *H. B. No. 55*, by Mrs. Jack, Messrs. Cope, Ingleby, Baker and Elswood, entitled,

"AN ACT AMENDING SECTION 25-6-10, UTAH CODE ANNOTATED 1943, AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, ESTABLISHING METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF, AND THE APPOINTMENT AND COMPENSATION OF A CONSTABLE OF ELECTION IN EACH ELECTION DISTRICT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 106*, by Messrs. Bell, and O. W. Young, entitled,

"AN ACT AMENDING SECTION 5, CHAPTER 75, LAWS OF UTAH 1943, INCREASING FROM $20,000 TO $30,000 THE LIMITATION ON THE EXPENSE OF ADMINISTRATION OF THE SCHOOL LUNCH FUND," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 106 was referred to the Committee on Education.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 127*, by Mr. Anderson, entitled,

"AN ACT ADDING A NEW SECTION TO BE KNOWN AS 30-0-12A PROVIDING FOR THE PURCHASE OF A VISIBLE LICENSE TO BE WORN AT ALL TIME WHILE HUNTING AND FISHING," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 127 was referred to the Committee on Fish and Game.

February 11, 1949

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. 35*, by Messrs. Aldous and White, entitled,

"AN ACT AMENDING SECTION 30-0-60, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE PROTECTION OF UNDESTUCTIVE BIRDS WITH CERTAIN EXCEPTIONS, AND A PENALTY FOR VIOLATION OF THE ACT," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 35 was referred to the Committee on Fish and Game.

February 11, 1949

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. 59*, by Mr. Anderson, entitled,

"AN ACT AMENDING SECTION 30-0-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, REQUIRING ALIENS NOT RESIDING IN THE STATE MORE THAN FIFTEEN YEARS TO PAY $12 FOR A FISH AND GAME LICENSE AND OTHER ALIENS TO PAY SAME FEE AS RESIDENT CITIZEN," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 59 was referred to the Committee on Fish and Game.

February 11, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 116*, by Mr. Bell, entitled,

"AN ACT AMENDING SECTION 30-0-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, CHAPTER 45, LAWS OF UTAH 1945, AND CHAPTER 42, LAWS OF UTAH, 1947, RELATING TO QUALIFICATIONS OF APPLICANTS FOR HUNTING AND FISHING LICENSES, PAYMENT AND USE OF FEES AND PERMITTING RESIDENTS OVER 65 TO PROCURE PERMIT UPON PROOF OF AGE AND PAYMENT OF A 10 CENT FEE," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 116 was referred to the Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

February 15, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 4*, by Mr. Clegg, entitled,

"A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CONGRESS OF THE UNITED STATES NOT TO PASS CERTAIN LEGISLATION NOW PENDING BEFORE THE NATIONAL CONGRESS WHICH IN EFFECT PROVIDES FOR STATE MEDICINE BUT RATHER TO ENCOURAGE PRIVATE COOPERATIVE HEALTH INSURANCE." has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

February 11, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 197*, by Mr. Marsden, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 197 was referred to the Committee on Appropriations and Claims.

February 14, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 214*, by Messrs. Knight and Marthakis, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 214 was referred to the Committee on Appropriations and Claims.

February 11, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 175*, by Messrs. Day and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 175 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 174*, by Messrs. Day and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 174 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 173*, by Messrs. Day and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 173 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 198*, by Mr. Marsden, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 198 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 146*, by Messrs. Marthakis, Knight, Brockbank, and Bailey, has carefully considered said bill and reports the same out favorably.

Respectfully,

NEWELL KNIGHT,
Chairman.

Report filed.

S. B. No. 146 was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 158*, by Messrs. Brockbank, Burns, Elggren, Fowles, Jolley and Knight, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 158 was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 225*, by Messrs. Jolley, Fowles and Jones, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 225 was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 141* (rewritten), by Messrs. Marthakis and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 141 (rewritten) was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 207*, by Messrs. Marthakis and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 207 was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Education, to which was referred *H. J. R. No. 5*, by Messrs. Larson and Tippets, has carefully considered said resolution and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

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

February 15, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 53*, by Messrs. Anderson, Woolley and Aldous, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

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

February 14, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 195*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 195 was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 209*, by Messrs. Gibson and Jolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 209 was placed on the Second Reading Calendar.

February 14, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 213*, by Mr. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 213 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 220*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 220 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 43*, by Messrs. Cayias and Faust, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

H. B. No. 43 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 17*, by Messrs. Larson, Doty, Bonacci, Bell and Roberts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

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

February 11, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 221*, by Messrs. Knight, Fowles and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 221 was placed on the Second Reading Calendar.

February 11, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 202*, by Mr. Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 202 was placed on the Second Reading Calendar.

President Hopkin appointed Senators Fowles, Brockbank, Elggren, Gibson, Lund, McShane and Melich as members of the Sifting Committee.

Senator Fowles moved that the Senate rescind its action by which the Sifting Committee was to assume its functions at the end of the 36th legislative day, and that in lieu thereof the Sifting Committee assume its functions at the end of the 37th legislative day.

Motion carried.

On motion of Senator Day, *S. B. No. 200* was made a special order of business for today at 2:15 p.m.

President Hopkin recognized former Senator Geo. H. Ryan.

PRESENTATION OF RESOLUTIONS

S. C. M. No. 2 By Mr. Day

A MEMORIAL TO THE BOARD OF DIRECTORS AND OFFICERS OF THE GENEVA STEEL COMPANY EXPRESSING THE APPRECIATION OF THE LEGISLATURE OF THE STATE OF UTAH FOR THE MANIFOLD CONTRIBUTIONS MADE BY GEN-

EVA STEEL COMPANY IN ADVANCING THE ECONOMIC WELL-BEING AND GENERAL WELFARE OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 245 By Messrs. Jenkins and Fowles

AN ACT AMENDING SECTION 75-29-15, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS; PROVIDING FOR THE TERMINATION OF A PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATION BY ELECTION OF THE MEMBERS; PROVIDING FOR THE DESIGNATION OF TRUSTEES OF THE FUNDS OF SUCH ASSOCIATION; AND PROVIDING FOR THE MANNER IN WHICH SUCH FUNDS SHALL BE DISTRIBUTED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 246 By Messrs. Jenkins and Fowles

AN ACT AMENDING SECTIONS 75-29-37; 75-29-45, UTAH CODE ANNOTATED 1943, AND SECTION 75-29-27, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947 AND SECTION 75-29-48, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 98, LAWS OF UTAH 1945, RELATING TO THE TEACHERS' RETIREMENT ACT; CLARIFYING THE METHOD OF COMPUTING BENEFITS; PROVIDING THAT ACCUMULATED CONTRIBUTIONS OF MEMBERS BE HELD IN TRUST FOR SAID MEMBERS; PROVIDING FOR FAIR AND EQUITABLE PARTICIPATION IN THE TEACHERS RETIREMENT ACT BY MEMBERS WHO ARE MEMBERS OF A LOCAL TEACHERS RETIREMENT ASSOCIATION IN THE EVENT OF DISSOLUTION OF THE SAID ASSOCIATION; AND ELIMINATING THE REDUCTION OF PENSIONS OF MEMBERS RETIRED FOR SERVICE WHO ENGAGE IN GAINFUL OCCUPATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 247 By Mr. Gibson

AN ACT AMENDING SECTIONS 55-2-5, 55-2-11, 55-2-15, AND 55-2-16, AND SUB-PARAGRAPHS (4), (10), (11), (12), AND (15) OF SECTION 55-2-8, UTAH CODE ANNOTATED 1943, RELATING TO COAL AND HYDRO-CARBON MINES AND MORE PARTICULARLY: TO THE VENTILATION THEREOF; TO THE UNDERGROUND STORAGE AND USE OF OILS AND GREASES; TO THE CERTIFICATION OF MINE FOREMEN, FIREBOSSES AND SHOTFIRERS; TO THE FILING OF CERTIFICATES BY CERTIFIED MEN AND THE ISSUANCE OF ORAL EXAMINATION CERTIFI-

CATES; AND TO THE GENERAL RULES FOR OPERATORS AND EMPLOYEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 248 By Messrs. Gibson and Fowles

AN ACT AMENDING SECTION 20-5-4, UTAH CODE ANNOTATED 1943, RELATING TO THE JURISDICTION OF JUSTICES' COURTS IN CRIMINAL CASES AND REPEALING SECTION 105-57-1, UTAH CODE ANNOTATED 1943, RELATING TO THE JURISDICTION OF JUSTICES' COURTS IN CRIMINAL CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 249 By Messrs. Gibson and Fowles

AN ACT AMENDING SECTION 20-4-14, UTAH CODE ANNOTATED 1943, RELATING TO THE JURISDICTION OF CITY COURTS IN CRIMINAL CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 250 By Messrs. Larsen and Jones

AN ACT TO PROVIDE FOR PUBLICATION OF AN ANNUAL REPORT OF RECEIPTS AND EXPENDITURES WITHIN THE STATE OF UTAH BY CHARITABLE CORPORATIONS AND ASSOCIATIONS SOLICITING FUNDS WITHIN THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 251 By Messrs. Orser and Melich

AN ACT TO PROVIDE FOR DISPOSITION BY COUNTIES OF FUNDS COLLECTED AS A TAX FOR WELFARE PURPOSES UNDER SECTION 76A-1-15, UTAH CODE ANNOTATED 1943, AND LEFT UNUSED BECAUSE OF THE PROVISIONS OF CHAPTER 92, LAWS OF UTAH 1947, PROVIDING THAT THESE FUNDS BE PLACED IN THE GENERAL FUND OF THE RESPECTIVE COUNTIES, AND AMENDING SECTION 76A-1-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 92, SECTION 1, LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 252 By Mr. Day

AN ACT AMENDING SECTION 15-6-16, UTAH CODE ANNOTATED 1943, AUTHORIZING CITY COMMISSIONERS TO POST REWARDS FOR THE APPREHENSION OF CRIMINALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 253 By Mr. Day

AN ACT AMENDING SECTION 19-5-50, UTAH CODE ANNOTATED 1943, AUTHORIZING COUNTY COMMISSIONERS TO OF-

FER REWARDS FOR THE APPREHENSION OF PERSONS CHARGED WITH CRIME IN CERTAIN CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 254 By Mr. Day

AN ACT AMENDING SUBSECTION (2) OF SECTION 40-1-2, UTAH CODE ANNOTATED 1943, AND PROVIDING WHEN ONE PARTY TO VOID MARRIAGE ACTED IN GOOD FAITH BELIEVING FORMER SPOUSE DEAD, OR WITHOUT KNOWLEDGE OF FORMER MARRIAGE OR THAT DECREE OF DIVORCE HAS NOT BECOME FINAL, PARTIES SHALL BE DEEMED LEGALLY MARRIED FROM TIME OF REMOVAL OF IMPEDIMENT TO MARRIAGE BY DEATH OR DIVORCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 255 By Messrs. Day and Fowles

AN ACT CREATING THE UTAH HIGHWAY PLANNING COMMITTEE FOR THE PURPOSE OF PREPARING A LONG-RANGE PLAN FOR THE IMROVEMENT OF THE ROADS, STREETS AND BRIDGES OF THIS STATE AND TO MAKE A REPORT THEREON, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 256 By Mr. Knight

AN ACT AMENDING SECTION 15-6-41, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 22, LAWS OF UTAH 1945, RELATING TO AND FIXING SALARIES OF OFFICERS OF CITIES OF THE FIRST CLASS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 257 By Mr. Burns

AN ACT AMENDING SECTIONS 10-0-4 AND 10-0-7 UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE UTAH STATE BUILDING BOARD AND THE SUPERINTENDENT OF CONSTRUCTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 258 By Mr. Hopkin

AN ACT APPROPRIATING $20,000 TO THE UTAH STATE INSTITUTE OF FINE ARTS FOR THE UTAH SYMPHONY ORCHESTRA, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg, the enacting clause on *S. B. No. 44* was struck.

On motion of Senator Clegg, *S. B. No. 41* retained its place on the Second Reading Calendar.

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

Committee report read and adopted.

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.

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, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Knight, Larsen, Lund, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Jenkins, Marsden and Milliman.

S. B. No. 20 was transmitted to the House.

S. B. No. 67 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 67* was read the third time and placed on its final passage.

S. B. No. 67 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese, and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Jenkins and Marsden.

Senator Day moved that the Senate reconsider the vote by which *S. B. No. 67* was passed.

Motion carried.

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

Line 3, insert the figures "104-30-12" at the beginning of the line.

S. B. No. 67 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese, and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Jenkins and Marsden.

S. B. No. 67 was transmitted to the House.

S. B. No. 71 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 71* was read the third time and placed on its final passage.

S. B. No. 71 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jensen, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Elggren, Jenkins and Marsden.

S. B. No. 71 was transmitted to the House.

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

Committee report read and adopted.

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

Line 3, remove the deletion marks.

Line 4, remove the underscoring from the word "compensation".

Line 4, remove the deletion marks after the word "is".

S. J. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

Ayes, 15; Nos, 3; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jensen, Knight, Lund, Marthakis, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Gibbons, McShane and Mr. President.

Absent and not voting: Senators Jolley, Jones, excused, Jenkins, Larsen and Marsden.

On motion of Senator Marthakis, 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 Jolley and Jones, excused.

President Hopkin appointed Senators Brockbank and Jensen to revise the Journal for the week beginning February 14, 1949.

COMMUNICATIONS FROM THE GOVERNOR

February 15, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

Herewith is the report and recommendations of the special committee appointed by me to study liquor traffic in Utah for the consideration of the Legislature.

As you perhaps know, this committee was appointed late in December as a representative group from all sections of the State. Members have given freely of their time and effort in an honest desire to study the liquor traffic in the State and to make findings in the light of their studies.

When appointed, their Chairman, Mr. Jesse R. S. Budge, received only one instruction from me. That was to function in the best interests of the State I am certain that members have carried out that assignment without deviation.

I am transmitting the committee report to you and recommend the Legislature give it immediate and careful consideration.

Respectfully yours,

J. BRACKEN LEE,
Governor.

On motion of Senator Fowles, the communication was filed.

Senator Marthakis moved that the Journal show the sincere appreciation of the Senators and their wives for the delightful banquet given them by President and Mrs. Hopkin at the Roof Garden, Utah Hotel on Monday evening, February 14, 1949.

Motion carried.

SPECIAL ORDER

S. B. No. 200, being a special order of business, was before the Senate.

On motion of Senator McShane, consideration of *S. B. No. 200* was temporarily passed until a communication from the House relative to the House action on *H. B. No. 166* is received.

S. J. R. No. 1, being a special order of business, was before the Senate.

On motion of Senator Clegg, *S. J. R. No. 1* was made a special order of business for Wednesday, February 16, 1949 at 2:15 p.m.

S. B. No. 212, being a special order of business, was before the Senate, on reconsideration.

On motion of Senator Melich, *S. B. No. 212* was made a special order of business for Wednesday, February 16, 1949, to follow the consideration of *S. J. R. No. 1*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Melich, *S. B. No. 75* was made a special order of business for Thursday, February 17, 1949 at 3:00 p.m.

On motion of Senator Melich, *S. B. No. 72* retained its place on the Second Reading Calendar.

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

Committee report read and adopted.

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

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

Those voting in the affirmative were: Senators Burns and Elggren.

Those voting in the negative were: Senators Clegg, Day (explained vote), Fowles, Gibbons, Gibson (explained vote), Jenkins, Jensen, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Reese and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Brockbank and Orser.

S. B. No. 23 was filed.

On motion of Senator Brockbank, *S. B. No. 15* was made a special order of business for Friday, February 18, 1949 at 10:30 a.m.

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

Committee report read and adopted.

S. B. No. 28 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Jenkins, Jensen, Knight, Larsen, Lund, Marthakis, Melich and Milliman.

Absent and not voting: Senators Jolley and Jones, excused, Fowles, Gibbons, Marsden, McShane, Orser, Reese, and Mr. President.

S. B. No. 85 was read the second time.

Committee report read and adopted.

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

Line 5, after the figures "57-3a-151" insert the words and figures, "Utah Code Annotated 1943".

On motion of Senator Day the rules were suspended and *S. B. No. 85* was read the third time and placed on its final passage.

S. B. No. 85 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Jenkins, Jensen, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Milliman and Reese.

Absent and not voting: Senators Jolley and Jones, excused, Gibbons, Gibson, McShane, Orser and Mr. President.

S. B. No. 85 was transmitted to the House.

On motion of Senator Clegg, *S. R. No. 5* was made a special order of business for Thursday, February 17, 1949 at 2:15 p.m.

On motion of Senator Clegg, *S. R. Nos. 6 and 7* retained their place on the Second Reading Calendar.

On motion of Senator Melich, *S. J. R. No. 6* retained its place on the Second Reading Calendar.

S. B. No. 109 was read the second time.

Committee report read and adopted.

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

Immediately beneath the enacting clause insert the words and figures "Section 1. Sec. 75-29-44, Utah Code Annotated 1943 is amended to read:"

Line 1, strike the word and figure "Section 1." and insert in lieu thereof the figures "75-29-44."

Line 6, strike the word "sixty" and insert in lieu thereof the figures "60".

Line 7, strike the words "fifty-five" and insert in lieu thereof the figures "55".

Line 8, strike the word "seventy" and insert in lieu thereof the figures "70", after the word "credited" insert deletion marks and underline the semicolon.

S. B. No. 109 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Knight, Marsden, Marthakis, McShane, Melich, Milliman, Reese and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Clegg, Larsen, Lund and Orser.

On motion of Senator Gibson, the Senate recessed for fifteen minutes.

The Senate reassembled.

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

Committee report read and adopted.

Senator Day moved that the rules be suspended and that the Senate recall *H. B. No. 59* from the Committee on Fish and Game and that it do now consider *H. B. No. 59*.

Motion carried.

H. B. No. 59 was read the second time.

On motion of Senator Day, the title was amended as follows:

Line 6, change the period to a comma and insert the words "AND PROVIDING FOR ALIENS TO CARRY AND USE FIREARMS AS PROVIDED IN THIS ACT."

H. B. No. 59 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Reese and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Brockbank, Clegg, Jenkins, Knight and Orser.

On motion of Senator Day, the enacting clause on *S. B. No. 22* was struck.

COMMUNICATIONS FROM THE HOUSE

February 15, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 166*, by Messrs. Bonacci, Murch and Kerr, entitled,

"AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945 AND CHAPTER 54, LAWS OF UTAH 1947; SECTION 42-2a-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 55, LAWS OF UTAH 1947; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH 1947; SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1943 AND CHAPTER 59, LAWS OF UTAH 1947; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1945; AND SECTIONS 42-2a-5, 6, 9, 10, 11, UTAH CODE ANNOTATED 1943 AND ENACTING NEW SECTIONS 42-2a-13.10 AND 42-2a-13.20 RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELIGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; TIME FOR APPEAL; EMPLOYER CONTRIBUTIONS—MERIT RATING; APPEALS- REVIEW; ADMINISTRATION; ADMINISTRATION FUNDS; FEDERAL FINANCING; DEFINING TERMS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 166 was read the first time.

Senator McShane moved that the rules be suspended and that the Senate do now consider *H. B. No. 166*.

Motion carried.

H. B. No. 166 was read the second time.

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

Page 23, line 9, strike the word "rgular" and insert in lieu thereof, the word "regular".

Page 47, line 13, change the period in the figures "$3.000" to a comma.

On motion of Senator McShane, the bill was corrected as follows:

Pages 25 and 39, renumber lines 21 to 32, both inclusive.

On motion of Senator Milliman the rules were suspended and *H. B. No. 166* was read the third time and placed on its final passage.

H. B. No. 166 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Knight, Marsden, Marthakis, McShane, Milliman, Reese and Mr. President.

Absent and not voting: Senators Jolley and Jones, excused, Clegg, Larsen, Lund, Melich and Orser.

H. B. No. 166 was returned to the House.

On motion of Senator McShane, the enacting clause on *S. B. No. 200* was struck.

On motion of Senator Brockbank the Senate adjourned until February 16, 1949 at 11:00 a.m.

THIRTY-EIGHTH DAY

MORNING SESSION

February 16, 1949

The Senate was called to order at 11:00 a.m. President Hopkin in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 16, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-seventh day and find it correct with minor amendments noted on the final copy.

Respectfully,

TAYLOR P. BROCKBANK,

MRS. A. C. JENSEN

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 15, 1949

Mr. President:

I am directed to inform your Honorable Body that the Acting Governor did on the 27th day of January, 1949, approve and transmit to the Secretary of State, *H. B. No. 37*, by Mr. Aldous, entitled,

"AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 30-0-54C UTAH CODE ANNOTATED, 1943, LIMITING THE NUMBER OF SPECIAL DEER PERMITS TO BE ISSUED A PERSON IN ANY YEAR."

Respectfully,

DAVID R. TREVITHICK,

Chief Clerk.

Communication filed

February 14, 1949

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 Messrs. Davis and Faust, entitled,

"AN ACT AMENDING SECTION 28-2-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47 LAWS OF UTAH 1945, RELATING TO FEES TO BE CHARGED BY A COUNTY RECORDER," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,

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.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 8*, by Messrs. Davis and Faust, entitled,

"AN ACT AMENDING SECTION 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO FEES TO BE CHARGED BY A COUNTY CLERK," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 8 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 12*, by Messrs. Murch and Davis, entitled,

"AN ACT PROVIDING FOR THE MANNER IN WHICH THE UTAH CENTENNIAL COMMISSION SHALL DISPOSE OF ALL PROPERTY HELD BY IT AFTER THE CLOSING OF THE CENTENNIAL OBSERVANCE," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 12 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 21*, by Messrs. Davis, Poulson and Openshaw, entitled,

"AN ACT AMENDING SECTION 7-7-11, UTAH CODE ANNOTATED 1943, REGARDING THE ELECTIONS, POWERS AND DU-

TIES OF DIRECTORS AND EXECUTIVE OFFICERS OF CREDIT UNIONS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 21 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 42*, by Messrs. Anderson and Aldous, entitled,

"AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 42 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 44*, by Messrs. Cayias and Faust, entitled,

"AN ACT AMENDING SECTION 52-1-7 UTAH CODE ANNOTATED, 1943, AND FIXING TIME WITHIN WHICH CONTRACTORS, SUB-CONTRACTORS AND OTHER PERSONS INCLUDED IN THE ACT MUST FILE A CERTIFIED CLAIM OF LIEN, AND REQUIRING THE CLAIM TO INCLUDE A STATEMENT OF DEMAND, NAME OF EMPLOYER, AND TERMS OF THE CONTRACT," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 44 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

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. 52*, by Mr. Rees, entitled,

"AN ACT AMENDING SECTION 48-0-16, UTAH CODE ANNOTATED 1943, RELATING TO THE FILLING OF VACANCIES AND THE PER DIEM SALARY OF A JURY COMMISSIONER," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 52 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

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. 54*, by Mrs. Jack and Messrs. Hinton, Luke and Barton, entitled,

"AN ACT AMENDING SECTION 25-2-22, UTAH CODE ANNOTATED, 1943, FIXING THE COMPENSATION OF REGISTRATION AGENTS AT NOT TO EXCEED $5.00 PER DIEM," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 54 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 14, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 51*, by Messrs. Johnson, Roberts, Marble, Albrecht and Luke, entitled,

"AN ACT AMENDING SECTION 100-2-4, 100-3-3, 100-3-16, 100-3-18, AND REPEALING 100-5-9, UTAH CODE ANNOTATED 1943, AMENDING SECTION 100-3-2, 100-3-6, 100-5-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1945, CHAPTER 134 RELATING TO WATER AND WATER RIGHTS, THEIR TRANSFER AND THE POWERS AND DUTIES OF THE STATE

ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF; AMENDING CHAPTER 3, TITLE 100, UTAH CODE ANNOTATED, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS 100-3-28, RELATING TO REPLACEMENT WELLS, AND AMENDING CHAPTER 5, TITLE 100, UTAH CODE ANNOTATED 1943, BY ADDING THERETO THREE NEW SECTIONS TO BE KNOWN AS 100-5-15, PERMITTING FILING AND RECORDING OF CLAIMS TO SURFACE WATER, SECTION 100-5-16, PERTAINING TO THE REPORTS TO THE STATE ENGINEER BY PUBLICLY OWNED UTILITIES, AND SECTION 100-5-17, PERMITTING THE STATE ENGINEER TO DETERMINE THE WATERSHED TO WHICH A PARTICULAR SOURCE IS TRIBUTARY," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 51 was referred to the Committee on Agriculture and Irrigation.

February 15, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 88*, by Messrs. Johnson, Bagnall, Tietjen and Mayers, entitled,

"AN ACT REPEALING SECTION 82C-1-19, UTAH CODE ANNOTATED 1943, RELATING TO THE CREATION OF A DIVISION OF WATER AND IRRIGATION WITHIN THE DEPARTMENT OF ENGINEERING," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 88 was referred to the Committee on Agriculture and Irrigation.

February 15, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 125*, by Messrs. Johnson, Mayers, Barton, and Rowberry, entitled,

"AN ACT AUTHORIZING THE STATE OF UTAH, OR ANY DEPARTMENT OR BOARD OR AGENCY THEREOF, COUNTIES, CITIES, AND TOWNS, OWNING OR HAVING CONTROL OF LAND OR IMPROVEMENTS THEREON, IN NEED OF WATER FOR SUCH LAND OR THE IMPROVEMENTS THEREON, OR OF FACILITIES FOR CONVEYANCE OF SUCH WATER TO SUBSCRIBE FOR OR

PURCHASE CORPORATE STOCK OF IRRIGATION COMPANIES, PIPE LINE COMPANIES, AND ASSOCIATIONS AND TO TAKE NECESSARY STEPS TO BRING LAND OWNED OR CONTROLLED BY ANY OF THEM WITHIN ANY CONSERVATION OR CONSERVANCY DISTRICT TO ALL INTENTS AND PURPOSES AS IF AN INDIVIDUAL," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 125 was referred to the Committee on Agriculture and Irrigation.

February 15, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 13*, by Mr. Bonacci, entitled,

"AN ACT AMENDING SECTION 42-1-16, UTAH CODE ANNOTATED 1943, ESTABLISHING POWERS AND DUTIES OF THE INDUSTRIAL COMMISSION OF UTAH, CREATING A DIVISION OF MEDIATION AND PRESCRIBING DUTIES OF MEDIATOR, AND PROVISING PROCEDURE FOR ARBITRATION, MEDIATION AND CONCILIATION OF LABOR DISPUTES AND PENALTY FOR VIOLATION," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 13 was referred to the Committee on Health and Labor.

Pursuant to a motion adopted by the Senate on the 37th legislative day, the following bills were referred to the Sifting Committee: S. B. Nos. 41, 75, 72, 15, S. R. No. 6, S. R. No. 7, S. J. R. No. 6, S. B. Nos. 29, 14, 100, 104, 21, 114, 84, 13, 80, 78, 83, 69, 102, 103, 128, 129, 19, 27, 59, 60, 63, 112, 113, 24, 31, 2, 7, S. R. No. 2, S. J. R. No. 7, S. J. R. No. 5, S. B. Nos. 105, 108, 107, 106, 12, 17, 91, 127, 9, 131, S. J. R. No. 11, S. B. Nos. 6, 115, 135, 137, 76, 92, 151, 152, S. R. No. 1, S. B. No. 136, S. J. R. No. 14, S. J. R. No. 15, S. B. Nos. 142, 143, 45, 40, 133, 39, 43, 46, 38, 119, 120, 122, 123, 126, 118, 117, 66, 25, 26, 62, 144, 90, 153, 132, S. J. R. No. 10, S. B. Nos. 110, 140, 163, 116, 35, 95, 96, 145, S. J. R. No. 9, S. J. M. No. 2, S. B. Nos. 37, 42, 125, 169, 99, 160, 165, 77, 82, 154, 162, S. J. R. No. 18, S. B. Nos. 97, 98,

138, 148, 181, S. J. R. No. 12, S. B. Nos. 64, 5, 147, 168, 124, 130, S. J. R. No. 16, S. B. Nos. 88, 89, 101, 139, 156, 167, 172, 178, 94, 205, H. B. Nos. 89, 114, 115, 107, S. J. R. No. 13, S. B. Nos, 149, 203, 187, 186, 183, 155, 164, 171, 180, 51, 52, 53, 54, 55, 56, 57, 58, 49, 79, 190, 191, 192, 199, 196, 188, 201, 210, 157, 194, H. B. Nos. 14, 86, 94, 95, 96, S. B. Nos. 208, 161, 176, S. J. R. No. 20, S. B. Nos. 184, 185, 204, S. J. R. No. 19, S. B. Nos. 177, 134, 193, 189, 182, S. J. R. No. 17, S. B. Nos. 175, 174, 173, 198, 146, 158, 225, 141, 207, H. J. R. No. 5, H. B. No. 53, S. B. Nos. 195, 209, 213, 220, H. B. Nos. 43, 17, S. B. Nos. 221, 202.

REPORTS OF STANDING COMMITTEES

February 15, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 81*, by Mr. Marthakis, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 81 was referred to the Sifting Committee.

February 15, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 150*, by Mr. Melich, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 150 was referred to the Sifting Committee.

February 15, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 215*, by Mr. Day, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 215 was referred to the Sifting Committee.

February 15, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 217*, by Messrs. Marsden, Gibson and Marthakis, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 217 was referred to the Sifting Committee.

February 15, 1949

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 218*, by Messrs. Marsden, Gibson and Marthakis, has carefully considered said bill, and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

S. B. No. 218 was referred to the Sifting Committee.

February 15, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 224*, by Mr. Jolley, has carefully considered said bill, and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 224 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 16, 1949

Mr. President:

Your Sifting Committee reports out the following bills to be placed on the Second Reading Calendar.

H. B. Nos. 43, 96, 95, 94, 86, 14, 114, 115, 107.

H. J. R. No. 5.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report adopted and filed.

On motion of Senator Fowles, it was agreed that the Senate adjourn today at 4:00 p.m. to hear an address by the international news commentator, Lowell Thomas.

President Hopkin appointed Mrs. A. C. Jensen to succeed the late Senator J. Arthur Bailey in all respective committees.

On motion of Senator Knight, the name of Senator Jensen was added as co-author of *S. B. No. 256*.

On motion of Senator Burns, the names of Senators Brockbank and Elggren were added as co-authors of *S. B. No. 257*.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 23 By Mr. Day

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE, MEMORIALIZING THE CONGRESS TO TAKE THE NECESSARY STEPS TO ENFORCE THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE NAVAJO TRIBE ON INDIANS PROCLAIMED AUGUST 12TH, 1868, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 24 By Messrs. Hopkin, Day and Melich

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH TO THE COLORADO RIVER COMMISSIONER OF UTAH AND HIS ASSOCIATES IN GRATEFUL APPRECIATION FOR THEIR SERVICE TO THE PEOPLE OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 259 By Mr. Gibson

AN ACT AMENDING SECTION 30-0-36, UTAH CODE ANNOTATED 1943, RELATING TO FISH AND GAME AND PROHIBITING FISHING WITH CERTAIN TYPES OF BAIT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 260 By Mr. Brockbank

AN ACT AMENDING SECTION 85-3-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 127, LAWS OF UTAH 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS 85-3-19,

85-3-20, AND 85-3-21, TO ENLARGE THE POWERS AND FUNCTIONS OF THE UTAH COMMISSION FOR THE BLIND AND TO ESTABLISH A REVOLVING FUND TO EXPEDITE THE PURCHASE OF RAW MATERIALS AND PAYMENT OF WAGES TO WORKSHOP EMPLOYEES OF THE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 261 By Messrs. Melich and Gibson

AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, AS AMENDED BY S. B. NO. 10 (REWRITTEN) 28TH LEGISLATURE RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING FOR THE LEVYING OF A TAX FOR INDIGENTS AND WELFARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 262 By Mr. Gibson

AN ACT AMENDING CHAPTER 112, LAWS OF UTAH 1945, AUTHORIZING CERTAIN POLITICAL SUBDIVISIONS OF THE STATE OF UTAH TO CONSTRUCT, OWN AND OPERATE HOSPITALS AND TO JOIN WITH OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION, OWNERSHIP AND OPERATION THEREOF AND TO LEVY A TAX FOR SUCH PURPOSES, PROVIDING FOR CONTROL OF SUCH HOSPITALS AND THE FUNDS AND RELATION THERETO AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 3 AND 4, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 263 By Mr. Gibson

AN ACT AMENDING SECTION 19-5-45 UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS AND PROVIDING THAT THEY MAY JOIN OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION AND OPERATION OF HOSPITALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 264 By Mr. Milliman for Committee on Appropriations and Claims

AN ACT AMENDING CHAPTER 109, LAWS OF UTAH 1947, RELATING TO THE CREATION OF A MINING OCCUPATION TAX RESERVE FUND TO BE KNOWN AS THE OCCUPATION TAX RESERVE FUND AND PROVIDING FOR THE ALLOCATION OF SAID FUND AND GRANTING THE STATE BOARD OF EXAMINERS POWERS RELATING THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 265 By Mr. Elggren

AN ACT AMENDING SECTION 80-14-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117 LAWS OF UTAH 1947, RELATING TO PERSONAL EXEMPTION FROM INCOME TAXES; PROVIDING SPECIAL EXEMPTIONS FOR VETERANS OF WORLD WAR II AND FOR BLIND PERSONS AND FOR PERSONS DISABLED 50% OR MORE, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 59 was read the third time and placed on its final passage.

H. B. No. 59 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibbons, Jenkins, Larsen and McShane.

H. B. No. 59 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 43 was read the second time.

Committee report read and adopted.

H. B. No. 43 failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Elggren, Fowles, Jensen (explained vote), Knight, Marthakis and Milliman.

Those voting in the negative were: Senators Brockbank, Burns, Clegg, Day, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senator Melich.

H. B. No. 43 was returned to the House.

On motion of Senator Knight, the enacting clause on *S. B. No. 69* was struck.

On motion of Senator Fowles, 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 GOVERNOR

February 16, 1949

To the Senate
State Capitol Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your Honorable Body for your advice and consent:

As Commissioner, Department of Finance, for the six year term beginning March 1, 1949, P. H. Mulcahy of Salt Lake City, Salt Lake County, Utah.

As Bank Commissioner for the four year term beginning April 1, 1949, Roy W. Simmons of Layton, Davis County, Utah.

As Commissioner in the Department of Business Regulation for the six year term beginning March 1, 1949, Hal S. Bennett of Salt Lake City, Salt Lake County, Utah.

As a member of the Department of Business Regulation, Advisory Council, for the six year term beginning March 1, 1949, Ronald Wiscombe of Layton, Davis County, Utah.

As a member of the Department of Business Regulation, Advisory Council for the six year term beginning March 1, 1948, Earl Oss of Provo, Utah County, Utah.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 16, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 29*, by Mrs. Jack, Messrs. Walker, Cullimore, O. W. Young, Mitchell, Preece, Olson, Rees and Bonacci, entitled,

"AN ACT AMENDING SECTION 3, CHAPTER 19 OF THE LAWS OF UTAH 1947, RELATING TO THE ESTABLISHMENT OF PEN-

SION RETIREMENT, SICKNESS, DISABILITY AND DEATH BENEFIT SYSTEMS IN CITIES AND INCORPORATED TOWNS; PERMITTING LIBRARIANS, ASSISTANT LIBRARIANS AND EMPLOYEES OF PUBLIC LIBRARIES OF SUCH CITIES AND TOWNS TO PARTICIPATE THEREIN; PROVIDING FOR EMPLOYMENT, DISMISSAL AND TRANSFER OF EMPLOYEES OF SAID CITIES AND INCORPORATED TOWNS, OTHER THAN MEMBERS OF POLICE AND FIRE DEPARTMENTS; CREATING AN APPEAL BOARD AND PROVIDING FOR THE APPEAL OF TRANSFERS AND DISMISSALS TO SUCH BOARD," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 29 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 16, 1949

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. 78*, by Mr. Cayias, entitled,

"AN ACT TO AMEND SECTION 19-11-8, UTAH CODE ANNOTATED 1943, PERTAINING TO MAXIMUM WEEKLY HOURS OF LABOR ON PUBLIC WORKS, AND FIXING A PAY RATE FOR LABOR IN EXCESS THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 78 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 21*, by Messrs. McShane, Reese and Day, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 21 was referred to the Committee on Highways.

February 16, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 197*, by Mr. Marsden, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 197 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 214*, by Messrs. Knight and Marthakis, has noted the amount of the appropriation on the Joint Committee records, and reports same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 214 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 230*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 230 was ordered printed and referred to the Committee on Health and Labor.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 231*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 231 was ordered printed and referred to the Committee on State and Municipal Affairs.

On motion of Senator Melich, the Senate recessed for fifteen minutes.

The Senate reassembled.

SPECIAL ORDER

S. J. R. No. 1, being a special order of business, was before the Senate.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Gibbons, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane (explained vote), and Melich.

Those voting in negative were: Senators Burns, Elggren, Fowles, Gibson (explained vote), Jensen, Marthakis, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Jenkins.

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

S. B. No. 212, being a special order of business, was before the Senate on reconsideration.

S. B. No. 212 failed of passage on the following roll call:

Ayes, 13; Nos, 10; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg (explained vote), Day, Elggren, Fowles, Jenkins, Jensen, Knight, Marthakis, Melich, Milliman and Reese.

Those voting in the negative were: Senators Gibbons, Gibson, Jolley (explained vote), Jones, Larsen, Lund, Marsden, McShane, Orser and Mr. President.

S. B. No. 212 was filed.

On motion of Senator Melich, the Senate adjourned until Thursday, February 17, 1949 at 11:00 a.m.

THIRTY-NINTH DAY

MORNING SESSION

February 17, 1949

The Senate was called to order at 11:00 a.m. President Hopkin in the chair.

Roll Call All Senators present.

Prayer by the Chaplain.

February 17, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-eighth day and find it correct with minor amendments noted on the final copy.

Respectfully,

TAYLOR P. BROCKBANK

MRS. A. C. JENSEN

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 15, 1949

To The Honorable Alonzo F. Hopkin
President, Utah State Senate
Building

Dear Mr. President:

For your information I am attaching herewith a list of contracts entered into with architects for building construction from October 22, 1945 to December 31, 1948. May I direct your attention to the fact that the estimated amount of the building program involved exceeds $12,000,000.00. The estimated architectural fees exceed $500,000.00 of which approximately one-half has been paid.

I have been unable to locate wherein appropriations have been made for many of the major items of the construction contained in this list and for which architectural contracts have been entered into.

It seems to me that in view of the very large amount of architectural fees involved in this list that a special investigation should be made into the entire question of architectural fees for actual and problematical State construction, also the policy of obligating the State for such large fees in the absence of Legislative direction.

In connection with this investigation may I direct your attention to the fact that a former Superintendent of Construction for the State Building Board resigned his position with the State on October 17, 1945. His successor was appointed on October 20, 1945, and on October 22 of the same year a contract was entered into with the former Superintendent of Construction involving artchitectural fees of $11,496.64, all of which has been paid by the State. Also on November 25, 1945, slightly more than a month after his termination of service with the State, another contract for architectural service was entered into involving a total of $28,158.60, $17,000.00, of which has been paid by the State. Further, on July 18, 1946 another contract was entered into amounting to $32,400.00 for the planning of the State Office Building for which no appropriation has been made.

This material is submitted to you for your consideration and such action as you deem proper.

Respectfully yours,

J. BRACKEN LEE,
Governor.

On motion of Senator Day, the communication from the Governor was referred to the Legislative Council for investigation and report back to the Senate by the fiftieth day of the present session.

COMMUNICATIONS FROM THE HOUSE

February 15, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 23*, by Messrs. Bonacci, Anderson, Larson, Cope, Poulson, Marble, Mrs. Jack and Larsen, entitled,

"AN ACT AMENDING SECTIONS 49-1-9, 49-1-10, 49-1-15, 49-1-16, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1947, RELATING TO THE UTAH LABOR RELATIONS ACT, PROVIDING FOR A DECLARATION OF POLICY, RECOGNIZING THE RIGHTS OF EMPLOYEES TO BARGAIN COLLECTIVELY AN DEFINING UNFAIR LABOR PRACTICES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 23 was read the first time and referred to the Committee on Health and Labor.

February 16, 1949

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. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, entitled,

"AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Day, the Senate refused to concur in the House amendments and requested the House to recede from its amendments.

February 16, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 65*, by Messrs. Day and Fowles, entitled,

"AN ACT AMENDING SECTION 103-21-7, UTAH CODE ANNOTATED 1943, REGULATING THE USE OF FIREARMS AND FIXING THE RESPONSIBILITY OF PARENTS OR GUARDIAN FOR THE MISUSE OF FIREARMS OR OTHER DESTRUCTIVE WEAPONS BY MINORS, AND PROVIDING FOR A PENALTY," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 65 filed.

February 16, 1949

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. 67*, by Mr. Day, entitled,

"AN ACT AMENDING SECTION 104-30-12, UTAH CODE ANNOTATED 1943, RELATING TO JUDGMENT BOOK AND ENTRY OF JUDGMENTS," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 67 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 16, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 71*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 105-18-2, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE MEMBERSHIP OF THE GRAND JURY AND HOW MANY SHALL CONSTITUTE A QUORUM," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 71 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 16, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 8 (rewritten) was ordered printed and referred to the Committee on State and Municipal Affairs.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 232*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT RELATING TO THE TERMS OF COMPENSATION AND OCCUPATIONAL DISEASE INSURANCE POLICIES," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 232 was ordered printed and referred to the Committee on Health and Labor.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 233*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED 1943, RELATING TO THE CONDUCT OF THE BUSINESS OF A BANK AND THE ESTABLISHMENT OF BRANCHES OF A BANK, AND PROVIDING THAT HOLDING COMPANIES MAY NOT ACQUIRE BANKS," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 233 was ordered printed and referred to the Committee on Banking and Commerce.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 235*, by Messrs. Marthakis, Jolley, Fowles and Knight, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 235 was ordered printed and referred to the Committee on State and Municipals.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 236*, by Messrs. Marthakis, Jolley, Fowles and Knight, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 236 was ordered printed and referred to the Committee on Health and Labor.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 237*, by Mr. Melich, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 237 was ordered printed and referred to the Committee on Banking and Commerce.

February 16, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 238*, by Mr. Burns, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 238 was ordered printed and referred to the Committee on Highways.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. J. R. No. 6* ,by Messrs. Larsen and Tippetts, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

H. J. R. No. 6 was referred to the Sifting Committee.

February 17, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. J. R. No. 13*, by Mr. Roberts, has carefully considered said resolution and reports the same out unfavorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

H. J. R. No. 13 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 13*, by Mr. Bonacci, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

H. B. No. 13 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 26*, by Mrs. Jack, Messrs. Cannon and Walker, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 26 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 30*, by Messrs. Roberts, Preece, Dean and Cullimore, has carefully reconsidered said bill and reports the same out favorably with the recommendation of the following amendments: in line 9 of the title after "TION" insert "AND PROVIDING FOR A SALARY FOR SUCH DEPUTY". In the body of the bill strike lines 11, 12, 13, and 14. Change the figure "3" in Section 3 to "2".

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 30 was referred to the Sifting Committee.

February 17, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 35*, by Messrs. Aldous and White, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

H. B. No. 35 was referred to the Sifting Committee.

February 17, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 69*, by Messrs. Cope and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 69 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 102*, by Committee on Municipal and County Affairs, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 102 was referred to the Sifting Committee.

February 17, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 116*, by Mr. Bell, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

H. B. No. 116 was referred to the Sifting Committee.

February 17, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *H. B. No. 127*, by Mr. Anderson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

H. B. No. 127 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 86* (rewritten), by Messrs. Day, Brockbank and Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 86 (rewritten) was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 111* (rewritten), by Messrs. Brockbank and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 111 (rewritten) was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 206*, by Messrs. Marthakis and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 206 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 211*, by Mr. Knight, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 211 was referred to the Committee on Appropriations and Claims.

February 16, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 219*, by Messrs. Day, Elggren and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 219 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 222*, by Mr. Jolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 222 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 223*, by Messrs. Elggren, Jenkins, Knight, and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 223 was referred to the Sifting Committee.

February 16, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 228*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 228 was referred to the Sifting Committee.

On motion of Senator Day, it was agreed that when the Senate adjourns today, it stand adjourned until Friday, February 18, 1949 at 10:00 a.m.

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.

President Hopkin recognized former Senator J. Welton Ward who addressed the Senate briefly.

COMMUNICATIONS FROM THE HOUSE

February 17, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 59*, by Mr. Anderson, entitled,

"AN ACT AMENDING SECTION 30-0-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, REQUIRING ALIENS NOT RESIDING IN THE STATE MORE THAN FIFTEEN YEARS TO PAY $12 FOR A FISH AND GAME LICENSE AND OTHER ALIENS TO PAY SAME FEE AS RESIDENT CITIZEN, AND PROVIDING FOR ALIENS TO CARRY AND USE FIREARMS AS PROVIDED IN THIS ACT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 17, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 272*, by Mr. Cayias, entitled,

"AN ACT REPEALING CHAPTER 100, LAWS OF UTAH 1943, RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE FOR APPOINTIVE POSITIONS AND ENACTING A NEW

SECTION TO BE APPLICABLE TO PERSONS HEREAFTER ELECTED OR APPOINTED TO THE LEGISLATURE", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 272 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

February 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 23 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 24* by Messrs. Hopkin, Day and Melich, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 24 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 17, 1949

Mr. President:

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

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. C. M. No. 2 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 67*, by Mr. Day, entitled:

"AN ACT AMENDING SECTION 104-30-12, UTAH CODE ANNOTATED 1943, RELATING TO JUDGMENT BOOK AND ENTRY OF JUDGMENTS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 67 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 71*, by Mr. Melich, entitled:

"AN ACT AMENDING SECTION 105-18-2, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE MEMBERSHIP OF THE GRAND JURY AND HOW MANY SHALL CONSTITUTE A QUORUM," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 71 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 227* (rewritten), by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 227 (rewritten) was ordered printed and referred to the Committee on Health and Labor.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 234*, by Messrs. Jolley, Fowles and Jones, and recommends that it be returned to the authors to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 234 was returned to the authors for rewriting.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 239*, by Messrs. Day, Burns and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 239 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 250*, by Messrs. Larsen and Jones, with a few minor changes assented to by the authors, including the following revision of the title:

"AN ACT TO PROVIDE FOR PUBLICATION OF AN ANNUAL REPORT OF RECEIPTS AND EXENDITURES WITHIN THE STATE OF UTAH BY CHARITABLE CORPORATIONS AND ASSOCIATIONS SOLICITING FUNDS WITHIN THE STATE OF UTAH, AND PROVIDING PENALTIES," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 250 was ordered printed and referred to the Committee on Judiciary.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 251*, by Messrs. Orser and Melich, with a few minor changes assented to by the authors, including the following revision of the title:

"AN ACT TO PROVIDE FOR DISPOSITION BY COUNTIES OF FUNDS AS A TAX FOR WELFARE PURPOSES AND LEFT UNUSED; PROVIDING THAT THESE FUNDS BE PLACED IN THE GENERAL FUND OF THE RESPECTIVE COUNTIES, AND AMENDING SECTION 76A-1-15, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 92, SECTION 1, LAWS OF UTAH 1947," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 251 was ordered printed and referred to the Committee on Revenue and Taxation.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 252*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 15-6-16, UTAH CODE ANNOTATED 1943, AUTHORIZING CITY COMMISSIONERS TO POST REWARDS FOR THE APPREHENSION OF CRIMINALS, AND RELATING TO OTHER DUTIES OF CITY COMMISSIONERS," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 252 was ordered printed and referred to the Committee on Judiciary.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 253*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 19-5-50, UTAH CODE ANNOTATED 1943, AUTHORIZING COUNTY COMMISSIONERS TO OFFER REWARDS FOR THE APPREHENSION OF PERSONS CHARGED WITH CRIME IN CERTAIN CASES, AND RELATING TO OTHER DUTIES OF COUNTY COMMISSIONERS," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 253 was ordered printed and referred to the Committee on Judiciary.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 255*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 255 was ordered printed and referred to the Committee on Highways.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 256*, by Mr. Knight, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 15-6-41, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 22, LAWS OF UTAH 1945, RELATING TO AND FIXING SALARIES OF OFFICERS OF CITIES," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 256 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 257*, by Mr. Burns, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 257 was ordered printed and referred to the Committee on Public Institutions.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 258*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 258 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 259*, by Mr. Gibson, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 30-0-36 UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 30-0-36, CHAPTER 42, LAWS OF UTAH 1947, RELATING TO FISH AND GAME AND PROHIBITING FISHING WITH CERTAIN TYPES OF BAIT," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 259 was ordered printed and referred to the Committee on Fish and Game.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 260*, by Mr. Brockbank, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 260 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 262*, by Mr. Gibson, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AUTHORIZING CERTAIN POLITICAL SUBDIVISIONS OF THE STATE TO CONSTRUCT, OWN AND OPERATE HOSPITALS AND TO JOIN WITH OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION, OWNERSHIP AND OPERATION THEREOF AND TO LEVY A TAX FOR SUCH PURPOSES, PROVIDING FOR CONTROL OF SUCH HOSPITALS AND THE FUNDS AND RELATION THERETO TO BE KNOWN AS SECTIONS 3 AND 4 OF CHAPTER 112, LAWS OF UTAH 1945," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 262 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 263*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 263 was ordered printed and referred to the Committee on Judiciary.

February 17, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 264*, by Mr. Milliman, for Committee on Appropriations and Claims, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 264 was ordered printed and referred to the Committee on Mining and Smelting.

February 17, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 23*, by Messrs. Bonacci, Anderson, Larson, Cope, Poulson, Marble, Mrs. Jack and Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

H. B. No. 23 was referred to the Sifting Committee.

INTRODUCTION OF BILLS

S. B. No. 266 By Mr. Day

AN ACT REPEALING SECTIONS 25-13-9, 25-13-10, 25-13-11, 25-13-12, 25-13-13, AND 25-13-14, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 267 By Messrs. Marthakis, Jolley, Brockbank and Reese

AN ACT AMENDING SECTION 82C-2-33, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 94, LAWS OF UTAH 1943, RELATING TO THE INVESTMENT OF FUNDS BY THE COMMISSION OF FINANCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 268 By Mr. Day

AN ACT AMENDING SECTION 76-6-12, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC UTILITIES AND THE CHANGE OR INCREASE IN RATES THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 269 By Mr. Day

AN ACT AMENDING SECTION 42-1-57, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE COMPROMISE OF DOUBTFUL CLAIMS AND THE NECESSARY PROCEDURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 270 By Mr. Lund

AN ACT APPROPRIATING $20,000.00 TO THE STATE BUILDING BOARD FOR THE COMPLETION OF THE REMODELLING OF THE OLD GYMNASIUM OF SNOW COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 271 By Messrs. Melich and Marthakis

AN ACT PROVIDING THAT ALL MONIES RECEIVED BY THE STATE OF UTAH FROM THE TREASURER OF THE UNITED STATES AS BONUSES, ROYALTIES AND RENTALS DERIVED FROM OIL AND GAS LEASES SHALL BE ALLOCATED TO THE UNIFORM SCHOOL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 272 By Messrs. Elggren, Melich, Gibson, Day, Brockbank, Marsden and Marthakis

AN ACT AUTHORIZING PUBLIC UTILITY DISTRICTS IN THE STATE OF UTAH, STATING THE METHOD OF CALLING FOR ELECTION FOR THE ESTABLISHMENT OF SUCH DISTRICTS, THE CANVAS OF RETURNS, POWERS AND DUTIES OF THE DISTRICTS, PROVIDING FOR THE APPOINTMENT OF A MANAGER, HIS POWERS AND DUTIES, PROVIDING FOR THE ACQUISITION OR SALE OF PROPERTY, SUBMISSION TO VOTE, PROVIDING FOR THE ISSUANCE OF REVENUE BONDS, METHOD OF REPAYMENT OF THE SAME, THE ESTABLISHMENT OF FUNDS, REGULATION OF THE FUNDS, PAYMENTS TO THE FUNDS FOR THE REPAYMENT OF BONDS, DESCRIBING THAT SUCH BONDS ARE LEGAL SECURITIES WITH THE STATE, PROVIDING FOR THE LETTING OF CONTRACTS ON BIDS, THE COUNTY TREASURER TO BE TREASURER OF THE DISTRICT, AND PROVIDING FOR THE TAXATION OF THE OPERATING PROPERTIES OF SUCH DISTRICTS, PROVIDING FOR THE EXPENSES OF THE DISTRICTS AND SALARIES OF EMPLOYEES AND OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 273 By Messrs. Reese and Brockbank

AN ACT AMENDING SECTION 10-0-1, UTAH CODE ANNOTATED 1943, RELATING TO THE UTAH STATE BUILDING BOARD AND PROVIDING THAT THE STATE BOARD OF EXAMINERS SHALL BE THE MEMBERS OF SAID BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 234 By Messrs. Jolley, Fowles and Jones (Rewritten)

AN ACT RELATING TO THE UTAH STATE TRAINING SCHOOL; PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES TO BE APPOINTED BY THE GOVERNOR TO MANAGE AND CONTROL THE SAME; DEFINING THEIR POWERS AND DUTIES; AND AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11 AND 85-8-14, UTAH CODE ANNOTATED 1943; AND 85-8-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 120, LAWS OF UTAH 1945, AND CHAPTER 125, LAWS OF UTAH 1947; AND REPEALING SECTION 85-8-1.10, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

H. B. No. 6, being a special order of business, was before the Senate for reconsideration.

H. B. No. 6, on reconsideration, failed of passage on the following roll call:

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

Those voting in the negative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Larsen and Milliman.

H. B. No. 6 was returned to the House.

S. R. No. 5, being a special order of business, was before the Senate.

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

Committee report read and adopted.

On motion of Senator Clegg, the resolution was amended as follows:

Page 1, line 2, strike the words "80th Congress has reported favorably on" and insert in lieu thereof, the words "81st Congress is now considering".

Page 1, line 3, strike the figures, "S-472" and insert in lieu thereof, the figures, "S-246".

Page 1, line 4, strike the word "one" and insert in lieu thereof, the word "three".

On motion of Senator Clegg, the title was amended as follows:

Line 4, strike the figures "S-472" and insert in lieu thereof the figures "S-246".

Line 5, strike the word "THE" and insert in lieu thereof, the word "THOSE".

S. R. No. 5 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day (explained vote), Gibbons, Gibson, Knight, Lund, McShane and Melich.

Those voting in the negative were: Senators Brockbank, Burns, Elggren, Fowles, Jenkins, Jensen, Jolley (explained vote), Jones (explained vote), Larsen, Marthakis, Milliman, Orser, Reese and Mr. President (explained vote).

Absent and not voting: Senator Marsden.

S. R. No. 5 was filed.

S. B. No. 75, being a special order of business, was before the Senate.

S. B. No. 75 was read the second time.

Committee report read and adopted.

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

Page 2, line 5, strike the word "or" preceding the word "dental" and insert in lieu thereof, the word "of".

Pages 3 and 4, delete all of Sub-Sections (C), (D) and (E) of Section 7.

Page 4, line 4, strike the balance of the line beginning with the word "Public" and all of lines 5 and 6.

Page 3, add a new Sub-Section to Section 7 to read as follows:

"(C) Upon meeting all of the requirements of the Department of Education of the State of Utah, she may teach dental hygiene, including such health subjects as shall have been included in the scope of her training, and particularly the subjects referred to in Sub-Sections (C), (D), (E), (F) and (G) of Section 9 hereof, in the schools of the State of Utah."

S. B. No. 75 was placed on the Third Reading Calendar on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Reese and Mr. President.

Those voting in the negative were: Senator Jolley.

Absent and not voting: Senators Jenkins and Orser.

On motion of Senator Brockbank, the Senate adjourned.

FORTIETH DAY

MORNING SESSION

February 18, 1949

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.

February 18, 1949

Mr. President:

Your Committee on Revision of the Journal reports that we have read the Journal for the thirty-ninth day and find it correct with minor amendments noted on the final copy.

Respectfully,

TAYLOR P. BROCKBANK

MRS. A. C. JENSEN

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 17, 1949

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment to *S. B. No. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, entitled,

"AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT," and has appointed a conference committee consisting of Representatives Dean, White and Davis, to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

President Hopkin appointed a Conference Committee consisting of Senators Day, Clegg and Reese to meet with a like committee from the House to consider the amendment to *S. B. No. 18*.

REPORTS OF SPECIAL COMMITTEES

February 17, 1949

Mr. President:

Your Conference Committee to which was referred *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, begs leave

to report that the Senate amendment in question has been found acceptable and recommends that the House concur in Senate amendment.

Respectfully submitted,

L. RULON JENKINS,
Chairman, Senate Committee.

WILLIAM INGLEBY,
Chairman, House Committee.

Committee report read and adopted.

February 18, 1949

Mr. President:

Your Conference Committee to which was referred *H. B. No. 27*, by Mrs. Jack, recommends the following:

1. That the House should immediately pass *H. B. No. 27* as amended by the Senate. This will care for the immediate needs of the Welfare Department. Checks must be sent out tomorrow, Saturday, February 19, 1949. If this bill is not passed before that time and signed by the Governor, the Welfare Department will not have sufficient funds for tomorrow's checks.

2. The question of what should be done, if anything, for the next quarter consisting of the months of April, May, and June, should be hereafter determined, either by the House passing the bill authorizing the Board of Examiners to make up any deficiency of the Welfare Department, if any develops, or by the Legislature passing or refusing to pass other legislation.

Respectfully submitted,

MARL D. GIBSON,
Chairman of Senate Committee

JUSTIN C. STEWART,
Chairman of House Committee

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

February 17, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of February 17, 1949, on *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, entitled,

"AN ACT AMENDING SECTION 25-6-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, ESTABLISHING METHOD OF APPOINTMENT OF JUDGES

OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF, AND THE APPOINTMENT AND COMPENSATION OF A CONSTABLE OF ELECTION IN EACH ELECTION DISTRICT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 25 By Messrs. Marthakis and Larsen

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE AND OTHER ELECTION OFFICIALS TO PLACE UPON THE OFFICIAL BALLOT OF 1950 THE QUESTION OF WHETHER OR NOT INTOXICATING LIQUORS SHALL BE SOLD BY THE DRINK, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 26 By Mrs. Jensen and Mr. Fowles

A JOINT RESOLUTION APPLYING TO THE CONGRESS OF THE UNITED STATES FOR THE CALLING OF A CONVENTION FOR THE PURPOSE OF PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES APPROPRIATE TO AUTHORIZE AND PROVIDE FOR THE NEGOTIATION AND THE RATIFICATION OF A CONSTITUTION OF WORLD FEDERAL GOVERNMENT ADEQUATE TO ASSURE PEACE, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 274 By Mrs. Jensen and Mr. Melich

AN ACT AMENDING SECTION 82-1-23, UTAH CODE ANNOTATED 1943, PROVIDING THAT SECURITIES ISSUED FOR INTANGIBLE CONSIDERATIONS SHALL BE HELD IN ESCROW BY THE SECURITIES COMMISSION UNTIL RELEASED UPON ORDER OR UNTIL SIX MONTHS AFTER LICENSE TO SELL SUCH SECURITIES HAS EXPIRED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 275 By Messrs. Larsen and Orser

AN ACT AMENDING SECTION 3-5-124, UTAH CODE ANNOTATED 1943, RELATING TO BRANDS AND MARKS AND RESERVING THE BRAND ID FOR THE EXCLUSIVE USE OF THE BUREAU OF INDIAN AFFAIRS OF THE UNITED STATES GOVERNMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 276 By Messrs. McShane, Gibson, Day and Melich

AN ACT AMENDING SECTION 25-3-38, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1945, AND SECTIONS 5, 6, 8, 9, AND 11, CHAPTER 35, LAWS OF UTAH 1947, ESTABLISHING THE HOURS THE POLLS SHALL BE OPEN; FIXING THE TIME WITHIN WHICH THE JUDICIAL CONVENTIONS, LEGISLATIVE CONVENTIONS, AND PRECINCT PRIMARY CONVENTIONS SHALL BE HELD, AND PROVIDING FOR THE NOMINATION OF PARTY CANDIDATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 277 By Mr. Day

AN ACT AMENDING SECTION 30-0-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AND SECTION 30-0-2A, CHAPTER 43, LAWS OF UTAH 1943, RELATING TO FISH AND GAME COMMISSIONERS, THEIR NUMBER, QUALIFICATIONS, APPOINTMENT, TERMS, AND SALARY; AND DIVIDING THE STATE INTO DISTRICTS, AND PROVIDING FOR THE FILLING OF VACANCIES AND REMOVAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 278 By Messrs. Elggren, Burns, and Marthakis

AN ACT APPROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $224,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE LAST QUARTER ENDING JUNE 30, 1949, AND EMPOWERING THE PUBLIC WELFARE COMMISSION TO MAKE EXPENDITURES ON A BIENNIAL BASIS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 279 By Messrs. Milliman and Day

AN ACT TO AMEND SECTION 7-6-7, UTAH CODE ANNOTATED 1943, RELATING TO INDUSTRIAL LOAN CORPORATIONS AND PROVIDING FOR THE PAYMENT OF AN ANNUAL LICENSE FEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 280 By Mr. Milliman

AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF FINANCE TO REFUND CERTAIN MONEYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 281 By Mr. Reese, by request.

AN ACT AMENDING SECTION 42-2a-7, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 56 LAWS OF UTAH, 1947, AS AMENDED BY H. B. 166, 1949 LEGISLATURE RELATIVE

TO UNEMPLOYMENT COMPENSATION, EMPLOYER CONTRIBUTIONS — MERIT RATING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 282 By Mr. Knight

A RESOLUTION OF THE SENATE OF THE STATE OF UTAH TO THE PEOPLE OF FRANCE IN APPRECIATION OF THE FRENCH "MERCI TRAIN", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 283 By Mr. Lund

AN ACT AMENDING SECTION 3-5-80, UTAH CODE ANNOTATED 1943, RELATING TO DISTRAINT OR ANIMALS TRESPASSING OR DOING DAMAGE AND PROVIDING THAT IN PRECINCTS WHERE THERE IS NO POUNDKEEPER, SUCH ANIMALS BE DELIVERED TO THE COUNTY SHERIFF WHO SHALL ACT AS EX OFFICIO POUNDKEEPER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 284 By Mr. Lund

AN ACT AMENDING SECTIONS 3-5-71 AND 3-5-91, UTAH CODE ANNOTATED 1943, RELATING TO POUNDKEEPERS FEES AND PROVIDING THAT SHERIFFS BE EX OFFICIO POUNDKEEPERS IN PRECINCTS WHERE NO CONSTABLE HAS QUALIFIED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 285 By Mr. Lund

AN ACT AMENDING CHAPTER 5, TITLE 20, UTAH CODE ANNOTATED 1943, BY ADDING SECTIONS 20-5-10, 20-5-11, 20-5-12, 20-5-13, 20-5-14, 20-5-15, 20-5-16, 20-5-17, 20-5-18, 20-5-19, 20-5-20, 20-5-21, RELATING TO AND PROVIDING FOR COUNTY TRIAL JUSTICES OF THE PEACE COURTS, FIXING TERMS OF OFFICE AND SALARY, DUTIES AND JURISDICTION, AND PRESCRIBING PROCEDURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 286 By Mr. Lund

AN ACT APPROPRIATING $15,000 TO THE UTAH STATE AGRICULTURAL COLLEGE EXTENSION SERVICE FOR THE EMPLOYMENT AND OPERATING EXPENSES OF A FULL-TIME NATIONAL POULTRY IMPROVEMENT PLAN SUPERVISOR IN UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 287 By Mr. Fowles

AN ACT AMENDING SECTION 104-41-2, UTAH CODE ANNOTATED 1943, RELATING TO TIME FOR TAKING APPEALS FROM DISTRICT COURTS TO THE SUPREME COURT OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 288 By Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg

AN ACT AMENDING SECTIONS 42-1A-3; 42-1A-10; 42-1A-12; 42-1A-26 AND 42-1A-28, UTAH CODE ANNOTATED 1943, AND SECTIONS 42-1A-11 AND 42-1A-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, RELATING TO THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW; REDECLARING THE ABOLISHMENT OF ALL OTHER CIVIL LIABILITY AT COMMON LAW OR OTHERWISE; ENLARGING THE DEFINITION OF EMPLOYERS TO EMBRACE EMPLOYERS OF ONE OR MORE PERSONS; INCLUDING WITHIN THE COVERAGE OF THE ACT THE MEMBERS OF A PARTNERSHIP; DEFINING PARTIAL PERMANENT DISABILITY; INCREASING THE BENEFITS PAYABLE IN CASES OF PERMANENT TOTAL DISABILITY AND TEMPORARY TOTAL DISABILITY AND PROVIDING FOR REHABILITATION TRAINING OF INJURED WORKMEN AND PAYMENT THEREFOR; PROVIDING FOR INCREASED BENEFITS IN DEATH CASES; SHORTENING THE WAITING PERIOD AFTER INJURY; EXTENDING THE COVERAGE OF THE ACT TO OTHER DISEASES OR INJURIES TO HEALTH; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-57, RELATING TO THE ENJOINING OF NONINSURING EMPLOYERS; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-58, UTAH CODE ANNOTATED 1943, AND TO BE A PART OF THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW, RELATING TO PARTIAL PERMANENT DISABILITY FROM OCCUPATIONAL DISEASE, IMPOSING LIABILITY UPON THE EMPLOYER THEREFOR, PROVIDING A MEDICAL PANEL FOR DETERMINING THE EXTENT OF SUCH DISABILITY AND THE METHOD TO BE EMPLOYED IN REHABILITATION TRAINING AND THE FORMULA TO BE APPLIED IN DETERMINING THE PAYMENT TO BE MADE BY THE EMPLOYER AND THE MANNER OF FINANCING REHABILITATION; AND REPEALING SECTION 42-1A-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 289 By Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg

AN ACT AMENDING SECTION 42-1-40, 42-1-57, 42-1-79, UTAH CODE ANNOTATED 1943; 42-1-41, 42-1-44, 42-1-61, 42-1-62, 42-1-63, 42-1-64 AND 42-1-75, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1945, BRINGING EMPLOYERS

OF ONE OR MORE WORKMEN WITHIN ITS PROVISIONS; RE-DECLARING THE ABOLISHMENT OF COMMON LAW ACTIONS; PROVIDING FOR INCREASED BENEFITS; MAKING IT MANDATORY THAT IN CERTAIN CASES ATTEMPTS BE MADE TO REHABILITATE THE INJURED EMPLOYEE; PROVIDING FOR LARGER PAYMENTS IN CASE OF DEATH; INCREASING THE AMOUNTS PAYABLE FOR MEDICAL EXPENSE, BURIAL EXPENSE AND THE PURCHASE OF ARTIFICIAL APPLIANCES; MAKING IT MANDATORY THAT THE COMMISSION MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW; AND ADDING NEW SECTIONS TO BE KNOWN AS SECTION 42-1-85.10 AND SECTION 42-1-92.10, UTAH CODE ANNOTATED 1943, RELATING TO AUTOPSY IN DEATH CASES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 290 By Mr. Melich

AN ACT AMENDING SECTIONS 100-10-18, 100-10-22, 100-10-35, 100-10-36, 100-10-38 AND 100-10-39, TITLE 100, CHAPTER 10, UTAH CODE ANNOTATED 1943, RELATING TO METROPOLITAN WATER DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 291 By Messrs. Jolley and Milliman

AN ACT AMENDING SECTION 80-15-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 93 LAWS OF UTAH 1943, RELATING TO THE SALES TAX, INCREASING THE RATE THEREOF, AND EAR-MARKING 1/3% OF THE SALES TAX FOR BUILDING PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 292 By Mr. Marthakis

AN ACT AUTHORIZING THE UTAH LIQUOR CONTROL COMMISSION TO LICENSE NON-PROFIT CLUBS AND TO PROMULGATE REGULATIONS FOR THE CONTROL THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Milliman, it was agreed that when the Senate adjourns today, it stand adjourned until Monday, February 21, 1949 at 2:00 p.m.

Senator Day moved that the Legislative Council be asked to investigate and report within ten days, the progress of the investigation of utility rates by the Department of Business Regulations as provided by Chapter 17, Laws of Utah, First Special Session 1948.

Motion carried.

SPECIAL ORDER

S. B. No. 15, being a special order of business, was before the Senate.

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

Committee report read and adopted.

Senator Marthakis, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Marthakis, the call was lifted.

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

Yeas, 14; Nays, 6; Absent 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg (explained vote), Elggren, Fowles, Jensen, Jolley, Knight, Marthakis, McShane (explained vote), Melich, Milliman, Reese and Mr. President.

Those voting in the negative were: Senators Day (explained vote), Gibbons, Jones, Larsen, Lund and Orser.

Absent and not voting: Senators Gibson, Jenkins and Marsden.

On motion of Senator Marthakis, 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 McShane moved that for the remainder of the session no Senate bills be made a special order of business for Wednesdays or Thursdays and that House bills be given consideration on those days, in accordance with Joint Rule No. 12.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

February 17, 1949

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. 67*, by Mr. Day, entitled,

"AN ACT AMENDING SECTION 104-30-12, UTAH CODE ANNOTATED 1943, RELATING TO JUDGMENT BOOK AND ENTRY OF JUDGMENTS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 67 was transmitted to the Governor.

February 17, 1949

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. 71*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 105-18-2, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE MEMBERSHIP OF THE GRAND JURY AND HOW MANY SHALL CONSTITUTE A QUORUM," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 71 was transmitted to the Governor.

February 17, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. J. M. No. 1*, by Mr. Knight, 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 AUTHORIZING, DIRECTING AND PROVIDING FOR PENSIONS FOR THE VETERANS OF THE WARS OF THE UNITED STATES UPON A UNIFORM BASIS," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. M. No. 1 was filed.

February 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 24* (rewritten), by Messrs. Bonacci, Anderson and Cope, entitled,

"AN ACT ENACTING SECTIONS 43-19-13.10 AND 43-19-13.20, CHAPTER 63, LAWS OF UTAH, 1947, ESTABLISHING CONDITIONS UNDER WHICH WORKMAN'S COMPENSATION INSURANCE MUST BE ISSUED AND CARRIED TO CONCLUSION BY INSURANCE COMPANIES, INCLUDING STATE INSURANCE FUND, AND REQUIRING EVERY POLICY TO COVER LIABILITY OF EMPLOYER, AND TO STATE THE RIGHT OF EMPLOYEE TO ENFORCE THE POLICY IN HIS OWN NAME, AND TO MAKE PAYMENT OR PART PAYMENT OF CLAIM BY INSURANCE COMPANY OR EMPLOYER A BAR TO RECOVERY FROM THE OTHER, AND TO STATE WHEN INSURANCE COMPANY IS DEEMED TO HAVE NOTICE OF INJURY, AND UNDER WHAT CONDITIONS THE INSURANCE COMPANY IS BOUND, AND TO STATE THAT BANKRUPTCY DOES NOT RELIEVE DUTY OF PAYMENT OF EMPLOYER", and the same is trnsmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 24 (rewritten) was referred to the Committee on Health and Labor.

February 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of February 18, 1949, and passed, as amended by the Senate, *H. B. No. 27*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $189,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE QUARTER ENDING MARCH 31, 1949."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 18, 1949

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. 27*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $189,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE QUARTER ENDING MARCH 31, 1949," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 27 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 18, 1949

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. 59*, by Mr. Anderson, entitled,

"AN ACT AMENDING SECTION 30-0-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, REQUIRING ALIENS NOT RESIDING IN THE STATE MORE THAN FIFTEEN YEARS TO PAY $12 FOR A FISH AND GAME LICENSE AND OTHER ALIENS TO PAY SAME FEE AS RESIDENT CITIZEN, AND PROVIDING FOR ALIENS TO CARRY AND USE FIREARMS AS PROVIDED IN THIS ACT," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 59 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.

COMMUNICATIONS

February 18, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your honorable body the claim of Lee Martin of Tooele, Utah, to cover his hospital bill and operation expense when injured while working for O. P. Skaggs at Tooele, Utah, October 2, 1943.

This claim was filed with the Board too late to be properly advertised and considered by the Board under the provisions of Sections 26-0-12 and 26-0-13 of the Utah Code Annotated, 1943; and upon unanimous vote of the Board I was directed to transmit all papers in the claim to your honorable body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.,
Secretary, State Board of Examiners

Communication filed.

February 18, 1949

To the Senate

Gentlemen:

I am directed by the State Board of Examiners to transmit to your honorable body the claim of Frank Williamson of Paragonah, Utah, in amount of $3,550.00 covering damages sustained by him on his farm in Paragonah by deer.

This claim was filed with the Board too late to be properly advertised and considered by the Board under the provisions of Sections 26-0-12 and 26-0-13 of the Utah Code Annotated, 1943; and upon unanimous vote of the Board I was directed to transmit all papers in the claim to your honorable body without recommendation.

Yours very respectfully,

HEBER BENNION, JR.,
Secretary, State Board of Examiners

Communication filed.

Senator Milliman announced that these claims, if approved, were received too late to be acted upon by the Committee on Appropriations and Claims in the present session.

On motion of Senator Gibson, the above claims were referred back to the Board of Examiners for a more definite recommendation.

REPORTS OF STANDING COMMITTEES

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 240*, by Mr. McShane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 240 was ordered printed and referred to the Committee on Highways.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 241*, by Mr. McShane, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTIONS 1, 2, 3, AND 5 OF CHAPTER 68, LAWS OF UTAH 1943, RELATING TO THE GIVING OF PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERTORS OF MOTOR VEHICLES WHEN THE OPERATORS' OR CHAUFFEURS' LICENSE OR OWNERS' REGISTRATION IS SUSPENDED OR REVOKED UPON PROOF OF FAILURE TO SATISFY JUDGEMENT FOLLOWING A TRAFFIC ACCIDENT AND PROVIDING FOR THE ADMINISTRATION THEREOF BY THE STATE ROAD COMMISSION, AND REPEALING SECTION 4 OF CHAPTER 68, LAWS OF UTAH 1943," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 241 was ordered printed and referred to the Committee on Banking and Commerce.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 243*, by Mr. McShane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 243 was ordered printed and referred to the Committee on Highways.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 244*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 244 was ordered printed and referred to the Committee on Fish and Game.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 248*, by Messrs. Gibson and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 248 was ordered printed and referred to the Committee on Judiciary.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 249*, by Messrs. Gibson and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 249 was ordered printed and referred to the Committee on Judiciary.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 265*, by Mr. Elggren, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 265 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 266*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 266 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 267*, by Messrs. Marthakis, Jolley, Brockbank and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 267 was ordered printed and referred to the Committee on Banking and Commerce.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 268*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 76-6-12, UTAH CODE ANNOTATED 1943, RELATING TO PUBLIC UTILITIES AND THE CHANGE OR INCREASE IN RATES THEREOF," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 268 was ordered printed and referred to the Committee on Revenue and Taxation.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 269*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTION 42-1-57, UTAH CODE ANNOTATED 1943, RELATING TO PAYMENTS TO INJURED EMPLOYEES PROVIDING FOR THE COMPROMISE OF DOUBTFUL CLAIMS AND THE NECESSARY PROCEDURE," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 269 was ordered printed and referred to the Committee on Health and Labor.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 270*, by Mr. Lund, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 270 was ordered printed and referred to the Committee on Public Institutions.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 271*, by Messrs. Melich and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 271 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 273*, by Messrs. Reese and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 273 was ordered printed and referred to the Committee on Public Institutions.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 288*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 288 was ordered printed and referred to the Committee on Health and Labor.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 289*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, McShane, Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 289 was ordered printed and referred to the Committee on Health and Labor.

February 18, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. J. R. No. 21*, by Messrs. McShane, Reese and Day, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. J. R. No. 21 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 3 was read the third time and placed on its final passage.

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

Ayes, 15; Nos, 6; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Knight, Lund, Marsden, Marthakis, Melich and Milliman.

Those voting in the negative were: Senators Gibbons, Jolley, Jones, McShane, Orser and Mr. President.

Absent and not voting: Senators Larsen and Reese.

Senator Jolley moved that the Senate reconsider the vote by which *S. J. R. No. 3* failed of passage.

Motion carried.

On motion of Senator Jolley, *S. J. R. No. 3* was made a special order of business for Monday, February 21, 1949 at 3:30 p.m.

S. B. No. 28 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. B. No. 28* was made a special order of business for today at 3:30 p.m.

S. B. No. 109 was read the third time and placed on its final passage.

S. B. No. 109 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Lund, Marsden, Marthakis, McShane, Melich, Milliman and Mr. President.

Absent and not voting: Senators Gibbons, Knight, Larsen, Orser and Reese.

S. B. No. 109 was transmitted to the House.

S. B. No. 75 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. B. No. 75* was made a special order of business for Monday, February 21, 1949 at 4:00 p.m.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 96 was read the second time.

Committee report read and adopted.

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

Page 2, line 4, after the word "mayor" insert a comma and add the words "a city recorder".

Page 2, line 4, after the word "councilmen" at the end of the line add the words "and a city treasurer".

Page 2, line 5, after the word "mayor" insert a comma and add the words "a city recorder".

Page 2, line 7, after the word "councilmen" add the words "and a city treasurer".

H. B. No. 96 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senator Lund.

Absent and not voting: Senators Larsen, Marsden and Mr. President.

H. B. No. 95 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, strike the figures "158-92" and insert in lieu thereof, the figures "15-8-92".

H. B. No. 95 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Lund, Marthakis, McShane (explained vote), Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Clegg, Gibson, Jenkins, Larsen, Marsden and Reese.

SPECIAL ORDER

S. B. No. 28, being a special order of business, was before the Senate.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senator Lund.

Absent and not voting: Senators Elggren, Jenkins, Larsen, Marsden and Reese.

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

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 94 was read the second time.

Committee report read and adopted.

H. B. No. 94 was placed on the Third Reading Calendar on the following roll call:

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

Those voting the affirmative were: Senators Brockbank, Clegg, Day Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Lund, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in negative were: Senator Burns.

Absent and not voting: Senators Elggren, Jenkins, Larsen, Marsden, Marthakis and Reese.

H. B. No. 86 was read the second time.

Committee report read and adopted.

H. B. No. 86 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Knight (explained vote), Larsen, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Jones (explained vote).

Absent and not voting: Senators Elggren, Lund, Marsden and Melich.

On motion of Senator Gibson, *H. B. No. 14* was made a special order of business for Monday, February 21, 1949 at 4:30 p.m.

H. B. No. 114 was read the second time.

Committee report read and adopted.

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

Section 3 was deleted and Section 4 was renumbered Section 3.

H. B. No. 114 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Fowles, Gibson, Jenkins, Jensen, Jones, Knight, Larsen, Lund, Marthakis, Melich (explained vote), Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Elggren, Gibbons, Jolley, Marsden and McShane.

H. B. No. 115 was read the second time.

Committee report read and adopted.

H. B. No. 115 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jensen, Jones, Knight, Larsen, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Elggren, Gibbons, Jolley, Lund, Marsden, Marthakis and Reese.

On motion of Senator Fowles, the enacting clause on *S. B. Nos. 112 and 113* were struck.

On motion of Senator Marthakis, the Senate adjourned.

FORTY-THIRD DAY

February 21, 1949

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 21, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully roports that we have read the Journal for the fortieth day and find it correct with minor amendments noted on the final copy.

Respectfully,

TAYLOR P. BROCKBANK

MRS. A. C. JENSEN

Report adopted and filed.

President Hopkin appointed Senators Milliman and Knight to revise the Journal for the week beginning February 21, 1949.

Senator Marthakis moved that the Senate accept the invitation of the Salt Lake Kiwanis Club to meet with them Thursday noon, February 24, 1949.

Motion carried.

COMMUNICATIONS FROM THE GOVERNOR

February 18, 1949

To the Hon. Alonzo F. Hopkin, President, Utah State Senate

Dear Mr. President:

In my inital message to the 28th Legislature delivered on January 11, 1949, I addressed your Honorable Bodies as follows:

"The State of Utah has substantial trust funds, such as State Insurance Funds, State Land Board, and Compensation Funds, which I have been informed have not been audited independently for many years. I understand also that substantial losses have been suffered which should be written off. It is my recommendation that this session of the Legislature investigate this matter thoroughly and make provision for an independent audit of each of these funds, to the end that the people of the State may clearly know the extent and nature of the funds involved."

There has been introduced in the Senate, Bill No. 237, designed to authorize an audit of these various agencies in accordance with the above recommendation.

The apparent inconsistancies that have been developed and are being developed in other departments of our government brings to me very forcibly that it is our joint duty to the people of this State to cause an independent audit to be made of these very substantial trust funds.

I feel this matter so keenly that at the risk of repetition I am directing your attention to the measure referred to above which will authorize such independent audits and urgently recommend to you that this matter by given very serious consideration.

Respectfully,

J. BRACKEN LEE,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 21, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, entitled,

"AN ACT AMENDING SECTION 25-6-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, ESTABLISHING METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF, AND THE APPOINTMENT AND COMPENSATION OF A CONSTABLE OF ELECTION IN EACH ELECTION DISTRICT," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 55 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 108*, by Messrs. White, Marble, Baker and Johnson, entitled,

"AN ACT AMENDING SECTIONS 100-11-1, 100-11-2, 100-11-4, 100-11-9, 100-11-13, 100-11-14 AND 100-11-16, UTAH CODE ANNOTATED 1943, AND 100-11-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 135, LAWS OF UTAH 1945, RELATING TO THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 108 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 18, 1949

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. 139* (rewritten), by Messrs. Tippetts, Larsen, Hinton, O. W. Young, Munk, Nielsen and White, entitled,

"AN ACT ENACTING SECTIONS 75-7-1A, 75-7-2A, 75-7-3A, 75-7-4A, 75-7-5A, AND 75-7-6A, PROVIDING FOR MEMBERS OF A STATE BOARD OF EDUCATION, FOR THE MANNER OF NOMINATING AND ELECTING MEMBERS TO THE STATE BOARD, FOR THE APPOINTMENT OF A MEMBER IN THE EVENT OF A VACANCY, AND FOR THE SALARY, TRAVELING EXPENSES, AND TERMS OF STATE SCHOOL BOARD MEMBERS, PROVIDING FOR ELECTION OF STATE BOARD OF EDUCATION OFFICERS AND FIXING DUTIES THEREOF, AUTHORIZING EMPLOYMENT AND SALARIES OF NECESSARY PERSONNEL BY THE BOARD, AND REPEALING SECTIONS 75-7-1, 75-7-2, 75-7-3, 75-7-4, 75-7-5, AND 75-7-6, UTAH CODE ANNOTATED 1943," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 139 (rewritten) was read the first time and referred to the Committee on Education.

February 21, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 166*, by Messrs. Bonnacci, Murch and Kerr, entitled,

"AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945 AND CHAPTER 54, LAWS OF UTAH 1947; SECTION 42-2a-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 55, LAWS OF UTAH 1947; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH 1947; SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1943 AND CHAPTER 59, LAWS OF UTAH 1947; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1945; AND SECTIONS 42-2a-5, 6, 9, 10, 11, UTAH CODE ANNOTATED 1943 AND ENACTING NEW SECTIONS 42-2a-13.10 AND 42-2a-13.20, RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELEGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; TIME FOR APPEAL;

EMPLOYER CONTRIBUTIONS — MERIT RATING; APPEALS — REVIEW; ADMINISTRATION; ADMINISTRATION FUNDS; FEDERAL FINANCING; DEFINING TERMS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 166 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 282*, by Mr. Knight, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

On motion of Senator Knight, the enacting clause on *S. B. No. 282* was struck.

February 21, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 288*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 288 was referred to the Sifting Committee.

February 21, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 289*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 289 was referred to the Sifting Committee.

On motion of Senator Marthakis, the Senate recessed for ten minutes.

The Senate reassembled.

With unanimous consent, the following resolutions were presented and bill introduced:

PRESENTATION OF RESOLUTIONS

S. R. No. 10 By the Senate

A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CHEERFUL, FAITHFUL, PATIENT AND SCRUPULOUSLY HONEST SERVICES RENDERED THE LEGISLATURE DURING THE PAST TWENTY-FIVE YEARS BY A PRIVATE CITIZEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. R. No. 11 By Mr. Knight

A RESOLUTION OF THE SENATE OF THE STATE OF UTAH TO THE PEOPLE OF FRANCE IN APPRECIATION OF THE FRENCH "MERCI TRAIN", was read the first time.

On motion of Senator Knight, the rules were suspended and *S. R. No. 11* was read the second and third times and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Gibson, Jenkins, Marsden, Melich and Milliman.

S. R. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

S. C. R. No. 1 By Messrs. McShane and Knight

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE FEDERALIZATION OF THE NATIONAL GUARD OF THE UNITED STATES AND THE NATIONAL GUARD OF THE SEVERAL STATES, TERRITORIES AND THE DICTRICT OF COLUMBIA IN WHOLE OR IN PART, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 293 By Mr. Reese for Highway Committee

AN ACT AMENDING SECTION 36-6-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, AND BY CHAPTER 61, LAWS OF UTAH 1945; AMENDING SECTION 36-6-11, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947; AMENDING SECTION 36-6-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1945, BY CHAPTER 49, LAWS OF UTAH 1947, AND BY CHAPTER 2, LAWS OF UTAH 1948, FIRST SPECIAL SESSION; AMENDING SECTION 36-6-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, BY CHAPTER 61, LAWS OF UTAH 1945, CHAPTER 49, LAWS OF UTAH 1947 AND BY CHAPTER 2, LAWS OF UTAH 1948, FIRST SPECIAL SESSION; AMENDING SECTION 36-6-22, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947; AMENDING SECTION 36-6-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1945, BY CHAPTER 18 AND CHAPTER 49, LAWS OF UTAH 1947; AND ENACTING A NEW SECTION 36-6-26, UTAH CODE ANNOTATED 1943, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

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

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

Delete all material in Section 3 and insert in lieu thereof the following:

"The State Board of Fire Prevention shall consist of eight members who shall be appointed by the Governor with the advice and consent of the Senate of the Utah State Legislature, as follows: (1) one shall have served for a period of at least two years as and at the time of his appointment shall be chief or other designated head of a regularly organized fire department of a city, town or county government within the State of Utah; (2) one shall be an active member of the Utah State Firemen's Association; (3) one shall be a member in good standing of the Utah State Municipal League; (4) one shall be a duly qualified fire protection engineer actually engaged in fire prevention work; (5) one shall be a member in good standing of the Utah Association of Architects; (6) one shall be a member of the Utah State Safety Council; (7) one shall be a duly licensed fire insurance agent of the State of Utah; (8) one shall be a member in good standing of the Utah State Farm Bureau.

Said members shall be appointed on or before the expiration of thirty days after this law shall become effective. Of said eight members so appointed the three first appointed shall serve for a period of two years, beginning thirty days after this law shall have become effective; the next three so appointed shall serve for a period of four years from said date; and the next two so appointed shall serve for a period of six years from said date. Upon the expiration of the terms to which said members shall originally be so appointed, the terms to which the successor members shall be appointed shall be six years, beginning the day following the expiration of the next preceding term."

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

Page 5, line 2, after the figure "(5)" strike the words "enforce and".

Page 6, line 3, strike the figures "$50,000.00" and insert in lieu thereof the figures $30,000.00"

S. B. No. 15 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Jensen, Knight and Marthakis.

Those voting in the negative were: Senators Day, Gibbons, Gibson, Jolley, Jones, Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Jenkins.

S. B. No. 15 was filed.

REPORTS OF STANDING COMMITTEES

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 11*, by Mr. Knight, entitled:

"A RESOLUTION OF THE SENATE OF THE STATE OF UTAH TO THE PEOPLE OF FRANCE IN APPRECIATION OF THE FRENCH "MERCI TRAIN", has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 11 was signed by the President in open session in the presence of the Senate and transmitted to the Secretary of State.

SPECIAL ORDER

S. J. R. No. 3, being a special order of business, was before the Senate.

On motion of Senator Jolley, *S. J. R. No. 3* was made a special order of business for Friday, February 25, 1949 at 3:30 p.m.

S. B. No. 75, being a special order of business, was before the Senate on its final passage.

Senator Melich, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Day, the call was lifted.

S. B. No. 75 then passed on the following roll call:

Ayes, 12; Nos, 11; Absent, 0.

Those voting in the affirmative were: Senators Clegg (explained vote), Elggren, Fowles, Gibson, Jenkins, Jensen, Jones, Larsen, Marthakis, Melich, Milliman and Reese.

Those voting in the negative were: Senators Brockbank, Burns, Day, Gibbons, Jolley, Knight, Lund, Marsden, McShane, Orser and Mr. President.

S. B. No. 75 was transmitted to the House.

Senator Jolley moved that the Senate reconsider its action by which *S. J. R. No. 3* was made a special order of business for Friday, February 25, 1949 at 3:30 p.m., and that the Senate do now consider *S. J. R. No. 3*.

Motion carried.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Milliman and Orser.

Those voting in the negative were Senators: Clegg, Gibbons, Jones (explained vote), McShane, Reese and Mr. President (explained vote).

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

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today it stand adjourned until Wednesday, February 23, 1949 at 10:00 a.m.

On motion of Senator Day, *H. B. No. 14* was made a special order of business for Wednesday, February 23, 1949 at 10:30 a.m.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 96 was read the third time and placed on its final passage.

H. B. No. 96 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman and Mr. President.

Absent and not voting: Senators Jenkins, Orser and Reese.

H. B. No. 96 was returned to the House.

H. B. No. 95 was read the third time and placed on its final passage.

On motion of Senator Marthakis, the Senate adjourned.

FORTY-FIFTH DAY

MORNING SESSION

February 23, 1949

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.

February 23, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-third day and find it correct with minor amendments noted on the final copy.

Respectfully,

FRED J. MILLIMAN
NEWELL KNIGHT

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 23, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 30*, by Messrs. Melich and Fowles, entitled:

"AN ACT CREATING A BOARD OF FIVE MEMBERS WHICH SHALL BE KNOWN AS THE STATE BOARD ON ALCOHOLISM."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

February 23, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

As Chief Executive, I am charged with the responsibility of determining what compensation can be paid to State employees and persons holding public office. An opinion of the Attorney General has cast some doubt on the question whether Legislators can legally receive compensation as such and also as public employees or officers where taxes are the source of such compensation.

It would be appreciated if you could have your Honorable Body make a study of this matter immediately with a view toward clarifying the status of those members who are affected by the opinion of the Attorney General, since I am faced with a serious administrative problem with respect to the payment of such members acting in the dual capacity mentioned.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication filed.

Senator Day moved that the Communication from the Governor be considered in the first Executive Session of the Senate.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

January 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the Acting Governor did on the 27th day of January, 1949, approve and transmit to the Secretary of State, *H. C. M. No. 1*, by Emergency Committee of Relief, entitled,

"A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO GRANT EMERGENCY DEFICIENCY APPROPRIATIONS TO FEDERAL AGENCIES OPERATING IN UTAH FOR THE PURPOSE OF SAVING HUMAN AND ANIMAL LIVES ENDANGERED BY UNPRECEDENTED STORMS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 18, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 80*, by Messrs. Marble, Larson and Murch, entitled,

"AN ACT APPROPRIATING $20,000 FOR ESTABLISHING AN APPRENTICESHIP COUNCIL AND LOCAL STATE JOINT APPRENTICESHIP COMMITTEES FOR THE PURPOSE OF EFFECTUATING AN APPRENTICE TRAINING PROGRAM IN THE STATE OF UTAH; PROVIDING FOR A DIRECTOR OF APPRENTICESHIP WITHIN INDUSTRIAL COMMISSION OF UTAH; PRESCRIBING A PROCEDURE FOR THE DETERMINATION OF APPRENTICESHIP AGREEMENT CONTROVERSIES; REQUIRING REPORTS TO THE INDUSTRIAL COMMISSION OF UTAH TO BE MADE PUBLIC," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 80 was read the first time and referred to the Committee on Appropriations and Claims.

February 21, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 213*, by Mr. Albrecht, entitled,

"AN ACT APPROPRIATING $60,000 FROM THE GENERAL FUND IN THE STATE TREASURY TO THE STATE DEPARTMENT OF HEALTH FOR CRIPPLED CHILDREN'S SERVICE PROGRAM," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 213 was read the first time and referred to the Committee on Appropriations and Claims.

REPORTS OF STANDING COMMITTEES

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 25*, by Messrs. Marthakis and Larsen, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 25 was ordered printed and referred to the Committee on Welfare.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 26*, by Mrs. Jensen and Mr. Fowles, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 26 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 234* (rewritten), by Messrs. Jolley, Fowles and Jones, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 234 (rewritten) was ordered printed and referred to the Committee on Welfare.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 245*, by Messrs. Jenkins and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

"AN ACT RELATING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS; PROVIDING FOR THE TERMINATION OF A PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATION BY ELECTION OF THE MEMBERS; PROVIDING FOR THE DESIGNATION OF TRUSTEES OF THE FUND OF SUCH ASSOCIATION; AND PROVIDING FOR THE MANNER IN WHICH SUCH FUNDS SHALL BE DISTRIBUTED," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 245 was ordered printed and referred to the Committee on Judiciary.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 254*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 254 was ordered printed and referred to the Committee on Judiciary.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 274*, by Mr. Melich and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 274 was ordered printed and referred to the Committee on Judiciary.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 275*, by Messrs. Larsen and Orser, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 275 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 277*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 277 was ordered printed and referred to the Committee on Fish and Game.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 278*, by Messrs. Elggren, Burns and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 278 was ordered printed and referred to the Committee on Welfare.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 279*, by Messrs. Milliman and Day, with a few minor changes assented to by the authors, including the following revision of the title:

"AN ACT TO AMEND SECTION 7-6-7, UTAH CODE ANNOTATED 1943, RELATING TO REPORTS OF INDUSTRIAL LOAN CORPORATIONS AND PROVIDING FOR THE PAYMENT OF AN ANNUAL LICENSE FEE," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 279 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 280*, by Mr. Milliman for Committee on Appropriations and Claims, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 280 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 283*, by Mr. Lund, with a few minor changes assented to by the author and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 283 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 284*, by Mr. Lund, with a few minor changes assented to by the author and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 284 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 285*, by Mr. Lund, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT ADDING SECTIONS 20-5-10, 20-5-11, 20-5-12, 20-5-13, 20-5-14, 20-5-15, 20-5-16, 20-5-17, 20-5-18, 20-5-19, 20-5-20, 20-5-21, TO CHAPTER 5, TITLE 20, UTAH CODE ANNOTATED 1943 RELATING TO AND PROVIDING FOR COUNTY TRIAL JUSTICES OF THE PEACE COURTS, FIXING TERMS OF OFFICE AND SALARY, DUTIES AND JURISDICTION, AND PRESCRIBING PROCEDURE." and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 285 was ordered printed and referred to the Committee on Judiciary.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 286*, by Mr. Lund, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 286 was ordered printed and referred to the Committee on Appropriations and Claims.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 287*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 287 was ordered printed and referred to the Committee on Judiciary.

February 21, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 292*, by Mr. Marthakis, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 292 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 21, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 238*, by Mr. Burns, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 238 was referred to the Committee on Appropriations and Claims.

February 21, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 240*, by Mr. McShane, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 240 was referred to the Sifting Committee.

February 21, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 243*, by Mr. McShane, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 243 was referred to the Sifting Committee.

February 21, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 255*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 255 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 257*, by Messrs. Burns, Brockbank and Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 257 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 270*, by Mr. Lund, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 270 was referred to the Committee on Appropriations and Claims.

February 23, 1949

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 273*, by Messrs. Reese and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman.

Report filed.

S. B. No. 273 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 244*, by Mr. Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 244 was referred to the Sifting Committee.

On motion of Senator Fowles, *H. B. No. 14* was made a special order of business for Thursday, February 24, 1949 at 10:30 a.m.

UNFINISHED BUSINESS

H. B. No. 95, being unfinished business, was before the Senate.

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

Page 3, line 1, change the period after the word "hearing" to a comma and insert the words, "if such public hearing is requested."

H. B. No. 95 then passed on the following roll call:

Ayes, 13; Nos, 0; Absent, 10.

Those voting in the affirmative were: Senators Brockbank, Burns Day, Elggren, Fowles, Jones, Knight, Larsen, Lund, Marthakis, McShane, Orser and Mr. President.

Absent and not voting: Senators Clegg, Gibbons, Gibson, Jenkins, Jensen, Jolley, Marsden, Melich, Milliman and Reese.

H. B. No. 95 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 94 was read the third time and placed on its final passage.

H. B. No. 94 then passed on the following roll call:

Ayes, 13; Nos, 0; Absent, 10.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Jones, Knight, Larsen, Lund, Marthakis, McShane, Orser and Mr. President.

Absent and not voting: Senators Clegg, Gibbons, Gibson, Jenkins, Jensen, Jolley, Marsden, Melich, Milliman and Reese.

H. B. No. 94 was returned to the House.

H. B. No. 86 was read the third time and placed on its final passage.

On motion of Senator Day, *H. B. No. 86* retained its place on the Third Reading Calendar.

H. B. No. 114 was read the third time and placed on its final passage.

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

Section 3 was renumbered Section 4 and a new Section 3 to read as follows was inserted: "The effect of this Act may be varied by agreement."

H. B. No. 114 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Gibson, Jenkins, Jensen, Melich and Milliman.

H. B. No. 114 was returned to the House.

H. B. No. 115 was read the third time and placed on its final passage.

H. B. No. 115 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, MsShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Jenkins, Jensen, Melich and Milliman.

H. B. No. 115 was returned to the House.

Senator Fowles moved that the report of the Sifting Committee be placed on the Calendar for action by the Senate at this time.

Motion carried.

REPORTS OF SPECIAL COMMITTEES

February 21, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 24, 214, 143, 144, 146 and 147; S. J. R. Nos. 14, 15, 16 and 20; S. J. M. No. 2.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. Nos. 24, 214, 143, 144, 146, 147 and S. J. R. Nos. 14, 15, 16, 20 and S. J. M. No. 2 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Day, *S. B. Nos. 24 and 214* retained their place on the Second Reading Calendar.

S. B. No. 143 was read the second time.

On motion of Senator Knight, *S. B. No. 143* retained its place on the Second Reading Calendar.

S. B. No. 144 was read the second time.

Committee report read and adopted.

S. B. No. 144 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 Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Milliman and Reese.

S. B. No. 146 (rewritten) was read the second time.

Committee report read and adopted.

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

Page 2, line 9, after the word "disability" insert the words "which is service connected".

Page 2, line 15, after the word "disability" insert the words "which is service connected".

Page 2, line 18, after the word "disability" insert the words "which is service connected".

S. B. No. 146 (rewritten) 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 Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Clegg, Gibson, Milliman and Reese.

On motion of Senator Marthakis, 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 Gibson moved that the Governor be asked to return *H. B. No. 42* for reconsideration by the Senate.

Motion carried.

On motion of Senator Marthakis, the Secretary was directed to send a letter of appreciation and thanks to the Executives of Geneva Steel Company for their courtesies extended during the Senate's visit.

REPORTS OF STANDING COMMITTEES

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. R. No. 1*, by Messrs. McShane and Knight, with a few minor changes assented to by the authors, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

Senator Knight moved that the rules be suspended and that *S. C. R. No. 1* not be printed and that it be placed on the Second Reading Calendar to follow *S. J. M. No. 2.*

Motion carried.

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. R. No. 10*, by The Senate, with a few minor changes assented to by the author, and recommends the resolution be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 10 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 246*, by Messrs. Jenkins and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

"AN ACT AMENDING SECTIONS 75-29-47; 75-29-37; 75-29-45, UTAH CODE ANNOTATED 1943, AND SECTION 75-29-27, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947 AND SECTION 75-29-48, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 98, LAWS OF UTAH 1945, RELATING TO THE TEACHERS' RETIREMENT ACT; CLARIFYING THE METHOD OF COMPUTING BENEFITS; PROVIDING THAT ACCUMULATED CONTRIBUTIONS OF MEMBERS BE HELD IN TRUST FOR SAID MEMBERS; PROVIDING FOR FAIR AND EQUITABLE PARTICIPATION IN THE TEACHERS RETIREMENT ACT BY MEMBERS WHO ARE MEMBERS OF A LOCAL TEACHERS RETIREMENT ASSOCIATION IN THE EVENT OF DISSOLUTION OF THE SAID ASSOCIATION; AND ELIMINATING THE REDUCTION OF PENSIONS OF MEMBERS RETIRED FOR SERVICE WHO ENGAGE IN GAINFUL OCCUPATIONS," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 246 was ordered printed and referred to the Committee on Education.

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 290*, by Mr. Melich, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT AMENDING SECTIONS 100-10-18, 100-10-22, 100-10-35, 100-10-36, 100-10-38 AND 100-10-39, UTAH CODE ANNOTATED 1943, RELATING TO METROPOLITAN WATER DISTRICTS," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 290 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 291*, by Messrs. Jolley and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 291 was ordered printed and referred to the Committee on Revenue and Taxation.

February 23, 1949

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 139* (rewritten), by Messrs. Tippetts, Larsen, Hinton, O. W. Young, Munk, Nielsen and White, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

H. B. No. 139 (rewritten) was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 147 was read the second time.

Committee report read and adopted.

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

Page 2, line 16, insert a period after the word "Education" and strike the balance of the line.

Page 2, line 17, strike the word "Affairs" and start a new sentence beginning with the word "The" and insert the words "veterans' organizations of Utah".

Page 2, line 19, strike the words "equipment, and"; after the word "books" insert the word "and".

Page 2, strike all of line 20, and the words "and travel" in line 21.

S. B. No. 147 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 Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins, Larsen, Melich and Milliman.

On motion of Senator Knight, the enacting clause on *S. J. R. No. 13* was struck.

S. J. R. No. 14 was read the second time.

Committee report read and adopted.

On motion of Senator McShane, the resolution was amended as follows:

Lines 16 and 17, delete the words "such other representatives as the Governor deems advisable" and insert in lieu thereof the words "a representative from the Utah Legislative Council".

S. J. R. No. 14 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Orser, Reese and Mr .President.

Absent and not voting: Senators Clegg, Jenkins, Larsen, Melich and Milliman.

S. J. R. No. 15 was read the second time.

Committee report read and adopted.

On motion of Senator McShane, the resolution was amended as follows:

Line 1, delete the words "has no adequate" and insert in lieu thereof the words "needs an".

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

Lines 6 and 7, strike the words "or is about to organize".

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Jenkins, Larsen, McShane and Milliman.

S. J. R. No. 16 was read the second time.

On motion of Senator Knight, the Committee report was read and adopted and the resolution was amended accordingly.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Jenkins and Milliman.

S. J. R. No. 20 was read the second time.

Committee report read and adopted.

On motion of Senator Knight, the resolution was amended as follows:

Strike all of lines 1 and 2.

On motion of Senator Day, the resolution was amended as follows:

Line 12, after the word "capitol," insert the words "without expense to the state,"

Line 15, delete the words "install the" and insert in lieu thereof the words "permit the installation of".

On motion of Senator McShane, the resolution was amended as follows:

Line 17, after the word "play" insert the words "the first stanza of" and after the word "Banner" insert the words "or other patriotic number".

On motion of Senator Elggren, the resolution was amended as follows:

Line 18, change the period at the end of the line to a comma and insert the words "or at the discretion of the Board of Examiners as they see fit."

On motion of Senator Day, the title was amended as follows:

Line 2, delete the word "INSTALL" and insert in lieu thereof the words "PERMIT THE INSTALLATION OF".

S. J. R. No. 20 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 Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Reese and Mr. President.

Absent and not voting: Senators Jenkins, Lund, Milliman and Orser.

President Hopkin recognized former Senator Claud Hirschi.

On motion of Senator Knight, the Senate recessed for fifteen minutes.

The Senate reassembled.

COMMUNICATIONS FROM THE GOVERNOR

February 23, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

I am herewith returning to your Honorable Body *Senate Bill No. 10*, by Mr. Melich, entitled:

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, RELATING TO A TAX TO PROVIDE FOR THE CARE, MAINTENANCE AND RELIEF OF INDIGENT PERSONS AND FOR THE ERECTION AND MAINTENANCE OF HOSPITALS AND INFIRMARIES AND FOR THE EMPLOYMENT OF A SUPERINTENDENT OF COUNTY HOSPITALS AND INFIRMARIES AND FOR THE SALARY OF A COUNTY PHYSICIAN," and permitting it

to become law without my signature. I have elected to take this position because of a question raised by the Attorney General as to an ambiguity he finds in this measure.

Hoping this meets with your approval, I am,

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication filed.

February 23, 1949

To the Senate
Building

Gentlemen:

I have this day selected J. Welton Ward of Willard, Box Elder County, Utah, to be appointed as a member of the Tax Commission for the term beginning March 1, 1949.

I am submitting his name to you for your approval.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

REPORTS OF SPECIAL COMMITTEES

February 23, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 288, 289, 13, 244, 270, 9, 121, 116 and 177.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. Nos 288, 289, 13, 244, 270, 9, 121, 116 and 177 were placed on the Second Reading Calendar.

On motion of Senator Fowles, *H. B. No. 107 and H. J. R. No. 5* were referred back to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. J. M. No. 2 was read the second time.

Committee report read and adopted.

S. J. M. No. 2 then failed of passage on the following roll call:

Ayes, 6; Nos, 15; Absent, 2.

Those voting in the affirmative were: Senators Burns, Elggren, Fowles, Knight (explained vote), Marthakis and Milliman.

Those voting in the negative were: Senators Clegg (explained vote), Day, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank and Jensen.

S. J. M. No. 2 was filed.

On motion of Senator McShane, *S. C. R. No. 1* retained its place on the Second Reading Calendar.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns to day, it stand adjourned until Thursday, February 24, 1949 at 10:00 a.m.

On motion of Senator Knight, the names of Senator Day, Fowles and McShane were added as co-authors on *S. B. Nos. 144, 146 and 147.*

S. B. No. 288 was read the second time.

Committee report read and adopted.

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

Page 3, between lines 27 and 28, insert "42-1A-11" and the balance of the section as found on page 6, lines 16 through 33 and page 7, lines 1 through 16.

Page 4, between lines 15 and 16, insert "42-1A-15" and the balance of the section as contained on page 7, lines 18 through 33, all of pages 8 and 9, and lines 1 through 4, page 10, in lieu of the order of the above-numbered sections as they now appear in the bill.

On motion of Senator Marthakis, the rules were suspended and *S. B. No. 288* was read the third time and placed on its final passage.

S. B. No. 288 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank and Jenkins.

S. B. No. 288 was transmitted to the House.

S. B. No. 289 was read the second time.

Committee report read and adopted.

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

Page 5, between lines 28 and 29, insert "42-1-57" and the balance of the section as found on page 2, lines 29 through 33, and page 3, lines 1 through 12.

Page 12, between lines 3 and 4, insert "42-1-79" and the balance of the section as found on page 3, lines 14 through 22 inclusive, in lieu of the order of the above sections as they now appear in the bill.

On motion of Senator Marthakis, the rules were suspended and *S. B. No. 289* was read the third time and placed on its final passage.

S. B. No. 289 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Jenkins and Orser.

S. B. No. 289 was transmitted to the House.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 294 By Messrs. Melich and Orser

AN ACT AMENDING SECTION 4 OF CHAPTER 141 OF THE LAWS OF UTAH, 1947, RELATING TO THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD AND CONSTITUTING SAID BOARD THE INTERSTATE STREAMS COMMISSION OF THE STATE AND FIXING ITS POWERS AND DUTIES AS SUCH COMMISSION, PROVIDING FOR AN INTERSTATE STREAMS COMMISSIONER AND PROVIDING FOR HIM TO BE THE COMMISSIONER REPRESENTING THE STATE OF UTAH ON THE UPPER COLORADO RIVER COMMISSION, PURSUANT TO THE UPPER COLORADO RIVER COMPACT WHICH WAS RATIFIED BY THE STATE OF UTAH IN SENATE BILL NO. 1 OF THE 28TH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, APPROVED JANUARY 31, 1949, UPON THE ESTABLISHMENT OF SUCH COMMISSION AND PROVIDING FOR HIS ADVISORS AND FIXING HIS AND THEIR COMPENSATION; REPEALING SECTION 100-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REF-

ERENCE TO INTERSTATE STREAMS, AND AMENDING SECTION 100-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the Senate adjourned.

FORTY-SIXTH DAY

MORNING SESSION

February 24, 1949

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.

February 24, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-fifth day and find it correct with minor amendments noted on the final copy.

Respectfully,

FRED J. MILLIMAN
NEWELL KNIGHT

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 23, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

The State of Utah now owns 179 passenger automobiles, not including station wagons, pickup trucks and jeeps. In addition, hundreds of employees are operating their own automobiles at an allowance of six cents per mile which is paid from State funds. The estimated cost of all of this operation runs well over $500,000.00 per year.

Many of the State owned automobiles are assigned to individuals and these vehicles are used largely for transportation to and from their homes. Substantial amounts of the money paid for mileage of private automobiles could be eliminated if State cars were available for the occasional trips necessary for State business, and the practice were started of using one car where two or three are being used at the present.

Investigation has indicated that substantial savings, approximately $75,000.00 per year, could be effected by the institution of one car pool, located upon the Capitol grounds. In this pool would be placed approximately thirty State owned cars. Officers or employees requiring the use of automobiles for strictly State business would be required to obtain a car from this pool upon a proper order from the responsible head of the department desiring such use. Each department would pay into the car pool fund a rental of six cents per mile for the use, which amount should be sufficient to make the pool self-supporting. When the use authorized for the vehicle has been completed, the car would be returned to the pool.

To accomplish this purpose, it will be necessary to construct a garage building for the storing and maintenance of the cars in the pool. The State Engineering Department has drafted tentative plans for the cost of such a building to be located on the north-east corner of the Capitol grounds. The operation of the garage and pool would be delegated to the present Department of Engineering, State Road Commission.

It is my thought that this car pool, with its attendant building, can be accomplished without any additional legislation except an appropriation of $86,933.00 for the construction of the building.

I ask your consideration of this recommendation and feel sure that its accomplishment will effect substantial savings to our State.

Sincerely yours,

J. BRACKEN LEE,
Governor.

On motion of Senator McShane, the communication from the Governor was referred to the Committee on Highways.

COMMUNICATIONS FROM THE HOUSE

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 7*, by Messrs. Davis and Faust, entitled,

"AN ACT AMENDING SECTION 28-2-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47 LAWS OF UTAH 1945, RELATING TO FEES TO BE CHARGED BY A COUNTY RECORDER."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 8*, by Messrs. Davis and Faust, entitled,

"AN ACT AMENDING SECTION 28-2-2, UTAH CODE ANNOTATED 1943, RELATING TO FEES TO BE CHARGED BY A COUNTY CLERK."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 12*, by Messrs. Murch and Davis, entitled,

"AN ACT PROVIDING FOR THE MANNER IN WHICH THE UTAH CENTENIAL COMMISSION SHALL DISPOSE OF ALL PROPERTY HELD BY IT AFTER THE CLOSING OF THE CENTENNIAL OBSERVANCE."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 21*, by Messrs. Davis, Poulson and Openshaw, entitled,

"AN ACT AMENDING SECTION 7-7-11, UTAH CODE ANNOTATED 1943, REGARDING THE ELECTIONS, POWERS AND DUTIES OF DIRECTORS AND EXECUTIVE OFFICERS OF CREDIT UNIONS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 27*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING TO THE PUBLIC WELFARE COMMISSION FROM THE EMERGENCY RELIEF FUND THE SUM OF $189,000 SUPPLEMENTING APPROPRIATIONS FOR PUBLIC ASSISTANCE HERETOFORE MADE FOR THE QUARTER ENDING MARCH 31, 1949."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 29*, by Mrs. Jack, Messrs. Walker, Cullimore, O. W. Young, Mitchell, Preece, Olson, Reese and Bonacci, entitled,

"AN ACT AMENDING SECTION 3, CHAPTER 19 OF THE LAWS OF UTAH 1947, RELATING TO THE ESTABLISHMENT OF PENSION RETIREMENT, SICKNESS, DISABILITY AND DEATH BENEFIT SYSTEMS IN CITIES AND INCORPORATED TOWNS; PERMITING LIBRARIANS, ASSISTANT LIBRARIANS AND EMPLOYEES OF PUBLIC LIBRARIES OF SUCH CITIES AND TOWNS TO PARTICIPATE THEREIN; PROVIDING FOR EMPLOYMENT, DISMISSAL AND TRANSFER OF EMPLOYEES OF SAID CITIES AND INCORPORATED TOWNS, OTHER THAN MEMBERS OF POLICE AND FIRE DEPARTMENTS; CREATING AN APPEAL BOARD AND PROVIDING FOR THE APPEAL OF TRANSFERS AND DISMISSALS TO SUCH BOARD."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 44*, by Messrs. Cayias and Faust, entitled,

"AN ACT AMENDING SECTION 52-1-7 UTAH CODE ANNOTATED, 1943, AND FIXING TIME WITHIN WHICH CONTRACTORS, SUB-CONTRACTORS AND OTHER PERSONS INCLUDED IN THE

ACT MUST FILE A CERTIFIED CLAIM OF LIEN, AND REQUIRING THE CLAIM TO INCLUDE A STATEMENT OF DEMAND, NAME OF EMPLOYER, AND TERMS OF THE CONTRACT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 52*, by Mr. Rees, entitled,

"AN ACT AMENDING SECTION 48-0-16, UTAH CODE ANNOTATED 1943, RELATING TO THE FILLING OF VACANCIES AND THE PER DIEM SALARY OF A JURY COMMISSIONER."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 54*, by Mrs. Jack, Messrs. Hinton, Luke and Barton, entitled,

"AN ACT AMENDING SECTION 25-2-22, UTAH CODE ANNOTATED, 1943, FIXING THE COMPENSATION OF REGISTRATION AGENTS AT NOT TO EXCEED $5.00 PER DIEM."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 21, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 68* (rewritten), by Messrs. Stewart and Davis, entitled,

"AN ACT AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AND 3 AND 9, CHAPTER 32, LAWS OF UTAH 1947, PROVIDING FOR SUPERVISION BY DIRECTOR OF CERTAIN PROFESSIONS, TRADES AND OCCUPATIONS IN COLLABORATION

WITH COMMITTEES OF SAME UNDER SUPERVISION OF DEPARTMENT OF BUSINESS REGULATION AND FOR DESIGNATION OF COMMITTEE FOR PRACTICE OF NURSING AND PROVIDING FOR EXCEPTIONS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 68 (rewritten) was referred to the Committee on Health and Labor.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 23rd day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 78*, by Mr. Cayias, entitled,

"AN ACT TO AMEND SECTION 49-11-8, UTAH CODE ANNOTATED 1943, PERTAINING TO MAXIMUM WEEKLY HOURS OF LABOR ON PUBLIC WORKS, AND FIXING A PAY RATE FOR LABOR IN EXCESS THEREOF."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 114*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, entitled,

"AN ACT ESTABLISHING THE TIME WITHIN WHICH THE COLLECTION, PAYMENT THE REVOCATION OF CREDIT FOR, AND DISHONOR OF DEMAND ITEMS BY BANKS MUST BE MADE, AND AUTHORIZING THE PROVISIONS HEREOF TO BE VARIED BY AGREEMENT, AND REPEALING CHAPTER 13, LAWS OF UTAH 1945."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 96*, by Committee on Municipal and County Affairs, entitled,

"AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR ELECTION AND FIXING THE TERM OF OFFICE AT FOUR YEARS FOR ELECTED MUNICIPAL OFFICIALS IN CITIES OF THE SECOND AND THIRD CLASS AND TOWNS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 95*, by Committee on Municipal and County Affairs, entitled,

"AN ACT AMENDING SECTIONS 15-8-92, 15-8-93, 15-8-95, 15-8-96, 15-8-101, 15-8-104, AND 15-8-107, UTAH CODE ANNOTATED 1943, RELATING TO CITY AND TOWN PLANNING COMMISSIONS, MUNICIPAL ZONING ORDINANCES, HEARINGS; PROVIDING FOR TERMS OF OFFICE OF THE BOARD OF ADJUSTMENT, VARIANCES; ENFORCEMENT OF ZONING REGULATIONS, PROVIDING FOR HEARINGS AND COMPENSATION OF THE MEMBERS OF THE BOARD OF ADJUSTMENT AND POWERS OF CITIES AND TOWNS, AND REPEALING SECTION 15-8-94, UTAH CODE ANNOTATED 1943."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 23, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. J. R. No. 1*, by Mr. Clegg, entitled,

"A JOINT RESOLUTION RATIFYING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROPOSED BY THE JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES LIMITING THE NUMBER OF TIMES A PERSON MAY BE ELECTED TO THE OFFICE OF PRESIDENT OF THE UNITED STATES," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 272*, by Messrs. Elggren, Melich, Gibson, Day, Brockbank, Marsden and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 272 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 276*, by Messrs. McShane, Gibson, Day and Melich, with a few minor changes assented to by the authors and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 276 was ordered printed and referred to the Committee on Judiciary.

February 23, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 293*, by Mr. Reese, for the Committee on Highways, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 293 was ordered printed and referred to the Committee on Highways.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. C. M. No. 2*, by Mr. Day, has carefully considered said memorial and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. C. M. No. 2 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 23*, by Mr. Day, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. J. R. No. 23 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. J. R. No. 24*, by Messrs. Hopkin, Day and Melich, has carefully considered said resolution and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. J. R. No. 24 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. R. No. 10*, by the Senate, has carefully considered said resolution and reports the same out favorably.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

On motion of Senator Fowles, the rules were suspended and *S. R. No. 10* was made a special order of business for today at 4:00 p.m.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 8* (rewritten), by Mr. Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 8 (rewritten) was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 227* (rewritten), by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 227 (rewritten) was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 231*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 231 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 232*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 232 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 233*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 233 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 235*, by Messrs. Marthakis, Jolley, Fowles and Knight, has carefully considered said bill and reports the same out without reecommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 235 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 236*, by Messrs. Marthakis, Jolley, Fowles and Knight, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 236 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 237*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 237 was referred to the Committee on Appropriations and Claims.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 239*, by Messrs. Day, Burns and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 239 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 241*, by Mr. McShane, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 241 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 256*, by Messrs. Knight and Jensen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 256 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 258*, by Mr. Hokpin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 258 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 259*, by Mr. Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 259 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 260*, by Mr. Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 260 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 262*, by Mr. Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 262 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 264*, by Mr. Milliman, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES E. BURNS,
Chairman.

Report filed.

S. B. No. 264 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 266*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 266 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 267*, by Messrs. Marthakis, Jolley, Brockbank and Reese, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 267 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 269*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 269 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 271*, by Messrs. Melich and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 271 was referred to the Sifting Committee.

February 23, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 24* (rewritten), by Messrs. Bonacci, Anderson and Cope, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

H. B. No. 24 (rewritten) was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 51*, by Messrs. Johnson, Roberts, Marble, Albrecht and Luke, has carefully considered said bill and reports the same out favorably with the recommendation for the following amendments:

On page 4, in line 22, delete the words "two disinterested witnesses" and in lieu thereof insert the words, "proof engineer;" in line 23 after the word "profiles" insert "(in case of power use only)"; in line 24, insert after "reputable" the word "registered"; in line 29, delete the words "the place" and insert the words "and in case of nonconsumptive use the point where the water is returned".

Delete all of lines 30, 31, 32 and 33.

On page 5 delete all of line 1 to the period; in line 1 before the words "such other" insert the following sentences: "In the case of irrigation, the irrigated area is to be shown by legal subdivisions on the maps and the area in acres given in the written proof but when less than legal subdivisions are irrigated the description both in the written proof and on the map need not be given by metes and bounds but the maps shall show the configuration of the irrigated area, together with the acreage. The diverting channel on the map need be shown only from the point of diversion to the point where distribution of water begins and may be represented by traverse without metes and bounds."

In line 4 after the word "office" insert "consistent with this section"; in line 4 after the word "profile" insert "(where necessary)"; in line 12, delete the word "profiles".

On page 10 in line 11 after the word "information" insert "and accompanied by such proof".

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

H. B. No. 51 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 88*, by Messrs. Johnson, Bagnall, Tietjen, and Mayers, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

H. B. No. 88 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 108*, by Messrs. White, Marble, Baker and Johnson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

H. B. No. 108 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 125*, by Messrs. Johnson, Mayers, Barton and Rowberry, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

H. B. No. 125 was referred to the Sifting Committee.

SPECIAL ORDER

H. B. No. 14, being a special order of business, was before the Senate.

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

Committee report read and adopted.

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

Page 10, line 9, delete the underlining from the words "first board of".

Page 13, line 10, strike the word "imposed" and insert in lieu thereof, the word "reposed".

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

Page 11, line 30, strike the word "intrest" and insert in lieu thereof, the word "interest".

H. B. No. 14 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Knight, Lund, Marthakis, McShane, Orser and Mr. President.

Those voting in the negative were: Senator Jones.

Absent and not voting: Senators Clegg, Gibbons, Gibson, Jenkins, Jensen, Jolley, Larsen, Marsden, Melich, Miliman and Reese.

President Hopkin recognized the Honorable Will Rogers, Jr., who addressed the Senate briefly.

On motion of Senator Day, *H. B. No. 86* retained its place on the Calendar as unfinished business.

Senator Knight, speaking on personal privilege, called the attention of the Senate to some petitions from various veterans organizations in the state.

On motion of Senator Day, the Chairman of the Committee on Military Affairs was authorized to reply to the petitions from the veterans organizations.

On motion of Senator Marthakis, 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 GOVERNOR

February 24, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

I am returning to you for your further consideration, *House Bill No. 42*, by Messrs. Anderson and Aldous, entitled:

"AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF."

It is my understanding that an amendment was offered and accepted on the floor of the Senate which would affect the fourth line of the Bill in its present typewritten form.

Apparently this amendment, which would make the fourth line read: "A permit to hunt elk or antelope for either of the two years next . . . ." was overlooked inadvertently.

If it pleases your Honorable Body, may I suggest that you give this matter further consideration?

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication filed.

H. B. No. 42, as corrected, was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

February 24, 1949

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. 85*, by Messrs. Melich, Fowles, Reese and Knight, entitled,

"AN ACT AMENDING SECTION 36-2-17, UTAH CODE ANNOTATED 1943, APPROPRIATING TO THE STATE ROAD COMMISSION THE MONIES IN THE MOTOR VEHICLE REGISTRATION FUND FOR USE ON CLASS "B" AND CLASS "C" ROADS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 36-2-16.10, MAKING AN APPROPRIATION TO STATE ROAD COMMISSION AND REPEALING SECTIONS 36-2-16 AND 36-2-18, UTAH CODE ANNOTATED 1943," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 85 was referred to the Committee on Revision and Enrolling to be engrossed.

February 24, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor on this day approved and transmitted to the Secretary of State, *H. B. No. 59*, by Mr. Anderson, entitled,

"AN ACT AMENDING SECTION 30-0-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, REQUIRING ALIENS NOT RESIDING IN THE STATE MORE

THAN FIFTEEN YEARS TO PAY $12 FOR A FISH AND GAME LICENSE AND OTHER ALIENS TO PAY SAME FEE AS RESIDENT CITIZEN, AND PROVIDING FOR ALIENS TO CARRY AND USE FIREARMS AS PROVIDED IN THIS ACT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF SPECIAL COMMITTEES

Mr. Alonzo F. Hopkin, President
Utah State Senate

February 24, 1949

Mr. Ed J. McPolin, Speaker
Utah State House of Representatives

Gentlemen:

The respective committees appointed by the Senate and the House to consider the matter of salary increases, and having in mind particularly certain measures now introduced for consideration of the Legislature, recommend that there be no blanket increase of state elective officials' and appointive officials' salaries at the present time.

The recommendation is based upon the facts that it is presently necessary to curtail expenditure of state revenues; that the increased cost of living has lessened recently; and that the subject of fair compensation to state officers can be more accurately considered at a subsequent session of the Legislature.

In making the foregoing recommendation, the committee does not mean to infer that there should not be proper increases in salaries where the responsibility of the employment and the merits of any particular employee deserve an increase.

Respectfully,

ELIAS L. DAY, Chairman
Senate Committee on Salary Increase

FRANK BONACCI, Chairman
House of Representatives Committee on Salary Increase

Report filed.

Mr. Alonzo F. Hopkin, President
Utah State Senate
Building

February 24, 1949

Dear President Hopkin:

Considering the publicity given in the press, much of which has been adverse to the present management of the Utah State Prison, we, your Committee on Public Institutions, felt it proper to make a brief

report of our recent visit to the State Prison, at which time there was a large legislative representation, both of the Senate and the House.

We feel that commendation is due the Warden and Board of Corrections for the favorable conditions which we found, considering the handicapped and crowded condition of the prison.

The prison is maintained in cleanliness. There is evidence of cooperation. We feel that there is an advantage in having continuity of purpose and planning, as well as trained personnel. We understand that 84% of the inmates released from the State prison make good and do not return. This record leads the nation and compares most favorably with the national average of 40%.

We feel that an excellent job has been done, considering that practically twice as many men are crowded into the prison as its normal capacity warrants. We believe that completion of the new prison should be pushed with every available means, and completed without undue delay.

We commend the honor method now in use at the state prison of appealing to the best motives of the inmates, and their cooperation with the Board of Corrections and the state Warden in bringing about their own rehabilitation.

Sincerely,

LORENZO E. ELGGREN, Chairman
Committee on Public Institutions

Report filed.

REPORTS OF STANDING COMMITTEES

February 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 242*, by Mr. McShane, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 242 was ordered printed and referred to the Committee on Highways.

February 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 247*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 247 was ordered printed and referred to the Committee on Mining and Smelting.

February 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 261*, by Messrs. Melich and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 261 was ordered printed and referred to the Committee on Revenue and Taxation.

February 24, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 238*, by Mr. Burns, has noted the amount of the appropriation on the Joint Committee records, and reports the same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 238 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 270*, by Mr. Lund, has noted the amount of the appropriation on the Joint Committee records, and reports the same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 270 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *H. B. No. 80*, by Messrs. Marble, Larson and Murch, has noted the amount of the appropriation on the Joint Committee records, and reports the same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

H. B. No. 80 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *H. B. No. 213*, by Mr. Albrecht, has noted the amount of the appropriation on the Joint Committee records, and reports the same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

H. B. No. 213 was referred to the Sifting Committee.

UNFINISHED BUSINESS

H. B. No. 86, being unfinished business, was before the Senate.

H. B. No. 86 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, and Mr. President.

Those voting in the negative were: Senator Knight.

Absent and not voting: Senators Jenkins and Reese.

H. B. No. 86 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 144 was read the third time and placed on its final passage.

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

Page 1, line 7, after the word "veterans" insert a comma and add the words "whose disability is service connected,".

Page 1, line 13, after the word "veteran" insert a comma and add the words "whose disability is service connected,".

Page 2, line 4, after the word "veteran" insert a comma and add the words "whose disability is service connected,".

Page 3, line 5, after the word "veteran" insert a comma and add the words "whose disability is service connected,".

Page 1, line 9, after the word "registration," add the words "and who is in a hospital,".

S. B. No. 144 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Clegg and Marsden.

S. B. No. 144 was transmitted to the House.

S. B. No. 146 (rewritten) was read the third time and placed on its final passage.

S. B. No. 146 (rewritten) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Marsden.

Senator McShane moved that the Senate reconsider the vote by which *S. B. No. 146* (rewritten) was passed.

Motion carried.

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

Page 2, line 18, after the word "disability" delete the words "which is service connected" which were inserted by a Senate amendment on February 23, 1949.

S. B. No. 146 (rewritten) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Marsden.

S. B. No. 146 (rewritten) was transmitted to the House.

S. B. No. 147 was read the third time and placed on its final passage.

On motion of Senator Gibson, the title was amended as follows:

Line 4, strike the words "A MEMBER" and insert in lieu thereof the word "MEMBERS".

On motion of Senator Gibson, *S. B. No. 147* was made a special order of business for Friday, February 25, 1949 at 2:30 p.m.

S. J. R. No. 14 was read the third time and placed on its final passage.

S. J. R. No. 14 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Clegg, Gibbons, Milliman and Reese.

S. J. R. No. 14 was transmitted to the House.

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

S. J. R. No. 15 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Clegg, Gibbons, Milliman and Reese.

S. J. R. No. 15 was transmitted to the House.

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Lund and Milliman.

S. J. R. No. 16 was transmitted to the House.

S. J. R. No. 20 was read the third time and placed on its final passage.

S. J. R. No. 20 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Burns, Clegg, Gibson, Lund and Milliman.

S. J. R. No. 20 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Day, *S. B. Nos. 24, 214 and 143* retained their place on the Second Reading Calendar.

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

S. C. R. No. 1 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Fowles and Milliman.

S. B. No. 13 was read the second time.

Committee report read and adopted.

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

Line 5, underscore the word "three".

On motion of Senator Gibson, the rules were suspended and *S. B. No. 13* was read the third time and placed on its final passage.

S. B. No. 13 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Knight and Milliman.

S. B. No. 13 was transmitted to the House.

S. B. No. 244 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, the rules were suspended and *S. B. No. 244* was read the third time and placed on its final passage.

S. B. No. 244 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Clegg, Fowles, Milliman and Reese.

S. B. No. 244 was transmitted to the House.

On motion of Senator Lund, the rules were suspended and *S. B. No. 270* was read the second time.

Committee report read and adopted.

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

Line 2, insert the figures "$20.000.00" following the word "of" and preceding the word "to" at the end of the line.

On motion of Senator Lund, the title was amended as follows:

Line 1, insert the figures "$20.000.00" after the word "APPROPRIATING".

On motion of Senator Gibson, *S. B. No. 270* was made a special order of business for Friday, February, 25, 1949 at 3:00 p.m.

S. B. No. 9 (rewritten) was read the second time.

Committee report read and adopted.

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

Page 2, line 2, strike the word "electoin" and insert in lieu thereof, the word "election".

Page 2, line 3, strike the word "eletion" and insert in lieu thereof, the word "election".

Page 5, line 11, strike the words "eluction sech" and insert in lieu thereof, the words "election such".

SPECIAL ORDER

S. R. No. 10, being on Special Order of Business was before the Senate.

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

Committee report read and adopted.

On motion of Senator Melich, the rules were suspended and *S. R. No. 10* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

S. R. No. 10 was referred to the Committee on Revision and Enrolling to be engrossed.

On motion of Senator Day, the Senate adjourned until Friday, February 25, 1949 at 10:00 a.m.

FORTY-SEVENTH DAY

MORNING SESSION

February 25, 1949

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.

February 25, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-sixth day and find it correct with minor amendments noted on the final copy.

Respectfully,

FRED J. MILLIMAN

Report adopted and filed. NEWELL KNIGHT

On motion of Senator Gibbons, it was agreed that when the Senate adjourns today, it stand adjourned until Monday, February 28, 1949 at 10:00 a.m.

On motion of Senator Marthakis, the Secretary was directed to send a letter of appreciation to the president of the Salt Lake Kiwanis Club, for inviting the Senate to its luncheon on February 24, 1949.

COMMUNICATIONS FROM THE GOVERNOR

February 24, 1949

To the Honorable Alonzo F. Hopkin, President
Utah State Senate
Building

Dear Mr. President:

After a careful study of the State's building program, I have come to the conclusion that the best interests of Utah would be served by stopping all contracts for contemplated and actual construction at this time.

It appears to me that some coordinated program should be mapped to determine just where the State is going on its building needs and just how such construction is to be financed.

I earnestly request your honorable body and that of the House to appoint a joint committee to make a survey of the most pressing building needs and the attendant financing thereto. It is my opinion that the State can save itself undue expense if the proper planning and financing is provided before this program gets too far along.

Respectfully,

J. BRACKEN LEE,
Governor.

On motion of Senator Marthakis, the communication from the Governor was referred to the Reserve Building Fund Committee, Joint Sub-Committee of the Joint Appropriations Committee: Senators Jenkins (Chairman), Marsden and Jolley; Representatives Hinton, Murch and Tippetts.

COMMUNICATIONS FROM THE HOUSE

February 24, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 42*, by Messrs. Anderson and Aldous, entitled,

"AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM AP-

PLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

February 24, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 85*, by Messrs. Melich, Fowles, Reese and Knight, entitled,

"AN ACT AMENDING SECTION 36-2-17, UTAH CODE ANNOTATED 1943, APPROPRIATING TO THE STATE ROAD COMMISSION THE MONIES IN THE MOTOR VEHICLE REGISTRATION FUND FOR USE ON CLASS "B" AND CLASS "C" ROADS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 36-2-16.10, MAKING AN APPROPRIATION TO STATE ROAD COMMISSION AND REPEALING SECTIONS 36-2-16 AND 36-2-18, UTAH CODE ANNOTATED 1943" has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 85 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 25, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 237*, by Mr. Melich, has noted the amount of the appropriation on the Joint Committee records, and reports the same out without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 237 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 294*, by Messrs. Melich and Orser, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 294 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 25, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 68* (rewritten), by Messrs. Stewart and Davis, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

H. B. No. 68 (rewritten) was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 9 (rewritten), being unfinished business, was before the Senate.

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

Page 2, line 7, delete the underscoring from the word "(except".

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

Page 1, line 1, delete the words "Sections Amended."

Page 1, delete all material on line 5 and insert the figures "25-1-7" at the beginning of line 6.

Page 2, delete all material on line 5 and insert the figures "25-3-10" at the beginning of line 6.

Page 2, line 14, delete the words "Sections Enacted:".

Page 2, delete all material on line 17 and insert the figures "20-8-1" at the beginning of line 18.

Page 3, delete all material on line 17 and insert the figures "20-8-2" at the beginning of line 18.

Page 3, line 19, delete the word "hereby".

Page 5, delete all material on line 15, and insert the figures "20-8-3" at the beginning of line 16.

Page 5, line 16, strike the word "Sleection" and insert in lieu thereof, the word "Selection".

Page 5, delete all material on line 23 and insert the figures "20-8-4" at the beginning of line 24.

Page 5, delete all material on line 33.

Page 6, line 1, insert the figures "20-8-5" at the beginning of line.

Page 6, delete all material on line 9 and insert the figures "20-8-6" at the beginning of line 10.

S. B. No. 9 (rewritten) was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Knight and Larsen.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 295 By Mr. Milliman for Joint Committee on Appropriations and Claims

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES.

Senator Milliman moved that the body of *H. B. No. 293* be inserted after the enacting clause of *S. B. No. 295* to be the body of *S. B. No. 295*.

Motion carried.

S. B. No. 295 was read the first time.

Senator Milliman moved that the rules be suspended and that the Senate do now consider *S. B. No. 295*.

Motion carried.

On motion of Senator Milliman the rules were suspended and *S. B. No. 295* was read the second time.

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

Page 5, line 1, strike the figures "820" and insert in lieu thereof, the figures "82C".

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

Page 8, line 7, strike the figures "$90,000.00" and insert in lieu thereof, the figures $95,000.00".

On motion of Senator Marthakis, 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

February 24, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 288*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, entitled,

"AN ACT AMENDING SECTIONS 42-1A-3; 42-1A-10; 42-1A-12; 42-1A-26 AND 42-1A-28, UTAH CODE ANNOTATED 1943, AND SECTIONS 42-1A-11 AND 42-1A-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, RELATING TO THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW; REDECLARING THE ABOLISHMENT OF ALL OTHER CIVIL LIABILITY AT COMMON LAW OR OTHERWISE; ENLARGING THE DEFINITION OF EMPLOYERS TO EMBRACE EMLOYERS OF ONE OR MORE PERSONS; INCLUDING WITHIN THE COVERAGE OF THE ACT THE MEMBERS OF A PARTNERSHIP; DEFINING PARTIAL PERMANENT DISABILITY; INCREASING THE BENEFITS PAYABLE IN CASES OF PERMANENT TOTAL DISABILITY AND TEMPORARY TOTAL DISABILITY AND PROVIDING FOR REHABILITATION TRAINING OF INJURED WORKMEN AND PAYMENT THEREFOR; PROVIDING FOR INCREASED BENEFITS IN DEATH CASES; SHORTENING THE WAITING PERIOD AFTER INJURY; EXTENDING THE COVERAGE OF THE ACT TO OTHER DISEASES OR INJURIES TO HEALTH; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-57, RELATING TO THE ENJOINING OF NON-INSURING EMPLOYERS; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-58,

UTAH CODE ANNOTATED 1943, AND TO BE A PART OF THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW, RELATING TO PARTIAL PERMANENT DISABILITY FROM OCCUPATIONAL DISEASE, IMPOSING LIABILITY UPON THE EMPLOYER THEREFOR, PROVIDING A MEDICAL PANEL FOR DETERMINING THE EXTENT OF SUCH DISABILITY AND THE METHOD TO BE EMPLOYED IN REHABILITATION TRAINING AND THE FORMULA TO BE APPLIED IN DETERMINING THE PAYMENTS TO BE MADE BY THE EMPLOYER AND THE MANNER OF FINANCING REHABILITATION; AND REPEALING SECTION 42-1A-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments to *S. B. No. 288*.

S. B. No. 288 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Lund.

S. B. No. 288 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1949

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. 289*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, entitled,

"AN ACT AMENDING SECTIONS 42-1-40, 42-1-57, 42-1-79, UTAH CODE ANNOTATED 1943; 42-1-41, 42-1-44, 42-1-61, 42-1-62, 42-1-63, 42-1-64 AND 42-1-75, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1945, BRINGING EMPLOYERS OF ONE OR MORE WORKMEN WITHIN ITS PROVISIONS; RE-DECLARING THE ABOLISHMENT OF COMMON LAW ACTIONS; PROVIDING FOR INCREASED BENEFITS; MAKING IT MANDATORY THAT IN CERTAIN CASES ATTEMPTS BE MADE TO REHABILITATE THE INJURED EMPLOYEE; PROVIDING FOR LARGER PAYMENTS IN CASE OF DEATH; INCREASING THE

AMOUNTS PAYABLE FOR MEDICAL EXPENSE, BURIAL EXPENSE AND THE PURCHASE OF ARTIFICIAL APPLIANCES; MAKING IT MANDATORY THAT THE COMMISSION MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW; AND ADDING NEW SECTIONS TO BE KNOWN AS SECTION 42-1-85.10 AND SECTION 42-1-92.10, UTAH CODE ANNOTATED 1943, RELATING TO AUTOPSY IN DEATH CASES," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 289 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 25, 1949

Mr. President:

Your Committee on Highways, to which was referred the Governor's message relating to a state owned garage and car pool, respectfully submits the following:

1. That the proposed car pool be established at the earliest possible moment and that the following procedure be followed:

2. That the numbers of state owned passenger cars be reduced to a minimum where only those deemed by the executive branch to be absolutely necessary, for economical and efficient operation of our state government, be retained.

3. That all state owned passenger cars not deemed absolutely necessary, for economical and efficient operation of our state government, be sold in the manner prescribed by law.

4. That the monies derived from the sale of the above-mentioned state owned passenger cars be paid to the state treasurer, who in turn should allot the money to the state building board, earmarked for construction of necessary facilities to enable economical housing of state owned passenger cars.

5. That the proposed building for housing state cars be not erected on the Northeast corner of the State Capitol grounds, but that the building be erected on the state owned property at 525 West 13th South St., Salt Lake City, where better conditions exist for the care of the cars at this location. The State has shops, mechanics and supplies so that cars can be serviced and always be in proper condition for use.

6. That a procedure be initiated by the Dept. of Finance whereby any departments will be able to obtain cars from the pool at the proper

time and place and that the using department pay an appropriate rental on the cars, in order that a fair share of the shop overhead, maintenance, repairs, etc., can be repaid to the Dept. of Engineering.

Respectfully,

J. HAROLD REESE,
Chairman.

On motion of Senator Reese, the Committee report was read and adopted and a copy transmitted to the Governor.

February 25, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 281*, by Mr. Reese, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 281 was ordered printed and referred to the Committee on Health and Labor.

February 25, 1949

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 277*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman.

Report filed.

S. B. No. 277 was referred to the Sifting Committee.

February 25, 1949

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 286*, by Mr. Lund, has noted the amount of the appropriation on the Joint Committee records, and reports the same back without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. No. 286 was referred to the Sifting Committee.

SPECIAL ORDER

S. B. No. 147, being a special order of business, was before the Senate.

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

Page 1, lines 5 and 6, delete the words "of an unremarried widow or child of married war widows and".

Page 1, line 7, after the word "States", insert the word "and".

Page 1, line 14, change the period at the end of the line to a semicolon and insert the following words "and provided further that said unremarried widow or child, except for the provisions of this act, would be financially unable to obtain such education or training.".

On motion of Senator Gibson, the title was amended as follows:

Line 2, strike the following: "UNREMARRIED WIDOWS AND".

Line 3, strike the following: "CHILDREN OF MARRIED WAR WIDOWS AND".

Line 5, strike the word "WAS" and insert in lieu thereof the word "WERE".

S. B. No. 147 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg and Gibson.

S. B. No. 147 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 295, being unfinished business, was before the Senate.

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

Page 8, line 46, strike the figures "$30,000.00" and insert in lieu thereof, the figures $40,000.00".

Page 8, line 48, strike the figures "$90,000.00" and insert in lieu thereof, the figures "$120,000.00".

S. B. No. 295 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day (explained vote), Elggren (explained vote), Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Gibson and Reese.

SPECIAL ORDER

S. B. No. 270, being a special order of business, was before the Senate.

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

Add the following new section: "Section 2. This act shall take effect upon approval."

On motion of Senator Melich, the rules were suspended and *S. B. No. 270* was read the third time and placed on its final passage.

S. B. No. 270 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Gibson and Larsen.

S. B. No. 270 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

February 25, 1949

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. 85*, by Messrs. Melich, Fowles, Reese and Knight, entitled,

"AN ACT AMENDING SECTION 36-2-17, UTAH CODE ANNOTATED 1943, APPROPRIATING TO THE STATE ROAD COMMISSION THE MONIES IN THE MOTOR VEHICLE REGISTRATION FUND FOR USE ON CLASS "B" AND CLASS "C" ROADS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 36-2-16.10, MAKING AN APPROPRIATION TO STATE ROAD COMMISSION AND REPEALING SECTIONS 36-2-16 AND 36-2-18, UTAH CODE ANNOTATED 1943," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 85 was transmitted to the Governor.

February 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 66*, by Mr. Davis, Mrs. Jack, Messrs. Kerr and Larson, entitled,

"AN ACT AMENDING SECTION 80-15-2, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1943, AND SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 118, LAWS OF UTAH 1947, RELATING TO THE DEFINITION OF RETAIL SALES, THE COLLECTION OF TAX — RETURNS — TOKENS — DEPOSIT OF SECURITY — PENALTIES FOR VIOLATIONS, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 66 was referred to the Committee on Revenue and Taxation.

February 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 24th day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 55*, by Mrs. Jack and Messrs. Cope, Ingleby, Baker and Elswood, entitled,

"AN ACT AMENDING SECTION 25-6-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, ESTABLISHING METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF, AND THE APPOINTMENT AND COMPENSATION OF A CONSTABLE OF ELECTION IN EACH ELECTION DISTRICT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

February 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 42*, by Messrs. Anderson and Aldous, entitled,

"AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM AP-

PLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 42 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 86*, by Mr. Bonacci, entitled,

"AN ACT AMENDING SECTION 57-4-21, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE REVOCATION OF OPERATORS LICENSES UNDER CONDITIONS OF THIS ACT AND FOR THE GRANTING, UNDER CERTAIN CIRCUMSTANCES, OF LIMITED DRIVING PRIVILEGES TO PERSONS WHO HAVE BEEN CONVICTED OF VARIOUS OFFENSES," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 86 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

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. 94*, by Committee on Municipal and County Affairs, entitled,

"AN ACT ENACTING A SECTION TO BE KNOWN AS SECTION 15-6-75, UTAH CODE ANNOTATED 1943 AUTHORIZING GOVERNING BODIES OF CITIES OF THIRD CLASS AND TOWNS TO APPOINT A CITY MANAGER," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 94 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 95*, by Committee on Municipal and County Affairs, entitled,

"AN ACT AMENDING SECTIONS 15-8-92, 15-8-93, 15-8-95, 15-8-96, 15-8-101, 15-8-104, AND 15-8-107, UTAH CODE ANNOTATED 1943, RELATING TO CITY AND TOWN PLANNING COMMISSIONS, MUNICIPAL ZONING ORDINANCES, HEARINGS; PROVIDING FOR TERMS OF OFFICE OF THE BOARD OF ADJUSTMENT, VARIANCES; ENFORCEMENT OF ZONING REGULATIONS, PROVIDING FOR HEARINGS AND COMPENSATION OF THE MEMBERS OF THE BOARD OF ADJUSTMENT AND POWERS OF CITIES AND TOWNS, AND REPEALING SECTION 15-8-94, UTAH CODE ANNOTATED 1943," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 95 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

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. 96*, by Committee on Municipal and County Affairs, entitled,

AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR ELECTION AND FIXING THE TERM OF OFFICE AT FOUR YEARS FOR ELECTED MUNICIPAL OFFICIALS IN CITIES OF THE SECOND AND THIRD CLASS AND TOWNS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 96 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

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. 114*, by Messrs. Crofts, White, Tietjen, Kerr, Luke, and Murch, entitled,

"AN ACT ESTABLISHING THE TIME WITHIN WHICH THE COLLECTION, PAYMENT THE REVOCATION OF CREDIT FOR, AND DISHONOR OF DEMAND ITEMS BY BANKS MUST BE MADE, AND AUTHORIZING THE PROVISIONS HEREOF TO BE VARIED BY AGREEMENT, AND REPEALING CHAPTER 13, LAWS OF UTAH 1945," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 114 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

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. 115*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, entitled,

"AN ACT AMENDING SECTIONS 7-3-22 AND 7-3-23, UTAH CODE ANNOTATED 1943, REQUIRING THE EXAMINATION BY BANK DIRECTORS OF CERTAIN BANK PROPERTIES AND AFFAIRS; FIXING FREQUENCY OF EXAMINATIONS, REQUIRING WRITTEN REPORTS THEREOF TO BE FILED WITH BANK RECORDS; SUBJECTING REPORTS TO FURTHER EXAMINATION, BY BANK COMMISSIONER OR BANK EXAMINER; AUTHORIZING BANK COMMISSIONER TO ESTABLISH RULES AND REGULATIONS FOR THE SUBSTITUTION OF EXAMINATION MADE DURING THE YEAR BY THE STATE BANKING DEPARTMENT, THE FEDERAL RESERVE BANK OF SAN FRANCISCO, THE FEDERAL DEPOSIT INSURANCE CORPORATION, OR BY A CLEARING HOUSE ASSOCIATION OF WHICH THE EXAMINED BANK IS A MEMBER; FOR REPORT OF BOARD OF DIRECTORS OF BANK, SPECIFYING CONTENTS OF REPORTS; REQUIRING THE BOARD OF EXAMINERS OR COMMITTEE APPOINTED BY THE BOARD OF EXAMINERS TO FILE A WRITTEN REPORT OF THEIR FINDINGS AND RECOMMENDATIONS BASED UPON THE SUBSTITUTED EXAMINATION AS AUTHORIZED IN THIS ACT, AND

MAKING THE VIOLATION OF THE PROVISIONS HEREOF A MISDEMEANOR PROVIDING A PENALTY THEREFOR," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 115 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1949

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. J. R. No. 3*, by Messrs. Melich and Gibson, entitled,

"A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, NOT EXCEEDING $500.00 A YEAR FOR THE LEGISLATIVE TERM AND $5.00 A DAY EXPENSES WHILE ACTUALLY IN SESSION," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Knight, the Senate concurred in the House amendments to *S. J. R. No. 3*.

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

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, Melich, Milliman and Orser.

Those voting in the negative were: Senators McShane, Reese and Mr. President.

Absent and not voting: Senators Gibbons, Gibson and Lund.

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

REPORTS OF STANDING COMMITTEES

Mr. President: February 25, 1949

Your Committee on State and Municipal Affairs, to which was re-referred *S. J. R. No. 26*, by Mrs. Jensen and Mr. Fowles, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. J. R. No. 26 was referred to the Sifting Committee.

Mr. President: February 24, 1949

Your Committee on Highways, to which was referred *S. B. No. 242*, by Mr. McShane, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 242 was referred to the Sifting Committee.

Mr. President: February 25, 1949

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 283*, by Mr. Lund, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 283 was referred to the Sifting Committee.

Mr. President: February 25, 1949

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 284*, by Mr. Lund, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 284 was referred to the Sifting Committee.

February 25, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 275*, by Messrs. Larsen and Orser, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 275 was referred to the Sifting Committee.

February 25, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 279*, by Messrs. Milliman and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 279 was referred to the Sifting Committee.

February 25, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 280*, by Mr. Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman

Report filed.

S. B. No. 280 was referred to the Sifting Committee.

February 25, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 290*, by Mr. Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 290 was referred to the Sifting Committee.

February 25, 1949

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 292*, by Mr. Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MITCHELL MELICH,
Chairman.

Report filed.

S. B. No. 292 was referred to the Sifting Committee.

February 24, 1949

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 293*, by Mr. Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman.

Report filed.

S. B. No. 293 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 14 was read the third time and placed on its final passage.

On motion of Senator Day, *H. B. No. 14* retained its place on the Third Reading Calendar.

S. C. R. No. 1 was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibbons, Gibson, Marsden and Melich.

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

On motion of Senator Fowles, *S. B. No. 121*, now on the Second Reading Calendar, was referred back to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 24 was read the second time.

Committee report read and adopted.

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

Line 3, strike the figures "$623,350" and insert in lieu thereof, the figures "$362,350".

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

Line 1, strike the figures "$623,350" and insert in lieu thereof, the figures "$362,350".

Line 1, strike the word "GENERAL" and insert in lieu thereof, the words "RESERVE BUILDING".

S. B. No. 24 was placed on the Third Reading Calendar on the following roll call:

Ayes, 11; Nos, 10; Absent, 2.

Those voting in the affirmative were: Senators Brockbank (explained vote), Burns, Clegg (explained vote), Elggren, Fowles, Jensen (explained vote), Jolley (explained vote), Knight, Lund, Marthakis and Milliman.

Those voting in the negative were: Senators Day (explained vote), Jenkins (explained vote), Jones (explained vote), Larsen, Marsden (explained vote), McShane (explained vote), Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibbons and Gibson.

On motion of Senator Knight, the enacting clause on *S. B. No. 214* was struck.

On motion of Senator McShane, *S. B. No. 143* retained its place on the Second Reading Calendar.

On motion of Senator Elggren, *S. B. No. 116* retained its place on the Second Reading Calendar to be considered along with *H. B. No. 66*.

S. B. No. 177 was read the second time.

Committee report read and adopted.

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

Page 3, line 5, strike the words "Utah Racing Association" and insert in lieu thereof, the words "state Treasurer".

Page 3, line 7, after the period add the following:

"The monies paid to the State Treasurer as provided herein shall be allocated by him to the various counties of the state and used for expenses in conducting stock shows; the allocation shall be made according to population as shown by the last United States census."

Add a new section, Section 9, as follows:

"No racing meet shall be held within a city or town without the approval of the governing body thereof, and no racing meet shall be held within a county outside the city and towns without the approval of the county commissioners."

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

Page 2, line 28, delete the word "not".

On motion of Senator Knight, the rules were suspended and *S. B. No. 177* was read the third time and placed on its final passage.

S. B. No. 177 then passed on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were Senators Clegg, Elggren, Fowles, Jenkins, Jensen (explained vote), Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich (explained vote), Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns, Day and Mr. President (explained vote).

Absent and not voting: Senators Brockbank, Gibbons and Gibson.

On motion of Senator Marthakis, the Senate adjourned.

FIFTIETH DAY

MORNING SESSION

February 28, 1949

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.

February 28, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-seventh day and find it correct with minor amendments noted on the final copy

Respectfully,

FRED J. MILLIMAN
NEWELL KNIGHT

Report adopted and filed.

President Hopkin appointed Senators Day and Jenkins to revise the Journal for the week beginning February 28, 1949.

REPORTS OF STANDING COMMITTEES

February 28, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 3*, by Messrs. Melich and Gibson, entitled:

"A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, NOT EXCEEDING $500.00 A YEAR FOR THE LEGISLATIVE TERM AND $5.00 A DAY EXPENSES WHILE ACTUALLY IN SESSION," has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

February 28, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 10*, by The Senate, entitled:

"A RESOLUTION BY THE UTAH STATE SENATE MEMORIALIZING THE CHEERFUL, FAITHFUL, PATIENT AND SCRUPULOUSLY HONEST SERVICES RENDERED THE LEGISLATURE DURING THE PAST TWENTY-FIVE YEARS BY A PRIVATE

CITIZEN," has carefuly compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 10 was signed by the President in open session in the presence of the Senate and transmitted to the Secretary of State.

February 28, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 288*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, entitled:

"AN ACT AMENDING SECTIONS 42-1A-3; 42-1A-10; 42-1A-12; 42-1A-26 AND 42-1A-28, UTAH CODE ANNOTATED 1943, AND SECTIONS 42-1A-11 AND 42-1A-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, RELATING TO THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW; REDECLARING THE ABOLISHMENT OF ALL OTHER CIVIL LIABILITY AT COMMON LAW OR OTHERWISE; ENLARGING THE DEFINITION OF EMPLOYERS TO EMBRACE EMPLOYERS OF ONE OR MORE PERSONS; INCLUDING WITHIN THE COVERAGE OF THE ACT THE MEMBERS OF A PARTNERSHIP; DEFINING PARTIAL PERMANENT DISABILITY; INCREASING THE BENEFITS PAYABLE IN CASES OF PERMANENT TOTAL DISABILITY AND TEMPORARY TOTAL DISABILITY AND PROVIDING FOR REHABILITATION TRAINING OF INJURED WORKMEN AND PAYMENT THEREFOR; PROVIDING FOR INCREASED BENEFITS IN DEATH CASES; SHORTENING THE WAITING PERIOD AFTER INJURY; EXTENDING THE COVERAGE OF THE ACT TO OTHER DISEASES OR INJURIES TO HEALTH; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-57, RELATING TO THE ENJOINING OF NONINSURING EMPLOYERS; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-58, UTAH CODE ANNOTATED 1943, AND TO BE PART OF THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW, RELATING TO PARTIAL PERMANENT DISABILITY FROM OCCUPATIONAL DISEASE, IMPOSING LIABILITY UPON THE EMPLOYER THEREFOR, PROVIDING A MEDICAL PANEL FOR DETERMINING THE EXTENT OF SUCH DISABILITY AND THE METHOD TO BE EMLOYED IN REHABILITATION TRAINING AND THE FORMULA TO BE APPLIED IN DETERMINING THE PAYMENTS TO BE MADE BY THE EMPLOYER AND THE MANNER OF FINANCING REHABILITATION; AND REPEALING SECTION 42-1A-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS

OF UTAH 1945," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 288 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 28, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 289*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, entitled:

"AN ACT AMENDING SECTION 42-1-40, 42-1-57, 42-1-79, UTAH CODE ANNOTATED 1943; 42-1-41, 42-1-44, 42-1-61, 42-1-62, 42-1-63, 42-1-64 AND 42-1-75, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1945, BRINGING EMPLOYERS OF ONE OF MORE WORKMEN WITHIN ITS PROVISIONS; RE-DECLARING THE ABOLISHMENT OF COMMON LAW ACTIONS; PROVIDING FOR INCREASED BENEFITS; MAKING IT MANDATORY THAT IN CERTAIN CASES ATTEMPTS BE MADE TO REHABILITATE THE INJURED EMPLOYEE; PROVIDING FOR LARGER PAYMENTS IN CASE OF DEATH; INCREASING THE AMOUNTS PAYABLE FOR MEDICAL EXPENSE, BURIAL EXPENSE AND THE PURCHASE OF ARTIFICIAL APPLIANCES; MAKING IT MANDATORY THAT THE COMMISSION MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW; AND ADDING NEW SECTIONS TO BE KNOWN AS SECTION 42-1-85.10 AND SECTION 42-1-92.10, UTAH CODE ANNOTATED 1943, RELATING TO AUTOPSY IN DEATH CASES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 289 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

February 25, 1949

Mr. President:

Your Sifting Committee reports out the following bills:
S. B. Nos. 123, 119, 260, 142, 179, 265, 150, 275, 37, 233, 151 and 161.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. Nos. 123, 119, 260, 142, 179, 265, 150, 275, 37, 233, 151 and 161 were placed on the Second Reading Calendar.

On motion of Senator Marthakis, *Senate Rule No. 115* of the Senate Rule Book was corrected as follows:

Page 64, line 2, strike the word "or" and insert in lieu thereof the word "of".

With unanimous consent the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 296 By Mr. Fowles

AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE REGULAR SESSION OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day, *H. B. No. 14* retained its place on the Third Reading Calendar.

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

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

Ayes, 20; Nos, 2; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were Senators Knight and Larsen.

Absent and not voting: Senator Jenkins.

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

On motion of Senator Milliman, *S. B. No. 295* retained its place on the Third Reading Calendar.

On motion of Senator Knight, *S. B. No. 24* was referred back to the Committee on Appropriations and Claims.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 143 was read the second time.

Committee report read and adopted.

S. B. No. 143 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Fowles and Jenkins.

On motion of Senator Fowles, *S. B. Nos. 179, 142 and 233* were referred back to the Sifting Committee.

Senator Day moved that the Senate do now consider *S. B. No. 116*.

Motion carried.

S. B. No. 116 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, strike the word and figures "January 1, 1950" and insert in lieu thereof the word and figures "July 1, 1949".

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

Page 3, line 32, strike the word "of" at the beginning of the line and insert in lieu thereof the word "for".

Page 10, line 12, strike the word "or" at the beginning of the line and insert in lieu thereof the word "of".

Page 15, line 11, strike the word "his" and insert in lieu therof the word "him".

S. B. No. 116 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Marsden, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Larsen, Lund and Melich.

Senator Milliman moved that all bills carrying appropriations for buildings or repairs, now in the Sifting Committee or a standing committee, be transferred to the Committee on Appropriations and Claims.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

February 28, 1949

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. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPEDITURES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 293 was read the first time.

Senator Milliman moved that the rules be suspended and that the Senate do now consider *H. B. No. 293*.

Motion carried.

H. B. No. 293 was read the second time.

On motion of Senator Marthakis, 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 SPECIAL COMMITTEES

February 25, 1949

Mr. President and
Mr. Speaker:

The Conference Committee, consisting of Senators Day, Clegg and Reese of the Senate and Representatives Dean, White and Davis of the House of Representatives, appointed to resolve the disagreement on the House amendment to *S. B. No. 18*, in which the Senate refused to concur, beg to advise that after consideration of this matter, the Committee recommends that the Senate concur in the House amendment.

Respectfully,

ELIAS L. DAY, Chairman
Senate Committee

ERNEST H. DEAN, Chairman
House of Representatives Committee

On motion of Senator Day, the report of the Conference Committee with respect to *S. B. No. 18* was adopted.

S. B. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibbons, Gibson and Lund.

S. B. No. 18 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

COMMUNICATIONS FROM THE HOUSE

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of February 25, 1949, on *S. B. No. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, entitled,

"AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

Senator Day moved that the time for the investigation and report by the Legislative Council of the payments of architectural fees by the State of Utah be extended to the fifty-fifth legislative day.

Motion carried.

On motion of Senator Melich, the Senate recessed for fifteen minutes.

The Senate reassembled.

UNFINISHED BUSINESS

H. B. No. 293, being unfinished business, was before the Senate.

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

Page 8, line 46, strike the figures "$30,000.00" and insert in lieu thereof, the figures "$40,000.00".

Page 8, line 48, strike the figures "$90,000.00" and insert in lieu thereof, the figures "$120,000.00".

On motion of Senator Knight, the Senate recessed for fifteen minutes.

The Senate reassembled.

Senator Elggren moved that the bill be amended as follows:

Page 15, line 24, strike the figure "$14,000,000.00" and insert in lieu thereof the figures "$15,000,000.00".

Senator Elggren, with the aid of five Senators requested a roll call.

The motion failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Knight (explained vote), Larsen and Marthakis.

Those voting in the negative were: Senators Clegg (explained vote), Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Lund, Marsden, McShane (explained vote), Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Jensen.

H. B. No. 293 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Knight.

Absent and not voting: Senator Jensen.

COMMUNICATIONS FROM THE GOVERNOR

February 28, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE:

Marion J. Steed, Holladay, Salt Lake County, Utah, to March 1, 1955.

FOR MEMBER OF DEPARTMENT OF ENGINEERING:

David Whittenberg, Richfield, Sevier County, Utah, to March 1, 1955.

James N. Stacey, Richfield, Sevier County, Utah, (Temporary to March 15, 1949) for the unexpired term of Ray H. Leavitt to March 1, 1955.

FOR MEMBER OF ADVISORY COUNCIL, DEPARTMENT OF ENGINEERING:

George W. Snyder, Sr., Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

Sumner G. Margetts, Salt Lake City, Salt Lake County, Utah, to March 1, 1954.

STATE ENGINEER:

Harold A. Links, Salt Lake City, Salt Lake County, Utah, to March 1, 1953.

FOR MEMBER OF ADVISORY COUNCIL, DEPARTMENT OF FINANCE:

George Jefferson, Milford, Beaver County, Utah, to March 1, 1953.

Lane W. Adams, Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

FOR MEMBER OF FISH AND GAME COMMISSION, DISTRICT 4:

Golden G. Sanderson, Fairview, Sanpete County, Utah, to May 11, 1955.

FOR MEMBER OF STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Gomer Peacock, Price, Carbon County, Utah, for the unexpired term of William J. Fitspatrick, resigned January 1, 1950.

FOR MEMBER OF INDUSTRIAL COMMISSION:

Otto A. Wiesley, Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

FOR MEMBER OF LIQUOR CONTROL COMMISSION:

Roy W. Simmons, Layton, Davis County, Utah (Temporary) to the unexpired term of Lawrence A. Johnson, to March 31, 1949.

J. W. Pace, Delta, Millard County, for the unexpired term of George H. Lunt, to July 1, 1951.

W. W. Seegmiller, Beaver, Beaver County, Utah, for the unexpired term of Orlando S. Peterson, to July 1, 1953.

FOR MEMBER OF DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT:

J. A. Theobald, Price, Carbon County, Utah, to March 1, 1955.

Elmer Dudman, Ogden, Weber County, Utah, for the unexpired term of Aaron Tracy, March 1, 1953.

FOR MEMBER OF DEPT. OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, ADVISORY COUNCIL:

James K. Richardson, Salt Lake City, Salt Lake County, Utah, to March 1, 1954.

James E. Wade, Salt Lake City, Salt Lake County (reappointment) March 1, 1955.

FOR MEMBER OF DEPARTMENT OF PUBLIC WELFARE:

Dr. A. C. Lambert, Provo, Utah County, Utah, to March 1, 1955.

FOR MEMBER OF ADVISORY COUNCIL FOR THE SCHOOL FOR THE DEAF AND BLIND:

Ray G. Wenger, Salt Lake City, Salt Lake County, Utah (reappointed) March 1, 1953.

Mrs. William G. Shelton, Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

TAX COMMISSION:

H. C. Shoemaker, Bountiful, Davis County, Utah, to March 1, 1953.

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 28, 1949

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 Messrs. Melich and Gibson, entitled,

"A JOINT RESOLUTION PROPOSING TO AMEND SECTION 9, ARTICLE VI OF THE CONSTITUTION OF UTAH, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, NOT EXCEEDING $500.00 A YEAR FOR THE LEGISLATIVE TERM AND $5.00 A DAY EXPENSES WHILE ACTUALLY IN SESSION," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

February 28, 1949

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. 288*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, entitled,

"AN ACT AMENDING SECTIONS 42-1A-3; 42-1A-10; 42-1A-12; 42-1A-26 AND 42-1A-28, UTAH CODE ANNOTATED 1943, AND SECTIONS 42-1A-11 AND 42-1A-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, RELATING TO THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW; REDECLARING THE ABOLISHMENT OF ALL OTHER CIVIL LIABILITY AT COMMON LAW OR OTHERWISE; ENLARGING THE DEFINITION OF EMPLOYERS TO EMBRACE EMPLOYERS OF ONE OR MORE PERSONS; INCLUDING WITHIN THE COVERAGE OF THE ACT THE MEMBERS OF A PARTNERSHIP; DEFINING PARTIAL PERMANENT DISABILITY; INCREASING THE BENEFITS PAYABLE IN CASES OF PERMANENT TOTAL DISABILITY AND TEMPORARY TOTAL DISABILITY AND PROVIDING FOR REHABILITATION TRAINING OF INJURED WORKMEN AND PAYMENT THEREFOR; PROVIDING FOR INCREASED BENEFITS IN DEATH CASES; SHORTENING THE WAITING PERIOD AFTER INJURY; EXTENDING THE COVERAGE OF THE ACT TO OTHER DISEASES OR INJURIES TO HEALTH; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-57, RELATING TO THE ENJOINING OF NONINSURING EMPLOYERS; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-58, UTAH CODE ANNOTATED 1943, AND TO BE A PART OF THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW, RELATING TO PARTIAL PERMANENT DISABILITY FROM OCCUPATIONAL DISEASE, IMPOSING LIABILITY UPON THE EMPLOYER THEREFOR, PROVIDING A MEDICAL PANEL FOR DETERMINING THE EXTENT OF SUCH DISABILITY AND THE METHOD TO BE EMPLOYED IN REHABILITATION TRAINING AND THE FORMULA TO BE APPLIED IN DETERMINING THE PAYMENTS TO BE MADE BY THE EMPLOYER AND THE MANNER OF FINANCING REHABILITATION; AND REPEALING SECTION 42-1A-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 288 was transmitted to the Governor.

February 28, 1949

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. 289*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg, entitled,

"AN ACT AMENDING SECTION 42-1-40, 42-1-57, 42-1-79, UTAH CODE ANNOTATED 1943; 42-1-41, 42-1-44, 42-1-61, 42-1-62, 42-1-63,

42-1-64 AND 42-1-75, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1945, BRINGING EMPLOYERS OF ONE OR MORE WORKMEN WITHIN ITS PROVISIONS; RE-DECLARING THE ABOLISHMENT OF COMMON LAW ACTIONS; PROVIDING FOR INCREASED BENEFITS; MAKING IT MANDATORY THAT IN CERTAIN CASES ATTEMPTS BE MADE TO REHABILITATE THE INJURED EMPLOYEE; PROVIDING FOR LARGER PAYMENTS IN CASE OF DEATH; INCREASING THE AMOUNTS PAYABLE FOR MEDICAL EXPENSE, BURIAL EXPENSE AND THE PURCHASE OF ARTIFICIAL APPLIANCES; MAKING IT MANDATORY THAT THE COMMISSION MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW; AND ADDING NEW SECTIONS TO BE KNOWN AS SECTION 42-1-85.10 AND SECTION 42-1-92.10, UTAH CODE ANNOTATED 1943, RELATING TO AUTOPSY IN DEATH CASES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 289 was transmitted to the Governor.

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 172*, by Mr. O. W. Young, entitled,

"AN ACT AMENDING SECTION 75-2-1, UTAH CODE ANNOTATED 1943, FIXING FEES AND TUITION OF INSTITUTIONS OF HIGHER EDUCATION AND EMPOWERING THE GOVERNING BOARDS OF SAID INSTITUTIONS TO EXACT AN ANNUAL FEE OF $240, OR MORE, IN ADDITION TO THE TUITION AND OTHER FEES, FROM EACH STUDENT WHOSE DOMICILE IS NOT IN THE STATE OF UTAH, PARTIALLY OR WHOLLY EXEMPTING STUDENTS APPLYING FOR FULL-TIME COLLEGE VOCATIONAL COURSES OPERATING UNDER STATE PLANS FOR VOCATIONAL EDUCATION UPON REQUEST OF THE STATE BOARD FOR VOCATIONAL EDUCATION," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 172 was read the first time and referred to the Sifting Committee.

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 239*, by Committee on Insurance, by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-5-19, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO ISSUANCE OF AN INSURANCE CONTRACT COVERING A SUBJECT OF INSURANCE RESIDENT, LOCATED OR TO BE PERFORMED IN THIS STATE, PROHIBITING AGENTS SIGNING OR COUNTERSIGNING IN BLANK AND PROVIDING A RECIPROCITY PROVISION FOR PAYMENT OF FEES OR COMMISSIONS FOR COUNTERSIGNING SERVICES OF UTAH INSURANCE AGENTS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 239 was read the first time and referred to the Sifting Committee.

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 240*, by Committee on Insurance, by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-17-34, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO THE LICENSING OF NON-RESIDENTS AS AGENTS OR BROKERS, PROVIDING FOR THE FILING OF A BOND BY NON-RESIDENT AGENTS AND PROVIDING CERTAIN EXEMPTIONS FOR SPECIFIED TYPES OF INSURORS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 240 was read the first time and referred to the Sifting Committee.

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 241*, by Committee on Insurance, by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-14-1, CHAPTER 63, LAWS OF UTAH 1947, FIXING FEES AND LICENSES TO BE COLLECTED BY THE COMMISSIONER OF INSURANCE," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 241 was read the first time and referred to the Sifting Committee.

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 270*, by Mr. Lund, entitled,

"AN ACT APPROPRIATING $20,000 TO THE STATE BUILDING BOARD FOR THE COMPLETION OF THE REMODELLING OF THE OLD GYMNASIUM OF SNOW COLLEGE," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 270 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 249*, by Mrs. Jack, Messrs. Cope, Ingleby, Barton, Doty, Daly, Rowberry, Mrs. Cullimore, Messrs. Bell, Anderson, Rees, Mrs. Mitchell, Messrs. Baker, Larson, Poulson and Jensen, entitled,

"AN ACT REPEALING SECTION 19, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, PROVIDING THAT COUNTY WELFORE BOARDS REQUIRE OLD AGE RECIPIENTS TO PLEDGE THEIR INTEREST IN REAL PROPERTY AS A GUARANTEE FOR THE REIMBURSEMENT OF ASSISTANCE RECEIVED BY RECIPIENTS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 249 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 245*, by Messrs. Jenkins and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 245 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 246*, by Messrs. Jenkins and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

TAYLOR P. BROCKBANK,
Chairman.

Report filed.

S. B. No. 246 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 248*, by Messrs. Gibson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 248 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 249*, by Messrs. Gibson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 249 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 250*, by Messrs. Larson and Jones, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 250 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 252*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 252 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 253*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 253 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 254*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 254 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 263*, by Mr. Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 263 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 274*, by Messrs. Jensen and Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 274 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 276*, by Messrs. McShane, Gibson, Day and Melich, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 276 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 281*, by Mr. Reese, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 281 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 285*, by Mr. Lund, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 285 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 287*, by Mr. Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

S. B. No. 287 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 294*, by Messrs. Melich and Orser, has carefully considered said bill and reports the same out favorably.

Respectfully,

LYNN ORSER,
Chairman.

Report filed.

S. B. No. 294 was referred to the Sifting Committee.

February 28, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 296*, by Mr. Fowles, with a few minor changes assented to by the author.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

Senator Fowles moved that the rules be suspended and that the Senate do now consider *S. B. No. 296.*

Motion carried.

S. B. No. 296 was read the second time.

On motion Senator Day, the rules were suspended and *S. B. No. 296* was read the third time and placed on its final passage.

S. B. No. 296 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jensen and Lund.

S. B. No. 296 was transmitted to the House.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today, it stand adjourned until Tuesday, March 1, 1949 at 10:00 a.m.

Senator Marthakis moved that so much of Senate Rule No. 89, requiring that "the bill shall be referred to a standing committee by the president" be suspended for the balance of the session and likewise that all bills now in standing committees be referred to the Sifting Committee.

Motion carried.

On motion of Senator Knight, the Senate adjourned.

FIFTY-FIRST DAY

MORNING SESSION

March 1, 1949

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 1, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fiftieth day and find it correct with minor amendments noted on the final copy.

Respectfully,

ELIAS L. DAY
L. RULON JENKINS

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 28, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, entitled:

"AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT." has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 18 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 234* (rewritten), by Messrs. Jolley, Fowles and Jones, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 234 (rewritten) was referred to the Sifting Committee.

March 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 278*, by Messrs. Elggren, Burns and Marthakis, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. B. No. 278 was referred to the Sifting Committee.

March 1, 1949

Mr. President:

Your Committee on Welfare, to which was referred *S. J. R. No. 25*, by Messrs. Marthakis and Larsen, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

ORRICE C. McSHANE,
Chairman.

Report filed.

S. J. R. No. 25 was referred to the Sifting Commitee.

With unanimous consent, the following bill was introduced.

INTRODUCTION OF BILLS

S. B. No. 297 By Messrs. Knight and Marthakis

AN ACT APPROPRIATING $25,000.00 TO THE UTAH DEPARTMENT OF VETERANS' AFFAIRS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 14 was before the Senate on final passage.

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

Page 11, lines 31 and 32, delete the words "No statutory tax limit shall affect the amount of taxes levied for such purpose."

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

Page 12, line 5, delete the House amendment:

"The petition or petitions filed hereunder shall specify what percentage of the assessed valuation of the taxable property of the district

shall be pledged as security for general obligation bonds to be issued, provided that under no circumstance shall general obligation bonds be issued by the district in excess of 12% of the assessed valuation as set forth in Section 8 hereof."

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

Page 10, line 33, strike the word "negotibale" and insert in lieu thereof the word "negotiable".

Page 14, line 18, strike the word "issuance" and insert in lieu thereof the word "refunding".

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

Ayes, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jensen, Knight, Marthakis, McShane, Melich, Milliman, Orser (explained vote), Reese and Mr. President.

Those voting in the negative were: Senators Jones, Larsen and Lund.

Absent and not voting: Senators Gibbons, Jenkins, Jolley and Marsden.

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

S. B. No. 116 was read the third time and placed on its final passage.

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

Page 15, line 3, strike the word "ten" and insert in lieu thereof the word "thirty".

Page 3, line 8, change the semicolon to a period and delete the balance of the material on line 8 and all of lines 9, 10, 11, 12, 13, 14 and 15.

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

Page 3, line 1, strike the word "boundry" and insert in lieu thereof the word "boundary".

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

Page 3, line 32, strike the word "for" at the beginning of the line, inserted by a previous amendment, and insert in lieu thereof the word "if".

S. B. No. 116 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jones, Knight, Larsen, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins, Jolley, Lund and Marsden.

S. B. No. 116 was transmitted to the House.

H. B. No. 293 was read the third time and placed on its final passage.

Senator McShane moved that the bill be amended as follows:

Change "Section 17" to read "Section 18", and insert a new section on page 18, line 22, as follows: "Section 17. The Governor is hereby authorized and empowered to reduce any or all items of appropriation contained in section 14 of this act if he deems necessary and in the best interests of the state up to but not to exceed 5% reduction in the amounts set forth in the various items of appropriation from any fund."

Senator Marthakis, with the aid of five Senators requested a roll call:

The amendment then passed on the following roll call:

Ayes, 13; Nos, 10; Absent, 0.

Those voting in the affirmative were: Senators Clegg, Day, Gibbons, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane, Melich, Orser and Mr. President.

Those voting in the negative were: Senators Brockbank, Burns, Elggren, Fowles, Gibson, Jenkins, Jensen, Marthakis, Milliman and Reese.

On motion of Senator McShane, the title was amended as follows:

Change the period at the end of the title of the bill to a comma and add the following words: "AND CONFERRING CERTAIN POWERS ON THE GOVERNOR RELATING THERETO."

H. B. No. 293 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

H. B. No. 293 was returned to the House.

On motion of Senator Knight, 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 GOVERNOR

March 1, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR MEMBER LIQUOR CONTROL COMMISSION:

Kenneth A. Doan, Cedar City, Iron County, Utah, to July 1, 1955. (To succeed Roy W. Simmons who resigns March 31, 1949.)

FOR MEMBER OF DEPARTMENT OF ENGINEERING:

Harley J. Corleissen, Provo, Utah County, Utah, for the unexpired term ending March 1, 1951. (To succed James M. Stacey, temporary appointee who resigns March 15, 1949.)

FOR MEMBER OF BOARD OF ABSTRACT COMMISSIONERS:

Robert E. Curtis, Provo, Utah County, Utah, to April 1, 1951.

Mark D. Eggertsen, Salt Lake City, Salt Lake County, Utah, to April 1, 1952.

FOR MEMBER OF UTAH STATE HOSPITAL FOR POLIOMYELITIS AND OTHER CHILDREN'S CRIPPLING DISEASES; BOARD OF TRUSTEES:

Clarence Bamberger, Salt Lake City, Salt Lake County, Utah, to March 31, 1956.

Joseph S. Robison, Lehi, Utah County, Utah, for the unexpired term of John C. Denton, deceased, to March 31, 1952.

FOR MEMBER OF BOARD OF CORRECTIONS:

Herbert A. Snow, Salt Lake City, Salt Lake County, Utah, reappointed to April 1, 1955.

FOR MEMBER OF UNIVERSITY OF UTAH, BOARD OF REGENTS:

LeRoy H. Cox, St. George, Washington County, Utah, to June 30, 1953.

Reed C. Culp, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

William J. O'Connor, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Walter E. Cosgriff, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Dr. James. P. Kirby, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Dr. Adam S. Bennion, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Rspectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 22*, by Mr. Larson, entitled,

"AN ACT REPEALING CHAPTER 10a, TITLE 79, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW CHAPTER 79-10a, DEFINING AND RELATING TO NARCOTIC DRUGS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 22 was read the first time and referred to the Sifting Committee.

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 113*, by Messrs. Bonacci, Roberts, Poulson and Mrs. Jack, entitled,

"AN ACT AMENDING SECTION 49-3-2, UTAH CODE ANNOTATED 1943, LIMITING THE HOURS OF EMPLOYMENT IN SMELTERS AND OTHER INSTITUTIONS FOR THE PROCESSING OF ORES OR METALS, IN UNDERGROUND MINES OR WORKINGS, AND IN OPEN PIT MINING OPERATIONS, AND FIXING THE METHOD OF COMPUTING HOURS OF EMPLOYMENT, PRO-

VIDING FOR INTERPRETATION OF TERM "PROPERTY," AND PROVIDING A PENALTY FOR VIOLATION OF THIS ACT," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 113 was read the first time and referred to the Sifting Committee.

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did, on the 28th day of February, 1949, approve and transmit to the Secretary of State, *H. B. No. 166*, by Messrs. Bonacci, Murch and Kerr, entitled:

"AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945 AND CHAPTER 54, LAWS OF UTAH 1947; SECTION 42-2a-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 55, LAWS OF UTAH 1947; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH 1947; SECTION 42-2a-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1943 AND CHAPTER 59, LAWS OF UTAH 1947; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1945; AND SECTIONS 42-2a, 5, 6, 9, 10, 11, UTAH CODE ANNOTATED 1943 AND ENACTING NEW SECTIONS 42-2a-13.10 AND 42-2a-13.20, RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELIGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; TIME FOR APPEAL; EMPLOYER CONTRIBUTIONS MERIT RATING; APPEALS — REVIEW; ADMINISTRATION; ADMINISTRATION FUNDS; FEDERAL FINANCING; DEFINING TERMS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

March 1, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 226*, by Mr. Brockbank, and recommends that it be returned to the author to be rewritten.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

On motion of Senator Brockbank, *S. B. No. 226* was withdrawn.

March 1, 1949

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 230*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman.

Report filed.

S. B. No. 230 was referred to the Sifting Committee.

March 1, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 270*, by Mr. Lund, entitled:

"AN ACT APPROPRIATING $20,000, TO THE STATE BUILDING BOARD FOR THE COMPLETION OF THE REMODELLING OF THE OLD GYMNASIUM OF SNOW COLLEGE." has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 270 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Day, it was agreed that when the Senate adjourns on Friday, March 4, 1949, it stand adjourned until Saturday, March 5, 1949, at 10:00 a.m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 123 was read the second time.

Committee report read and adopted.

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

Page 1, strike all material on line 1 and insert in lieu thereof, the following: "Section 1. Section 43-2-5 is amended to read:"

Page 1, insert the figures "43-2-5" at the beginning of line 2.

S. B. No. 123 was placed on the Third Reading Calendar on the following roll call:

Ayes, 16; Nos, 4; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman and Orser.

Those voting in the negative were: Senators Burns, Elggren, Gibbons and Knight.

Absent and not voting: Senators Lund, Reese and Mr. President.

S. B. No. 119 was read the second time.

Committee report read and adopted.

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

Line 6, after the word "Before" insert the words "entering upon the duties of his office he shall take and file".

Line 10, strike the figures "$6,000" and insert in lieu thereof the figures "$4,500".

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

Line 1, insert the word and figure, "Section 1." at the beginning of the line.

Line 2, insert the figures "43-2-2" at the beginning of the line.

On motion of Senators Fowles, the title was amended as follows:

Line 6, strike the figures "$6,000" and insert in lieu thereof the figures "4,500'".

S. B. No. 119 was placed on the Third Reading Calendar on the following roll call:

Ayes, 20, Nos, 2; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight (explained vote), Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns and Gibbons.

Absent and not voting: Mr. President.

S. B. No. 260 was read the second time.

Committee report read and adopted.

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

Page 1, line 2, delete the words "Persons above the".

Page 1, line 3, insert the following at the beginning of the line: "85-3-18. Persons above the".

Page 2, line 4, strike the word "discreation" and insert in lieu thereof the word "discretion".

S. B. No. 260 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senator Milliman.

S. B. No. 265 was read the second time.

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

Page 1, lines 11 and 12, delete the words "and all persons physically disabled to the extent of 50% or more".

Page 1, line 12, delete the word "Rehabilitation" and after the comma following the word "Department," insert the words "of Public Welfare, as being financially in need of such exemption and after application therefor,".

Senator Melich moved that the rules be suspended and that the Senate do now consider *S. B. No. 150*.

Motion carried.

S. B. No. 150 was read the second time.

Committee report read and adopted.

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

Page 1, line 10, change the period after the word "them" to a comma and insert the words "provided that commercially blind persons, as certified by the Utah State Department of Public Welfare, as being financially in need of such exemption and after application therefore, shall have an additional exemption of $1,000 on personal income taxes."

On motion of Senator Melich, the title was amended as follows:

Line 5, change the period at the end of the line to a comma and insert the words "AND PROVIDING EXEMPTION FOR BLIND PERSONS."

S. B. No. 150 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senators Gibbons, Lund and Mr. President.

On motion of Senator Elggren, the enacting clause on *S. B. No. 265* was struck.

On motion of Senator Marsden, the Senate recessed for ten minutes.

The Senate reassembled.

COMMUNICATIONS FROM THE HOUSE

March 1, 1949

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. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, entitled,

"AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 14*, by Mr. Larson, entitled,

"AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PRO-

VIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSE FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947," and requests the Senate to recede from its amendments.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Knight, the Senate refused to recede from its amendments to *H. B. No. 14* and the President appointed Senators Reese, Day and Burns as a Conference Committee to confer with a like committee from the House with reference to said amendments.

March 1, 1949

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. 207*, by Messrs. Woolley, Faust and Mrs. Cullimore, entitled,

"AN ACT AMENDING SECTION 57-12-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH 1947, AND AMENDING CHAPTER 12, TITLE 57, UTAH CODE ANNOTATED 1943, PROVIDING FOR A MOTOR FUELS TAX, A METHOD OF COLLECTION, PAYMENT BY ULTIMATE CONSUMER, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 57-12-5.10, PROHIBITING ABORTION OF THE TAX BY DISTRIBUTOR AND PROHIBITING REFUND AND MAKING VIOLATIONS A MISDEMEANOR," and the same is trasmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 207 was read the first time and referred to the Sifting Committee.

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES." and requests the Senate to recede from its amendments.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Knight, *H. B. No. 293* was made a special order of business for Wednesday, March 2, 1949 at 10:00 a.m.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 275 was read the second time.

Committee report read and adopted.

On motion of Senator Larsen, the rules were suspended and *S. B. No. 275* was read the third time and placed on its final passage.

S. B. No. 275 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jensen, Jones, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Jenkins, Jolley, Knight and Marsden.

S. B. No. 275 was transmitted to the House.

On motion of Senator Day, *S. B. No. 37* retained its place on the Second Reading Calendar.

S. B. No. 151 was read the second time.

Committee report read and adopted.

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

Line 1, delete the words "Police Department Authorized."

Line 6, delete the words "Powers as Peace Officers."

Line 12, delete the word "Insignia."

Line 16, delete the words "Effective Date."

On motion of Senator Fowles the rules were suspended and *S. B. No. 151* was read the third time and placed on its final passage.

S. B. No. 151 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jensen, Jones, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President

Absent and not voting: Senators Brockbank, Gibson, Jenkins, Jolley, Knight and Marsden.

S. B. No. 151 was transmitted to the House.

Senator Fowles moved that the rules be suspended and that the Senate do now consider *S. B. Nos. 123 and 119.*

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Fowles the rules were suspended and *S. B. No. 123* was read the third time and placed on its final passage.

S. B. No. 123 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jensen, Jones, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Burns and Knight.

Absent and not voting: Senators Elggren, Jenkins, Jolley and Marsden.

S. B. No. 123 was transmitted to the House.

On motion of Senator Fowles the rules were suspended and *S. B. No. 119* was read the third time and placed on its final passage.

S. B. No. 119 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jensen, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Elggren, Jenkins, Jolley and Marsden.

S. B. No. 119 was transmitted to the House.

On motion of Senator Day, the Senate adjourned until Wednesday, March 2, 1949 at 10:00 a.m.

FIFTY-SECOND DAY

MORNING SESSION

March 2, 1949

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 2, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-first day and find it correct with minor amendments noted on the final copy.

Respectfully,

ELIAS L. DAY

L. RULON JENKINS

Report adopted and filed.

President Hopkin recognized the presence of Albert E. Bowen, member of the Council of the Twelve, Church of Jesus Christ of Latter-day Saints.

COMMUNICATIONS FROM THE HOUSE

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 73*, by Mrs. Jack, entitled,

"AN ACT DESIGNATING UNITED STATES HIGHWAY NO. 6 THROUGH THE STATE OF UTAH AS A MEMORIAL HIGHWAY TO BE KNOWN AS THE GRAND ARMY OF THE REPUBLIC HIGHWAY, AND APPROPRIATING $150 TO CARRY OUT THE PURPOSES OF THIS ACT," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 73 was read the first time and referred to the Sifting Committee.

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 188*, by Mrs. Jack and Mr. Cope, entitled,

"AN ACT TO EXEMPT BLIND PERSONS AND THE WIDOWS AND MINOR ORPHANS OF DECEASED BLIND PERSONS FROM THE PAYMENT OF TAXES UPON ALL REAL AND PERSONAL TANGIBLE PROPERTY, NOT TO EXCEED IN VALUATION THE SUM OF $2,000 ASSESSED VALUATION FOR HOMES AND HOMESTEADS, AND $300 FOR PERSONAL PROPERTY, AND PROVIDING FOR PROCEDURES TO CARRY OUT THE PROVISIONS OF THIS ACT," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 188 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 1, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 297*, by Messrs. Knight and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 297 was ordered printed and referred to the Sifting Committee.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 298 By Mr. Hopkin

AN ACT APPROPRIATING $75,000 FROM THE STATE BUILDING BOARD FOR AIDING IN THE CONSTRUCTION OF A HIGH SCHOOL BUILDING IN RICH COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day, *S. B. No. 260* retained its place on the Third Reading Calendar.

On motion of Senator Melich, *S. B. No. 150* retained its place on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Larsen, *S. B. No. 37* was made a special order of business to follow the consideration of *H. B. No. 293*.

Senator Elggren, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Marthakis, the call was lifted.

SPECIAL ORDER

H. B. No. 293, being a special order of business, was before the Senate.

Senator Orser moved that the Senate recede from its amendments to *H. B. No. 293*.

Senator Elggren, with the aid of five Senators requested a roll call.

The motion of Senator Orser then passed on the following roll call:

Ayes, 12; Nos, 11; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Fowles, Gibson, Jenkins, Jensen, Marthakis, Milliman, Orser, Reese and Mr. President.

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

On motion of Senator Melich, *H. B. No. 293* was before the Senate for reconsideration.

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

Page 15, line 9, strike the figures "$750,000.00" and insert in lieu thereof the figures "$500,000.00".

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

Page 8, line 15, strike the figures "$700,000.00" and insert in lieu thereof the figures "$500,000.00".

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.

COMMUNICATIONS FROM THE GOVERNOR

March 2, 1949

To the Senate
Building

Gentlemen:

I have this day approved and transmitted to the Secretary of State, *Senate Bill No. 85*, by Messrs. Melich, Fowles, Reese and Knight, entitled,

"AN ACT AMENDING SECTION 36-2-17, UTAH CODE ANNOTATED 1943, APPROPRIATING TO THE STATE ROAD COMMISSION THE MONIES IN THE MOTOR VEHICLE REGISTRATION FUND FOR USE ON CLASS "B" AND CLASS "C" ROADS; ADDING A NEW SECTION TO BE KNOWN AS SECTION 36-2-16.10, MAKING AN APPROPRIATION TO STATE ROAD COMMISSION AND REPEALING SECTIONS 36-2-16 AND 36-2-18, UTAH CODE ANNOTATED 1943."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 1, 1949

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. 270*, by Mr. Lund, entitled,

"AN ACT APPROPRIATING $20,000.00 TO THE STATE BUILDING BOARD FOR THE COMPLETION OF THE REMODELLING OF THE OLD GYMNASIUM OF SNOW COLLEGE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 270 was transmitted to the Governor.

March 2, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 82*, by Messrs. Tippetts, Larsen, O. W. Young and Hinton, entitled,

"AN ACT ENACTING SECTIONS 75-6-8.10, 75-6-8.20 AND 75-6-8.30, UTAH CODE ANNOTATED 1943, GRANTING CORPORATE STATUS TO THE STATE BOARD OF EDUCATION WITH THE RIGHTS OF CONTRACTING FOR, ACCEPTING, BUYING, SELLING, HOLDING, LEASING, PLEDGING, AND USING ANY AND ALL PROPERTY IN A MANNER CONSISTENT WITH THE CORPORATE STATUS AND WITH THE PURPOSES OF THE INSTITUTIONS UNDER ITS DIRECT JURISDICTION AND CONSISTENT WITH ITS DUTIES AS THE STATE BOARD OF EDUCATION; PERMITTING IT TO CONSTRUCT SELF LIQUIDATING PROJECTS AS DORMITORIES FOR INSTITUTIONS UNDER ITS SUPERVISION," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 82 was read the first time and referred to the Sifting Committee.

March 1, 1949

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. 281*, by Messrs. Kerr, Anderson, Davis and Larson, entitled,

"AN ACT AMENDING SECTION 25-3-38, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1943, AND SECTIONS 5, 6, 8, 9, AND 11, CHAPTER 35, LAWS OF UTAH 1947, ESTABLISHING THE HOURS THE POLLS SHALL BE OPEN; FIXING THE TIME WITHIN WHICH THE JUDICIAL

CONVENTIONS, LEGISLATIVE CONVENTIONS, AND PRECINCT PRIMARY CONVENTIONS SHALL BE HELD, AND PROVIDING FOR THE NOMINATION OF PARTY CANDIDATES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 281 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 2, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 298*, by Mr. Hopkin, with a few minor changes assented to by the author, including the following revision of the title:

"AN ACT APPROPRIATING $75,000 FROM THE STATE BUILDING BOARD FOR AIDING IN THE CONSTRUCTION OF A HIGH SCHOOL BUILDING IN RICH COUNTY," and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Committee report read and adopted.

S. B. No. 298 was ordered printed and referred to the Sifting Committee.

The President recognized former President of the Senate Dexter Farr, who addressed the Senate briefly.

UNFINISHED BUSINESS

H. B. No. 294, being unfinished business, was before the Senate.

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

Page 11, line 12, strike the figures "$4,350,000.00" and insert in lieu thereof the figures "$4,133,500.00".

Page 11, line 15, strike the figures "$495,000.00" and insert in lieu thereof the figures "$470,250.00".

Page 11, line 22, strike the figures "$2,450,000.00" and insert in lieu thereof the figures "$2,327,500.00".

Senator Clegg, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Melich, the call was lifted.

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

Page 11, line 24, strike the figures "$655,000.00" and insert in lieu thereof the figures "$622,250.00".

Page 11, line 26, strike the figures "$400,000.00" and insert in lieu thereof the figures "$380,000.00".

Page 11, line 28, strike the figures "$315,000.00" and insert in lieu thereof the figures "$299,250.00".

Page 11, line 30, strike the figures "$45,000.00" and insert in lieu thereof the figures "$42,750.00".

Page 11, line 34, strike the figures "$3,000.00" and insert in lieu thereof the figures "$2,850.00".

Page 15, line 5, strike the figures "$225,000.00" and insert in lieu thereof the figures "$213,250.00".

Page 15, line 11, strike the figures "$60,000.00" and insert in lieu thereof the figures "$50,000.00".

Page 15, line 14, strike the figures "$500,000.00" and insert in lieu thereof the figures "$475,000.00".

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

Page 10, line 19, strike the words "and Services." and insert in lieu thereof the figures "$200,000.00".

Insert a new line to be known as line 19A as follows: "Services $660,982.00", the word "Services" to be placed immediately below the word "Administration" on line 19.

H. B. No. 293 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson (explained vote), Jenkins, Jensen (explained vote), Jolley, Jones, Knight, Larsen, Lund (explained vote), Marsden, Marthakis (explained vote), McShane, Melich, Milliman, Orser, Reese and Mr. President.

H. B. No. 293 was returned to the House.

With unanimous consent the following resolution was presented:

PRESENTATION OF RESOLUTIONS

S. R. No. 12 By Mr. Knight

A RESOLUTION CONGRATULATING CERTAIN MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO UPON THEIR MARRIAGE AND PROMISE TO MARRY, was read the first time.

Senator Knight moved that the rules be suspended and that the Senate do now consider *S. R. No. 12*.

Motion carried.

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

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

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Elggren and Gibbons.

S. R. No. 12 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

SPECIAL ORDER

S. B. No. 37, being a special order of business, was before the Senate.

S. B. No. 37 was read the second time.

Committee report read and adopted.

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

Page 27, delete all material on lines 30, 31, 32 and 33.

Page 28, delete all material on lines 1, 2, 3, 4, 5 and 6.

S. B .No. 37 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 Burns, Clegg, Day, Elggren, Fowles, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Gibbons, Jenkins and Lund.

On motion of Senator Milliman, the Senate recessed for fifteen minutes.

The Senate reassembled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 161 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today, it stand adjourned until Thursday, March 3, 1949 at 10:00 a.m.

On motion of Senator Gibson, the Senate adjourned.

FIFTY-THIRD DAY

MORNING SESSION

March 3, 1949

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 3, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-second day and find it correct with minor amendments noted on the final copy.

Respectfully,

ELIAS L. DAY
L. RULON JENKINS

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 2, 1949

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 W. G. Larson, Rees and Aldous, to act with a like Committee from the Senate to consider *H. B. No. 14*, by Mr. Larson, entitled,

"AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSE FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 18*, by Messrs. Jarman, Larson, Brotherson, Smith, Lyman and Young, entitled,

"AN ACT PROVIDING FOR REFUND OF MOTOR FUEL TAX COLLECTED ON MOTOR FUEL PURCHASED AND USED IN THE STATE OF UTAH FOR OPERATING STATIONARY ENGINES, TRACTORS AND CRAFT OTHER THAN AIRCRAFT, NOT OPERATED ON PUBLIC HIGHWAYS OR STREETS, OR FOR CLEANING, DYEING OR OTHER NONTRANSPORTATION PURPOSES; AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR

PENALTIES AND COLLECTION OF PENALTIES FOR MAKING A FALSE CLAIM OR VIOLATING ANY PROVISION OF THIS ACT," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 18 was read the first time and referred to the Sifting Committee.

March 2, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 147*, by Messrs. Davis, Openshaw, Porter and Larson, entitled,

"AN ACT AMENDING SECTION 71-1-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 2, CHAPTER 88, LAWS OF UTAH 1945, RELATING TO AND PROVIDING PENSIONS FOR POLICEMEN OF CITIES OF THE FIRST AND SECOND CLASS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 147 was read the first time and referred to the Sifting Committee.

March 2, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 160*, by Mrs. Jack, Messrs. Cope, Anderson, Davis, Walker and Bonacci, entitled,

"AN ACT AMENDING SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, AND 16, CHAPTER 131, LAWS OF UTAH, 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 15.1, 15.2, AND 15.3, PROVIDING FOR A RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE STATE OF UTAH AND MAKING AN APPROPRIATION THEREFOR AND PROVIDING FOR THE APPLICATION OF ITS PROVISIONS TO PERSONS IN THE PUBLIC SERVICE AND DEFINING THAT TERM," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 160 was read the first time and referred to the Sifting Committee.

March 2, 1949

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. 167*, by Messrs. Kerr, Murch, Munk, Luke, Jarman, Crofts, Nielsen and W. W. Young, entitled,

"AN ACT RELATING TO THE PRACTICE OF ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS PROVIDING FOR THE REGULATION, LICENSING AND CONTROL THEREOF; DEFINING ARTIFICIAL INSEMINATION; REQUIRING A LICENSE TO PRACTICE AND DEFINING THE QUALIFICATIONS FOR THE APPLICANTS; DEFINING THE POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THIS ACT; PROVIDING PROCEDURE FOR MAKING APPLICATION AND TAKING EXAMINATIONS; PROVIDING FOR FEES; PROVIDING FOR REFUSAL, REVOCATION OR SUSPENSION OF LICENSES AND THE GROUNDS AND PROCEDURE THEREFOR; PROVIDING FOR ISSUANCE, RENEWAL AND REINSTATEMENT OF LICENSES; REQUIRING THE STATE BOARD OF AGRICULTURE TO KEEP A REGISTER OF APPLICANTS AND LICENSEES; REQUIRING LICENSEES TO KEEP RECORDS; PROVIDING FOR INSPECTION OF RECORDS BY THE BOARD OF AGRICULTURE; PRESCRIBING THE VIOLATIONS AND PENALTIES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 167 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 2, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 12*, by Mr. Knight, entitled:

"A RESOLUTION CONGRATULATING CERTAIN MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO UPON THEIR MARRIAGE AND PROMISE TO MARRY," has carefully compared the resolution as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. R. No. 12 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

March 3, 1949

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 272*, by Mr. Cayias, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman.

Report filed.

H. B. No. 272 was referred to the Sifting Committee.

On motion of Senator Fowles, *H. B. No. 66 and H. B. No. 261* were transferred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 3, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 108, 213, 13, 66, 26, 30, 272, 240, 24, 68, 89; H. J. R. Nos. 5 and 6.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. Nos. 108, 213, 13, 66, 26, 30, 272, 240, 24, 68 and 89 and H. J. R. Nos. 5 and 6 were placed on the Second Reading Calendar.

UNFINISHED BUSINESS

S. B. No. 161, being unfinished business, was before the Senate.

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

Page 2, line 9, strike the word "apopintment" and insert in lieu thereof the word "appointment".

Page 3, line 25, strike the word "exhibtion" and insert in lieu thereof the word "exhibition".

Page 4, line 9, strike the word "individidual" and insert in lieu thereof the word "individual".

Page 4, line 9, strike the word "exhibtions" and insert in lieu thereof the word "exhibitions".

Page 5, line 25, strike the word "boxed" and insert in lieu thereof the word "boxer".

Senator Melich, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Melich, the call was lifted.

S. B. No. 161 was placed on the Third Reading Calendar on the following roll call:

Ayes, 12; Nos, 8; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Fowles, Gibbons, Jensen, Jolley, Jones, Larsen, Lund, Marthakis and Melich.

Those voting in the negative were: Senators Clegg, Elggren, Gibson, Knight, Marsden, McShane, Orser and Mr. President.

Absent and not voting: Senators Jenkins, Milliman and Reese.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 108 was read the second time.

Committee report read and adopted.

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

Page 4, line 14, strike the word "singer" and insert in lieu thereof the word "signer".

On motion of Senator Gibson, the rules were suspended and *H. B. No. 108* was read the third time and placed on its final passage:

H. B. No. 108 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Elggren, Gibbons, Jensen, Knight and Melich.

H. B. No. 108 was returned to the House.

H. B. No. 213 was read the second time.

Committee report read and adopted.

H. B. No. 213 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 Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins, Lund, Marsden and McShane.

On motion of Senator Brockbank, the Senate resolved itself into Executive session.

On motion of Senator Fowles, the Senate resolved itself into Regular Session.

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

George N. Lawrence, Member, Board of Control, State Historical Society, for term ending April 1, 1951;

Dr. A. R. Christopherson, Member, Utah State Board of Health, for term ending March 1, 1955;

D. Earl L. Skidmore, Member, Board of Trustees, Children's Crippling Disease Hospital, for term ending March 31, 1955.

Motion carried.

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

Hugh F. O'Niel, Weber County, Chairman, State Highway Patrol Civil Service Commission, for term ending January 1, 1953;

William J. Fitzpatrick, Salt Lake County, Member, Depository Board, for term ending June 30, 1950.

Motion carried.

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

P. H. Mulcahy, Salt Lake County, Commissioner, Department of Finance, for six year term beginning March 1, 1949;

Roy W. Simmons, Davis County, Bank Commissioner, for four year term beginning April 1, 1949;

Hal S. Bennett, Salt Lake County, Commissioner, Department of Business Regulation, for six year term beginning March 1, 1949;

Roland Wiscombe, Davis County, Member, Department of Business Regulation, Advisory Council, for six year term beginning March 1, 1949;

Earl Oss, Utah County, Member, Department of Business Regulation Advisory Council, for six year term beginning March 1, 1949.

Motion carried.

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

J. Welton Ward, Willard, Box Elder County, Member, Tax Commission, for the term beginning March 1, 1949.

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.

COMMUNICATIONS FROM THE GOVERNOR

March 3, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR MEMBER OF THE UTAH BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES:

Harold N. Wilkinson, Salt Lake City, Salt Lake County, Utah, to July 1, 1951.

John D. Rice, Salt Lake City, Salt Lake County, Utah, to July 1, 1951.

George W. Worthen, Provo, Utah County, Utah, to July 1, 1951 (Reappointed).

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

March 3, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR MEMBER OF UTAH STATE AGRICULTURAL COLLEGE — BOARD OF TRUSTEES:

Arthur Woolley, Ogden, Weber County, Utah, to July 1, 1953.

Glenn G. Nielsen, Logan, Cache County, Utah, to July 1, 1953.

Fred M. Nye, Ogden, Weber County, Utah, to July 1, 1953.

Herschel Bullen, Logan, Cache County, Utah, to July 1, 1953.

Charles R. Hunter, Cedar City, Iron County, Utah, to July 1, 1953.

Carl W. Peterson, Kenilworth, Carbon County, Utah, to July 1, 1953.

FOR MEMBER OF DEPARTMENT OF HEALTH — HEALTH BOARD:

Dr. James Z. Davis, Salt Lake City, Salt Lake County, Utah, to March 1, 1956.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 3, 1949

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. 75*, by Mr. Melich, entitled,

"AN ACT DEFINING AND PROVIDING FOR THE LICENSING AND REGISTRATION OF DENTAL HYGIENISTS AND FOR THE RENEWAL, REVOCATION AND SUSPENSION OF SUCH LICENSES AND REGISTRATIONS; PROVIDING FOR APPEALS AND FOR REINSTATEMENTS THEREOF, FIXING FEES THEREFOR, DEFINING THE POWERS AND DUTIES OF THE BOARD OF EXAMINERS THEREOF AND THE DEPARTMENT OF REGISTRATION WITH RESPECT THERETO AND FIXING PENALTIES FOR VIOLATIONS THEREOF," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 75 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1949

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. 13* (re-written), by Messrs. Jolley, Jones, Orser and Marthakis, entitled,

"AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL DISTRICTS, NUMBER OF JUDGES, AND AMENDING THE SAME TO PROVIDE THAT THE NUMBER OF JUDGES IN THE SECOND AND FOURTH JUDICIAL DISTRICTS SHALL BE INCREASED FROM TWO TO THREE AND PROVIDING FOR THE APPOINTMENT OF JUDGES," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Gibson, the Senate refused to concur in the House amendments and asked the House to recede.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 189*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING FUNDS FROM SALES TAX TO CARRY ON THE BUSINESS OF AND CREATING WITHIN THE UTAH COMMISSION FOR THE BLIND THE POSITION OF CONSULTANT OF SIGHT CONSERVATION AND PREVENTION OF BLINDNESS, PRESCRIBING THE POWERS AND DUTIES THEREOF, AND AUTHORIZING THE SALARY OF CONSULTANT TO BE FIXED BY UTAH COMMISSION FOR THE BLIND," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 189 was read the first time and referred to the Sifting Committee.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 77*, by Messrs. Jarman, Munk, Brotherson, Lyman, Smith, W. W. Young and Larsen, entitled,

"AN ACT AMENDING SECTION 57-12-9, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1943, RELATING TO MONTHLY PAYMENT OF THE TAX UPON MOTOR FUEL, THE DISTRIBUTION OF THE RECEIPTS THEREFROM, ALLOCATON OF THE AERONAUTIC FUND AND HOW IT IS USED, REPORTS OF DISTRIBUTORS AND DEALERS, DISPOSITION OF THE BALANCE, BY APPROPRIATING 90% TO THE STATE HIGHWAY CONSTRUCTION FUND, CREATING A MOTOR FUEL RESERVE FUND AND APPROPRIATING 10% TO IT, OF WHICH $20,000 IS TO BE USED FOR ADMINISTRATION OF THE ACT AND MONEY IN EXCESS OF $30,000 REMAINING IN THE FUND ON JANUARY 31 OF EACH YEAR TO BE TRANSFERRED TO THE STATE HIGHWAY CONSTRUCTION AND MAINTENANCE FUND," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 77 was read the first time and referred to the Sifting Committee.

March 2, 1949

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. 155*, by Messrs. Anderson and Cope by request, entitled,

"AN ACT RELATING TO AND FIXING THE REGULATION, QUALIFICATION, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINE, REEMPLOYMENT, DISMISSAL, SALARIES, AND TENURE OF OFFICE OF HIGHWAY ENGINEERS OF THE UTAH STATE ROAD COMMISSION BASED ON MERIT; PROVIDING THE ACT BE ADMINISTERED BY THE CIVIL SERVICE COMMISSION OF THE STATE OF UTAH, AUTHORIZING EMPLOYMENT AND PAYMENT OF NECESSARY PERSONNEL BY SAID COMMISSION, AND PROVIDING VETERANS WITH A PREFERENCE; MAKING IT A MISDEMEANOR TO AFFECT OR TO ATTEMPT TO AFFECT A PERSON'S CIVIL SERVICE SERVICE STANDING BECAUSE OF HIS OR HER POLITICAL OR RELIGIOUS BELIEFS, OR TO REFUSE TO COMPLY WITH ANY LAWFUL ORDER OF THE CIVIL SERVICE COMMISSION AS PROVIDED BY THIS ACT; REPEALING ALL CONFLICTING LAWS, AND MAKING THIS ACT SEVERABLE," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 155 was read the first time and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 13 was read the second time.

Committee report read and adopted.

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

Page 2, insert the following material after line 20, which was deleted by a House amendment.

(iii) Investigate the facts pertaining to any labor dispute and make written findings thereof. A copy of such findings shall be supplied to each side of said dispute, together with a written proposal of settlement.

(iv) In the event such written proposal of settlement is not accepted by both sides to said labor dispute, within five days after service of the same upon the parties, the commission shall commence a public hearing of said labor dispute on the differences involved.

(v) An arbitrator chosen by both parties to the dispute may conduct said hearing upon the written request of both parties to the dispute.

(vi) The commission, or arbitrator, whose report and proposal of settlement shall become that of the commission shall report, in writing, the findings made from such hearing within five days after the close of said hearing or termination thereof, together with a written proposal of settlement and the basis for such settlement.

(vii) Any pary requesting the service of or consenting to the submission of the labor dispute to the mediator, arbitrator or commission shall continue in business or work without strike or lock-out until three days after the commission or arbitrator's written proposal of settlement shall have been served upon the parties to the dispute, unless such time be extended by mutual written consent of the parties to such labor dispute.

(viii) The decision of the mediator, arbitrator or commission is binding on all parties that join in requesting or consenting to the submission of the dispute to the mediator, arbitrator or commission, if such decision is rendered with ten days, unless such time be extended by mutual consent of the parties.

(ix) Any party requesting the service of or consenting to the submission of the labor dispute to the mediator, abritrator or commission causing or engaging in a strike or lock-out before the commission has rendered and served the written proposal of settlement or decision, as provided for in this act, or shall fail to continue in business or work for said period of time, is guilty of a misdemeanor, and shall be fined not less than $25.00 nor more than $100.00.

(x) Nothing in this act shall apply where a federal agency has jurisdiction, unless authority is granted to the industrial commission of Utah by the federal agency having jurisdiction over such dispute to assume jurisdiction of such dispute.

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

Line 5, strike "THEREOF." and insert in lieu thereof "OF MEDIATOR, AND PROVIDING PROCEDURE FOR ARBITRATION, MEDIATION AND CONCILIATION OF LABOR DISPUTES AND PENALTY FOR VIOLATION.", which was deleted by a House amendment.

H. B. No. 13 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Larsen and Marsden.

H. B. No. 66 was read the second time.

On motion of Senator Day, the title was amended as follows:

Line 1, after the figures "80-15-2," insert the words: "UTAH CODE ANNOTATED 1943,".

On motion of Senator Knight, the rules were suspended and *H. B. No. 66* was read the third time and placed on its final passage.

H. B. No. 66 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senator Larsen.

Absent and not voting: Senators Brockbank, Lund and Reese.

H. B. No. 66 was returned to the House.

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

Committee report read and adopted.

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

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

Ayes, 18; Nos, 2; Absent, 3.

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Those voting in the negative were: Senators Gibbons and Jones.

Absent and not voting: Senators Brockbank, Lund and Reese.

H. B. No. 26 was returned to the House.

UNFINISHED BUSINESS

H. B. No. 30 was before the Senate on second Reading Calendar.

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

On motion of Senator Gibson, the title was amended as follows:

Line 2, strike the word "PROVIDE" and insert in lieu thereof the word "PROVIDING".

Line 4, strike the word "DSTRCT" and insert in lieu thereof the word "DISTRICT".

Line 9, delete the comma after the letters "TION".

On motion of Senator Milliman, the rules were suspended and *H. B. No. 30* was read the third time and placed on its final passage.

H. B. No. 30 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elgren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Fowles.

H. B. No. 30 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Jenkins, *H. B. No. 272* retained its place on the Second Reading Calendar.

H. B. No. 240 was read the second time.

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

Page 1, line 8, after the word "license," insert the words "other than for life or life and disability insurance,".

On motion of Senator Day, the rules were suspended and *H. B. No. 240* was read the third time and placed on its final passage.

H. B. No. 240 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Melich.

H. B. No. 240 was returned to the House.

H. B. No. 24 (rewritten) was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *H. B. No. 24* (rewritten) was referred back to the Sifting Committee.

H. B. No. 68 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, the bill was corrected as follows:

Delete the word "(Rewritten)" from underneath the number of the bill.

H. B. No. 68 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senators Elggren, Lund, and Mr. President.

H. B. No. 89 was read the second time.

Committee report read and adopted.

Senator Brockbank, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Brockbank, the call was lifted.

H. B. No. 89 failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Lund, Marthakis and Milliman.

Those voting in the negative were: Senators Brockbank, Clegg, Day, Knight, Larsen, Marsden, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senator Elggren.

H. B. No. 89 was returned to the House.

On motion of Senator Jenkins, the Senate resolved itself into Executive session.

On motion of Senator Gibson, the Senate resolved itself into Regular Session.

On motion of Senator Larsen, the Senate adjourned until Friday, March 4, 1949 at 10:00 a.m.

FIFTY-FOURTH DAY

MORNING SESSION

March 4, 1949

The Senate was called to order at 10:00 a.m. Senator Fowles in the chair in the absence of President Hopkin, excused.

Roll Call—All Senators present except President Hopkin, excused.

Prayer by the Chaplain.

March 4, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-third day and find it correct with minor amendments noted on the final copy.

Respectfully,

ELIAS L. DAY

L. RULON JENKINS

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 4, 1949

To the Senate
Building

Gentlemen:

I have this day approved and transmitted to the Secretary of State, *Senate Bill No. 270* by Mr. Lund, entitled:

"AN ACT APPROPRIATING $20,000.00 TO THE STATE BUILDING BOARD FOR THE COMPLETION OF THE REMODELLING OF THE OLD GYMNASIUM OF SNOW COLLEGE."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 3, 1949

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. J. R. No. 14*, by Messrs. Knight, Marthakis, Brockbank and Bailey, entitled,

"A JOINT RESOLUTION PROPOSING AN INVESTIGATION OF THE PROBLEM PRESENTED BY VETERANS INCARCERATED IN A PENAL INSTITUTION AND VETERANS ACCUSED OF COMMITTING CRIMES," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments.

S. J. R. No. 14 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jensen, Jones, Lund, Marsden, Marthakis, McShane, Milliman and Orser.

Absent and not voting: Senators Gibson, Jenkins, Jolley, Knight, Larsen, Melich, Reese and Mr. President.

S. J. R. No. 14 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 28*, by Messrs. Jolley and Knight, entitled,

"AN ACT AMENDING SECTION 15-8-55, UTAH CODE ANNOTATED 1943, RELATING TO FIRE DEPARTMENTS AND AUTH-

ORIZING CITIES AND TOWNS TO EXTINGUISH FIRES OUTSIDE OF THEIR CORPORATE LIMITS." and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 28 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1949

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. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, entitled,

"AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, 25-5-6, AND 25-5-15, UTAH CODE ANNOTATED 1943, RELATING TO VOTING BY ABSENT ELECTORS AND PHYSICALLY DISABLED ELECTORS AND PROVIDING PENALTY FOR PERJURY OR MISREPRESENTATION," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Knight, the Senate refused to concur in the House amendments and requested the House to recede.

March 3, 1949

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. 146* (rewritten), by Messrs. Marthakis, Knight, Brockbank and Bailey, entitled,

"AN ACT AMENDING SECTION 25-2-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 38, LAWS OF UTAH 1943, AND BY CHAPTER 3, LAWS OF UTAH 1944, 1ST SPECIAL SESSION, RELATING TO REGISTERING ABSENT VOTERS BY THE COUNTY CLERK OR PHYSICALLY DISABLED VOTERS BY MAIL," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Day, the Senate refused to concur in the House amendments and requested the House to recede.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *S. B. No. 244*, by Mr. Hopkin, entitled,

"AN ACT AMENDING SECTION 30-0-47, UTAH CODE ANNOTATED 1943, DEFINING GAME ANIMALS, AND SPECIFYING THE HUNTING SEASON THEREOF, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments.

S. B. No. 244 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Marsden, Marthakis, McShane, Milliman and Orser.

Absent and not voting: Senators Brockbank, Gibson, Knight, Larsen, Lund, Melich, Reese and Mr. President.

S. B. No. 244 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 296*, by Mr. Fowles, entitled,

"AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE REGULAR SESSION OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 296 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 66*, by Mr. Davis, Mrs. Jack, Messrs. Kerr and Larson, entitled,

"AN ACT AMENDING SECTION 80-15-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1943, AND SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 118 LAWS OF UTAH 1947, RELATING TO THE DEFINITION OF RETAIL SALES, THE COLLECTION OF TAX — RETURNS TOKENS DEPOSIT OF SECURITY - PENALTIES FOR VIOLATIONS, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendment to *H. B. No. 108*, by Messrs. White, Marble, Baker and Johnson, entitled,

"AN ACT AMENDING SECTIONS 100-11-1, 100-11-2, 100-11-4, 100-11-9, 100-11-13, 100-11-14 AND 100-11-16, UTAH CODE ANNOTATED 1943, AND 100-11-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 135, LAWS OF UTAH 1945, RELATING TO THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 253*, by Mr. Roberts, entitled,

"AN ACT APPROPRIATING $19,000 FOR THE BUILDING OF A TRANSMITTER STATION FOR THE UTAH HIGHWAY PATROL AND THE INSTALLATION OF RADIO EQUIPMENT THEREIN," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 253 was read the first time and referred to the Sifting Committee.

March 3, 1949

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 13* (rewritten), by Messrs. Jolley, Jones, Orser and Marthakis, entitled,

"AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL DISTRICTS, NUMBER OF JUDGES, AND AMENDING THE SAME TO PROVIDE THAT THE NUMBER OF JUDGES IN THE SECOND AND FOURTH JUDICIAL DISTRICTS SHALL BE INCREASED FROM TWO TO THREE AND PROVIDING FOR THE APPOINTMENT OF JUDGES," and has appointed a conference committee consisting of Representatives Elswood, Marble and Crouch to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Jolley, the President appointed a Conference Committee consisting of Senators Jenkins, Jolley and Gibson, to confer with a like committee from the House with reference to the House amendments.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 260 was read the third time and placed on its final passage.

S. B. No. 260 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane and Orser.

Absent and not voting: Senators Jolley, Melich, Milliman, Reese and Mr. President.

S. B. No. 260 was transmitted to the House.

S. B. No. 150 was read the third time and placed on its final passage.

S. B. No. 150 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich and Orser.

Absent and not voting: Senators Brockbank, Milliman, Reese and Mr. President.

S. B. No. 150 was transmitted to the House.

S. B. No. 37 was read the third time and placed on its final passage.

S. B. No. 37 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman and Orser.

Absent and not voting: Senators Brockbank, Marsden, Reese and Mr. President.

S. B. No. 37 was transmitted to the House.

S. B. No. 161 was read the third time and placed on its final passage.

S. B. No. 161 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Day, Jenkins, Larsen, Marthakis, Melich, Milliman and Orser.

Those voting in the negative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Marsden, McShane and Reese.

Absent and not voting: Senator Lund and Mr. President.

S. B. No. 161 was filed.

H. B. No. 213 was read the third time and placed on its final passage.

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

Line 1, strike the word "general" and insert in lieu thereof the words "emergency relief".

Line 3, strike the figures "$60,000" and insert in lieu thereof the figures "$50,000".

On motion of Senator Milliman, the title was amended as follows:

Line 1, strike the figures "$60,000" and insert in lieu thereof the figures "$50,000".

Line 1, strike the word "GENERAL" and insert in lieu thereof the words "EMERGENCY RELIEF".

H. B. No. 213 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senator Lund and Mr. President.

H. B. No. 213 was returned to the House.

On motion of Senator Milliman, *H. B. No. 13* was referred back to the Sifting Committee.

H. B. No. 68 was read the third time and placed on its final passage.

H. B. No. 68 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman and Orser.

Absent and not voting: Senators Fowles, Reese and Mr. President.

H. B. No. 68 was returned to the House.

On motion of Senator Gibson, *H. B. No. 272* was made a special order of business for Monday, March 7, 1949 at 10:30 a.m.

On motion of Senator Day, *H. J. R. Nos. 5 and 6* were made special orders of business for Monday, March 7, 1949 to follow the consideration of *H. B. No. 272*.

REPORTS OF SPECIAL COMMITTEES

March 3, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 12 (rewritten), 133, 259, 127, 223, 165, 135 and 2.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. Nos. 12 (rewritten), 133, 259, 127, 223, 165, 135 and 2 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 12 (rewritten) was read the second time.

Committee report read and adopted.

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

Line 6, strike the word "fifty" and insert in lieu thereof the word "ninety".

Line 7, strike the word "fifty" and insert in lieu thereof the word "ninety".

Line 12, strike the figures "50,000" and insert in lieu thereof the figures "90,000".

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 (rewritten) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman and Orser.

Absent and not voting: Senators Lund, Reese and Mr. President.

S. B. No. 12 (rewritten) was transmitted to the House.

S. B. No. 133 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 133* was read the third time and placed on its final passage.

S. B. No. 133 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Marsden, Marthakis, McShane, Melich, Orser and Reese.

Absent and not voting: Senators Elggren, Larsen, Lund, Milliman and Mr. President.

S. B. No. 133 was transmitted to the House.

S. B. No. 259 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 259* was read the third time and placed on its final passage.

S. B. No. 259 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser and Reese.

Absent and not voting: Senators Brockbank, Milliman and Mr. President.

S. B. No. 259 was transmitted to the House.

S. B. No. 127 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis, the bill was amended by deleting the underlining from the enacting clause.

On motion of Senator Day, the rules were suspended and *S. B. No. 127* was read the third time and placed on its final passage.

S. B. No. 127 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Milliman, Orser and Reese.

Absent and not voting: Senators Lund, Melich and Mr. President.

S. B. No. 127 was transmitted to the House.

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

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m. Senator Fowles in the chair in the absence of President Hopkin, excused.

Roll Call--All Senators present except President Hopkin, excused.

COMMUNICATIONS FROM THE HOUSE

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 1, 1949, on *H. B. No. 14*, by Mr. W. G. Larson, entitled,

"AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSE FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM

TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 28*, by Mrs. Jack, entitled,

"AN ACT AMENDING SECTION 40-1-2, UTAH CODE ANNOTATED 1943, PROHIBITING AND DEFINING PROHIBITED AND VOID MARRIAGES AND PROVIDING EXCEPTION WHEN ONE PARTY TO VOID MARRIAGE ACTING IN GOOD FAITH, BELIEVING FORMER SPOUSE DEAD OF OTHER PARTY OR WITHOUT KNOWLEDGE OF FORMER MARRIAGE OF OTHER PARTY, OR THAT DECREE OF DIVORCE HAS NOT BECOME FINAL, PARTIES SHALL BE DEEMED LEGALLY MARRIED FROM TIME OF REMOVAL OF IMPEDIMENT TO MARRIAGE BY DEATH OR DIVORCE." and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 28 was read the first time and referred to the Sifting Committee.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 30*, by Messrs. Roberts, Preece, Dean and Cullimore, entitled,

"AN ACT AMENDING SECTION 87-8-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 137, LAWS OF UTAH 1947, PROVIDING THAT THE POPULATION OF THE JUDICIAL DISTRICT FOR THE PURPOSE OF ENTITLING THE DISTRICT ATTORNEY TO A DEPUTY SHALL BE DETERMINED BY THE STATE BOARD OF EXAMINERS, WHO SHALL USE THE LAST PRECEDING UNITED STATES CENSUS AND OTHER EVIDENCE SATISFACTORY TO SUCH BOARD IN MAKING SUCH DETERMINATION AND PROVIDING FOR A SALARY FOR SUCH DEPUTY".

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 164*, by Messrs. Jarman, Munk and Brotherson, entitled,

"AN ACT AMENDING SECTION 57-12-45, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 85, LAWS OF UTAH 1945, RELATING TO THE FIXING OF AN EXCISE TAX OF SIX CENTS PER GALLON ON MOTOR VEHICLE FUELS SOLD FOR USE OF VEHICLES UPON THE PUBLIC HIGHWAYS AND PROVIDING FOR EXEMPTIONS FROM SUCH TAX", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 164 was read the first time and referred to the Sifting Committee.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 240*, by Committee on Insurance, Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-17-34, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO THE LICENSING OF NON-RESIDENTS AS AGENTS OR BROKERS, PROVIDING FOR THE FILING OF A BOND BY NON-RESIDENT AGENTS AND PROVIDING CERTAIN EXEMPTIONS FOR SPECIFIED TYPES OF INSURORS".

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF SPECIAL COMMITTEES

March 1, 1949

Mr. President:
Mr. Speaker:

Your Joint Conference Committee appointed to consider House and Senate amendments on *H. B. No. 14*, by Mr. Larson, entitled,

"AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVE-

MENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSE FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947." reports that it recommends that the House concur in the Senate amendments.

Respectfully submitted,

W. G. LARSON
Chairman, House Committee

J. HAROLD REESE
Chairman, Senate Committee

On motion of Senator Reese, the report of the Conference Committee with respect to *H. B. No. 14* was adopted.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 299 By Mr. Day

AN ACT PROVIDING FOR APPROPRIATION OF $250,000 TO THE UTAH STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT FOR THE BIENNIUM BEGINNING JULY 1, 1949 AND ENDING JUNE 30, 1951, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the following recommendations from the report of the Utah Legislative Council on architectural fees paid by the state, which report was made pursuant to an investigation instituted at the request of the Governor in a communication to the President of the Senate dated February 15, 1949, were printed in the Journal:

1. That a definite policy be prescribed by the Legislature with regard to planning and construction of state buildings.

2. That the authority for planning and expending funds be fixed and properly designated.

3. That the State Building Board immediately prepare rules and regulations for publication, setting forth clearly a set of fees to be paid architects on state projects and conditions relating thereto, includ-

ing the adoption of uniform standards in the selection of architects for state projects.

4. That the awarding of architectural contracts be in cooperation with the state institution involved.

5. That the State Building Board adopt a uniform bulding code with which architects are to conform.

6. That, because of the difficulty in estimating bulding costs, the Building Board devise a proper basis whereby construction cost estimate can be made on projects awarded to architects.

7. That enabling legislation be enacted to permit the State to cooperate with federal agencies in planning and bulding programs. This is necessary if a positive state policy is declared and if the Department of Publicity and Industrial Development is eliminated.

8. That the Senate assign to the Legislative Council the task of completing a comprehensive investigation of the entire question if it is so desired.

Senator McShane moved that the rules be suspended and that *S. B. No. 293* be lifted from the Sifting Committee and placed at the head of the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 293 was read the second time.

Committee report read and adopted.

On motion of Senator Marsden, the billl was amended as follows:

Page 4, add a new section to be known as Section 36-6-16, to be inserted between lines 13 and 14, as follows:

"SEC. 36-6-16. The following named roads are designated as state roads:

(a) Route 141. From route 1 between Meadow and Kanosh westerly to Hatton.

(b) Route 142. From route 69 at Petersboro north via Newton and Clarkston to the Clarkston cemetery.

(c) Route 143. From Parowan on route 1 southerly via Parowan Canyon to the ( ) north boundary of Cedar Breaks National Monument.

(d) Route 144. From route 1 near Washington — Iron County line westerly via New Harmony to the forest boundary.

(e) Route 145. From Laketown on route 3 westerly to Meadowville and including a loop southerly via Round Valley.

(f) Route 146. From route 1 at Pleasant Grove northerly to route 80 near the mouth of American Fork Canyon.

(g) Route 147. From route 1 at Payson westerly to McBeth corner thence northerly to Lake Shore, thence easterly to route 8, thence east one mile, thence north to Mapleton on route 167.

(h) Route 148. From route 132 northwesterly to route 26 near Jericho.

(i) Route 149. From route 6 at Jensen northerly to museum in Dinosaur National Monument.

(j) Route 150. From route 35 in Kamas easterly to forest boundary."

S. B. No. 293 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day, Fowles, Gibbons, Jenkins, Jensen, Jolley, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Brockbank, Burns, Elggren, Gibson, Jones, Knight and Lund.

Absent and not voting: Mr. President.

S. B. No. 223 was read the second time.

Committee report read and adopted.

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

Page 4, line 1, strike the word "soiety" and insert in lieu thereof the word "society".

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

Page 4, line 14, strike the words "the Attorney General of the State" and insert in lieu thereof the words "may copy or micro-film".

Page 4, line 15, strike the words "may replevin" and insert in lieu thereof the words "after permission first obtained,".

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

Page 3, line 5, delete the words "Section Amended.".

Page 4, line 17, delete the words "Section Amended.".

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

Page 5, line 13, strike the word "by" and insert in lieu thereof the word "for".

On motion of Senator Day, the rules were suspended and *S. B. No. 223* was read the third time and placed on its final passage.

S. B. No. 223 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman and Orser.

Absent and not voting: Senators Larsen, Reese and Mr. President.

S. B. No. 223 was transmitted to the House.

S. B. No. 165 was read the second time.

Committee report read and adopted.

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

Page 2, line 31, change the period at the end of the line to a semicolon and add the following words, "and provided further that such dams are constructed under the supervision of a state or federal agency employing an engineer.".

Page 1, line 2, delete the word "Sec.".

On motion of Senator Day, the rules were suspended and *S. B. No. 165* was read the third time and placed on its final passage.

S. B. No. 165 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman and Orser.

Absent and not voting: Senators Fowles, Reese and Mr. President.

S. B. No. 165 was transmitted to the House.

S. B. No. 135 was read the second time.

Committee report read and adopted.

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

Page 1, line 13, after the word "The" insert the words "Governor, upon the recommendation of the".

Page 2, line 11, preceding the word "director" insert the words "Governor, upon the recommendation of the".

Page 2, line 15, after the word "the" insert the words "Governor, upon the recommendation of the".

Page 2, line 17, preceding the word "director" insert the words "Governor, upon the recommendation of the".

Page 2, line 20, after the word "The" insert the words "Governor, upon the recommendation of the".

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

Page 3, line 13, strike the word "produced" and insert on lieu thereof the word "produced".

Page 3, line 31, strike the word "scienes" and insert in lieu thereof the word "sciences".

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

Page 5, line 33, strike the word "pratcice" and insert in lieu thereof the word "practice".

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

Page 6, line 12, delete the words "at hard labor".

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

Page 2, line 4, change the period after the word "Colleges" to a comma and insert the following words: "provided that not more than one member of the Committee shall be chosen from the faculty of any one institution."

Page 2, line 24, after the word "art" insert the words "or who holds a degree in any of the healing arts".

On motion of Senator Fowles, the Senate recessed for fifteen minutes.

The Senate reassembled.

COMMUNICATIONS FROM THE GOVERNOR

March 1, 1949

To the Senate
Building

Gentlemen:

I am returning to you without my approval, *Senate Bill No. 18*, by Messrs. Day, Fowles, Clegg, Elggren and Bailey, entitled:

"AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO ACCEPT GIFTS OF REAL OR PERSONAL PROPERTY TO BE USED EITHER FOR GENERAL PURPOSES OF STATE GOVERNMENT OR FOR SUCH SPECIAL PURPOSES AS THE DONOR OR DONORS MAY SPECIFY, AND AUTHORIZING AND DIRECTING THE ATTORNEY GENERAL TO TAKE APPROPRIATE ACTION IN THE COURTS TO ENFORCE OR PROTECT THE RIGHTS OF THIS STATE IN OR UNDER ANY PROPERTY ACQUIRED UNDER THE AUTHORITY OF THIS ACT."

I have no objection to Section 1 of the Bill, but my veto is based on the provisions of the sections thereof following Section 1.

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

S. B. No. 18 was filed.

COMMUNICATIONS FROM THE HOUSE

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, entitled,

"AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, 25-5-6, AND 25-5-15, UTAH CODE ANNOTATED 1943, RELATING TO VOTING BY ABSENT ELECTORS AND PHYSICALLY DISABLED ELECTORS AND PROVIDING PENALTY FOR PERJURY OR MISREPRESENTATION," and has appointed a conference committee consisting of Representatives Stewart, Barton and Aldous, to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Brockbank, the President appointed Senators Marthakis, Brockbank and Gibbons as a Conference Committee to act with a like committee from the House to consider the amendments to *S. B. No. 144*.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 146* (rewritten), by Messrs. Marthakis, Knight, Brockbank and Bailey, entitled,

"AN ACT AMENDING SECTION 25-2-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 38, LAWS OF UTAH 1943, AND BY CHAPTER 3, LAWS OF UTAH 1944, 1ST SPECIAL SESSION, RELATING TO REGISTERING ABSENT VOTERS BY

THE COUNTY CLERK OR PHYSICALLY DISABLED VOTERS BY MAIL," and has appointed a conference committee consisting of Representatives Stewart, Barton and Aldous to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Marthakis, the President appointed Senators Jenkins, Milliman and Larsen as a Conference Committee to act with a like committee from the House to consider the amendments to *S. B. No. 146* (rewritten).

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 3rd day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 42*, by Messrs. Anderson and Aldous, entitled,

"AN ACT PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING TWO YEARS, AND A PENALTY FOR VIOLATION THEREOF."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 3rd day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 86*, by Mr. Bonacci, entitled,

"AN ACT AMENDING SECTION 57-4-21, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE REVOCATION OF OPERATORS LICENSES UNDER CONDITIONS OF THIS ACT AND FOR THE GRANTING, UNDER CERTAIN CIRCUMSTANCES, OF LIMITED DRIVING PRIVILEGES TO PERSONS WHO HAVE BEEN CONVICTED OF VARIOUS OFFENSES."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 1, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 3rd day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 94*, by Committee on Municipal and County Affairs, entitled,

"AN ACT ENACTING A SECTION TO BE KNOWN AS SECTION 15-6-75, UTAH CODE ANNOTATED 1943 AUTHORIZING GOVERNING BODIES OF CITIES OF THIRD CLASS AND TOWNS TO APPOINT A CITY MANAGER."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 4th day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 95*, by Committee on Municipal and County Affairs, entitled,

"AN ACT AMENDING SECTIONS 15-8-92, 15-8-93, 15-8-95, 15-8-96, 15-8-101, 15-8-104, AND 15-8-107, UTAH CODE ANNOTATED 1943, RELATING TO CITY AND TOWN PLANNING COMMISSIONS, MUNICIPAL ZONING ORDINANCES, HEARINGS; PROVIDING FOR TERMS OF OFFICE OF THE BOARD OF ADJUSTMENT, VARIANCES; ENFORCEMENT OF ZONING REGULATIONS, PROVIDING FOR HEARINGS AND COMPENSATION OF THE MEMBERS OF THE BOARD OF ADJUSTMENT AND POWERS OF CITIES AND TOWNS, AND REPEALING SECTION 15-8-94, UTAH CODE ANNOTATED 1943."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 3rd day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 96*, by Committee on Municipal and County Affairs, entitled,

"AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR ELECTION AND FIXING THE

TERM OF OFFICE AT FOUR YEARS FOR ELECTED MUNICIPAL OFFICIALS IN CITIES OF THE SECOND AND THIRD CLASS AND TOWNS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 4th day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 114*, by Messrs. Crofts, White, Tietjen, Kerr, Luke and Murch, entitled,

"AN ACT ESTABLISHING THE TIME WITHIN WHICH THE COLLECTION, PAYMENT THE REVOCATION OF CREDIT FOR, AND DISHONOR OF DEMAND ITEMS BY BANKS MUST BE MADE, AND AUTHORIZING THE PROVISIONS HEREOF TO BE VARIED BY AGREEMENT, AND REPEALING CHAPTER 13, LAWS OF UTAH 1945."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 4th day of March, 1949, approve and transmit to the Secretary of State, *H. B. No. 115*, by Messrs. Crofts, White, Tietjen, Kerr, Luke, and Murch, entitled,

"AN ACT AMENDING SECTIONS 7-3-22 AND 7-3-23, UTAH CODE ANNOTATED 1943, REQUIRING THE EXAMINATION BY BANK DIRECTORS OF CERTAIN BANK PROPERTIES AND AFFAIRS; FIXING FREQUENCY OF EXAMINATIONS, REQUIRING WRITTEN REPORTS THEREOF TO BE FILED WITH BANK RECORDS; SUBJECTING REPORTS TO FURTHER EXAMINATION, BY BANK COMMISSIONER OR BANK EXAMINER; AUTHORIZING BANK COMMISSIONER TO ESTABLISH RULES AND REGULATIONS FOR THE SUBSTITUTION OF EXAMINATION MADE DURING THE YEAR BY THE STATE BANKING DEPARTMENT, THE FEDERAL RESERVE BANK OF SAN FRANCISCO, THE FEDERAL DEPOSIT INSURANCE CORPORATION, OR BY A CLEARING HOUSE ASSOCIATION OF WHICH THE EXAMINED BANK IS A MEMBER; FOR REPORT OF BOARD OF DIRECTORS OF BANK, SPECIFYING CONTENTS OF REPORTS; REQUIRING

THE BOARD OF EXAMINERS OR COMMITTEE APPOINTED BY THE BOARD OF EXAMINERS TO FILE A WRITTEN REPORT OF THEIR FINDINGS AND RECOMMENDATIONS BASED UPON THE SUBSTITUTED EXAMINATION AS AUTHORIZED IN THIS ACT, AND MAKING THE VIOLATION OF THE PROVISIONS HEREOF A MISDEMEANOR PROVIDING A PENALTY THEREFOR."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in title and body by the House, *H. B. No. 138*, by Messrs. Johnson, Daly, Jensen, Roberts and Jarman, entitled,

"AN ACT PROVIDING FOR THE PAYMENT OF BOUNTIES ON SKINS OF CERTAIN PREDATORY ANIMALS, A TAX LEVY ON SHEEP AND TURKEYS FOR THE PAYMENT OF BOUNTIES AND PROVIDING ADDITIONAL FUNDS FOR THE PREDATORY ANIMAL CONTROL FUND FOR THE CREATION THEREFROM OF A STATE BOUNTY FUND EMPOWERING STATE BOARD OF AGRICULTURE AND THE STATE PREDATORY ANIMAL CONTROL COMMITTEE TO ENFORCE PROVISIONS OF THIS ACT; ALSO PROVIDING FOR THE CREATION OF CONTROL AREAS AND THE APPOINTMENT OF INSPECTORS AND COUNTY BOARDS TO ASSIST THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THE ACT; FURTHER REQUIRING THE MAKING OF PRESCRIBED CERTIFICATES TO THE COUNTY CLERK; PROVIDING FOR PAYMENT AND HANDLING OF CLAIMS THROUGH THE STATE BOARD OF AGRICULTURE AND THE STATE FINANCE COMMISSION; PROVIDING FURTHER FOR THE MAINTENANCE OF RECORDS AND GIVING NOTICE OF SHIPMENT OF SKINS BY CARRIERS THEREOF; PROHIBITING STATE OR COUNTY AUDITORS FROM REMOVING RECORDS PROVIDED FOR IN THIS ACT EXCEPT AS HEREIN PROVIDED; MAKING IT A MISDEMEANOR TO SUSTAIN ANIMALS REFERRED TO IN THIS ACT FOR PURPOSE OF RECEIVING BOUNTY; MAKING IT A FELONY TO FRAUDULENTLY OBTAIN OR AID IN OBTAINING BOUNTY; AND PROVIDING PENALTIES; AND REPEALING CHAPTER 6, LAWS OF UTAH 1943, CHAPTER 7,

LAWS OF UTAH 1945, CHAPTERS 3 AND 4, LAWS OF UTAH 1947, AND TITLE 3, CHAPTER 4, UTAH CODE ANNOTATED 1943 AND SUPERCEDING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 138 was read the first time and referred to the Sifting Committee.

March 4, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 213*, by Mr. Albrecht, entitled,

"AN ACT APPROPRIATING $50,000 FROM THE EMERGENCY RELIEF FUND IN THE STATE TREASURY TO THE STATE DEPARTMENT OF HEALTH FOR CRIPPLED CHILDREN'S SERVICE PROGRAM," and requests the Senate to recede from its amendments.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator McShane, the Senate refused to recede from its amendments to *H. B. No. 213* and the President appointed Senators Jensen, Elggren and Knight as a Conference Committee to confer with a like committee from the House with reference to said amendments.

REPORTS OF STANDING COMMITTEES

March 4, 1949

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 299*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 299 was ordered printed and referred to the Sifting Committee.

On motion of Senator Day, the Senate adjourned.

FIFTY-FIFTH DAY

MORNING SESSION

March 5, 1949

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

Roll Call- All Senators present except President Hopkin, excused.

Prayer by the Chaplain.

March 5, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-fourth day and find it correct with minor amendments noted on the final copy.

Respectfully,

ELIAS L. DAY
L. RULON JENKINS

Report adopted and filed.

On motion of Senator Day, the Secretary was directed to send a letter to President Hopkin expressing the Senate's regret for his absence on account of illness and extending its well wishes for a speedy recovery and return to the Senate.

On motion of Senator Day, the following report of the Committee on Fish and Game was ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES

March 3, 1949

Mr. Alonzo F. Hopkin, President
Utah State Senate
Building

Dear President Hopkin:

Your Committee on Fish and Game desires herewith to report concerning some of the vital problems which, in our opinion, should be called to the attention of the Senate.

First — Reorganization of the Fish and Game Department. Your Committee believes that instead of having a Board of Big Game Control,

a Fish and Game Commission, and a Director, that there should be but one Commission. That the membership of the Commission should represent all interests concerned with Big Game. The Commission should be given the right to appoint a Director, and hold him responsible for carrying out the policies of the Commission. It is believed that such a uniform set-up will remove many of the conflicts and disagreements, and much of the mismanagement of Big Game.

Second -- Game Damage Claims. There should be set up by law, an effective means of determining the rights of damaged property owners, to fairly appraise damage claims, to provide for a fund to pay the claims, and to effect prompt settlement thereof.

Third -- Law Enforcement. Better game law enforcement is needed. It should be brought about by passing the two laws now before the Legislature, permitting the giving of tickets, and providing a visable badge. Provision for more uniform sentences, more care in suspending sentences, and better support of the work of the game law enforcement officers through the punishment meted out to offenders, will bring marked improvement.

Fourth Management of Big Game Herds. Continued study of the problem of handling big game herds to keep them in proper balance with available feed and without infringement of private rights must be continued. This involves range improvement and winter feeding. It embraces placement of feed lots and the provision of winter feed in ample time to keep the big game in good condition and out of reach of the property of private citizens.

Fifth Manual. It is desirable that factual material pertaining to the management, production, and distribution of fish and game in Utah be made available in manual form.

Sixth - Bonds. Game wardens should be bonded.

Seventh — Fish and Game Code. A Fish and Game Code should be drafted for the 1951 codification of the Utah statutes.

Eighth — Legislative Council. It is the conclusion of the Committee that with the limited time remaining to the present legislative session, these matters cannot be effectively completed. It is recommended that this report be turned over to the Legislative Council for continued study so that understanding and cooperation can be had by stock men, property owners, and those directly interested in fish and game.

Respectfully,

Senate Fish and Game Committee

ELIAS L. DAY,
Chairman.

UNFINISHED BUSINESS

S. B. No. 135, being unfinished business, was before the Senate.

S. B. No. 135 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Larsen, Lund, Marsden, McShane, Melich, Milliman and Reese.

Those voting in the negative were: Senators Brockbank, Burns, Day, Elggren, Jenkins, Knight, Marthakis and Orser.

Absent and not voting: Mr. President.

On motion of Senator Milliman, *S. B. Nos. 295 and 143* retained their places on the Third Reading Calendar.

S. B. No. 293 was read the third time and placed on its final passage.

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

Page 2, line 3, after the figures "1947" delete the balance of the material on the line.

Page 2, delete all material on lines 4 to 12, inclusive.

Page 2, line 13, delete the words "Laws of Utah 1947," and change the comma after the word "amended" to a semicolon.

Page 3, delete all material on line 18.

Page 3, delete all material on lines 24 to 33, both inclusive.

Delete all material on pages 4 and 5.

Page 4, delete all of Sec. 36-6-16.

Page 6, delete all material on lines 1 to 13, both inclusive.

Page 6, line 14, after "Sec. 36-6-26" delete the balance of the material on line 14 and all material on lines 15 to 33, both inclusive and insert in lieu thereof the following:

"The following named roads are designated as state roads:

(a) Route 242. From Hyrum on route 101 easterly via Blacksmith Fork approximately 17 miles to the ranch house on the state fish and game property known as the Hardware Ranch."

Delete all material on page 7.

On motion of Senator McShane, the title was amended as follows:

Delete all material on lines 7 to 20, both inclusive and the following material on line 21: "1947;".

S. B. No. 293 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Larsen, Lund, Marsden, McShane, Melich, Orser and Reese.

Those voting in the negative were: Senators Burns, Elggren, Jensen, (explained vote), Jones (explained vote), Knight, Marthakis and Milliman.

Absent and not voting: Mr. President.

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

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m. Senator Fowles in the chair in the absence of President Hopkin.

Roll Call All Senators present except President Hopkin, excused.

On motion of Senator Reese, the Secretary was directed to request the Utah Legislative Council to institute a complete study of the state road system of Utah, and make report to the Twenty-ninth Session of the Utah Senate.

REPORTS OF SPECIAL COMMITTEES

March 2, 1949

Mr. President:

Your Committee assigned to study the Childrens' Crippling Disease Hospital, would like to file the attached report as to the chronological history of the law and procedure authorizing and letting of the contracts for the construction of the Childrens' Crippling Disease Hospital, the legality, and the need of said hospital.

Respectfully,

L. RULON JENKINS,
Chairman.

Report filed.

On motion of Senator Elggren, it was agreed that the Committee report be read and considered as a special order of business on Monday, March 7, 1949 at 11:00 a.m.

On motion of Senator Gibson, *S. B. No. 261*, now in Committee on Revenue and Taxation, was referred to the Sifting Committee.

March 5, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 134, 221, 38, 39, 40, 41, 42, 43, 45, 46, 78, 79, 84, 239, 261, 262, 263; S. J. R. Nos. 11 and 12; S. B. Nos. 283, 284, 124, 245, 246, 209, 8, 139, 149 and 219.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. Nos. 134, 221, 38, 39, 40, 41, 42, 43, 45, 46, 78, 79, 84, 239, 261, 262, 263; S. J. R. Nos. 11 and 12; S. B. Nos. 283, 284, 124, 245, 246, 209, 8, 139, 149 and 219 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Delete all material on line 3.

Line 4, insert the figures "103-26-19" at the beginning of the line.

Line 6, delete the underlining from the word "offers".

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

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

Ayes, 18; Nos, 3; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, and Milliman.

Those voting in the negative were: Senators Melich, Orser and Reese.

Absent and not voting: Senator Larsen and Mr. President.

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

S. B. No. 134 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, delete the figures "19-13-13".

Page 1, line 3, delete the figures "19-13-13".

Page 1, delete all material on lines 7 to 17 both inclusive.

Page 2, delete all material on lines 1 to 5, both inclusive.

Page 2, delete all material on line 6.

Page 2, insert the figures "19-13-14" at the beginning of line 7.

Page 2, delete all material on lines 12 to 20, both inclusive and insert in lieu thereof the following:

	"Class 1	Class 2	Class 3	Class 4	Class 5
Commissioner (each)	$4500	$2400	( ) $1250	( ) $ 750	( ) $ 750
Sheriff	$4500	$3500	( ) $2500	( ) $2500	( ) $1750
Assessor	$4500	$3500	( ) $2500	( ) $2500	( ) $1750
Clerk	$4500	$3800	( ) $2500	( ) $2500	( ) $1750
Recorder	$4500	$3500	( ) $2500	( ) $2500	( ) $1750
Treasurer	$4500	$3500	( ) $2500	( ) $2500	( ) $1375
Attorney	$4500	$2400	( ) $2500	( ) $1800	( ) $1125
Surveyor	$4500	$2400	( ) $1500	( ) $ 562.50	
Auditor					"

Page 2, delete all material on lines 21 and 22.

Page 2, insert the figures "19-13-15" at the beginning of line 23.

On motion of Senator Milliman, the title was amended as follows:

Line 1, delete the figures "19-13-13".

On motion of Senator Milliman, the rules were suspended and *S. B. No. 134* was read the third time and placed on its final passage.

S. B. No. 134 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Elggren, Jones and Knight.

Absent and not voting: Mr. President.

S. B. No. 134 was transmitted to the House.

S. B. No. 221 was read the second time.

Committee report read and adopted.

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

Page 2, line 20, underline the letter "(F)".

On motion of Senator Day, the rules were suspended and *S. B. No. 221* was read the third time and placed on its final passage.

S. B. No. 221 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, and Reese.

Absent and not voting: Senators Gibbons, Orser and Mr. President.

S. B. No. 221 was transmitted to the House.

S. B. No. 38 was read the second time.

Committee report read and adopted.

S. B. No. 38 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns, Elggren, Fowles, Jensen and Marthakis (explained vote).

Absent and not voting: Mr. President.

On motion of Senator Brockbank the rules were suspended and *S. B. No. 38* was read the third time and placed on its final passage.

S. B. No. 38 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Gibbons, Gibson, Jenkins, Jolley Jones, Knight, Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns, Elggren, Fowles and Jensen.

Absent and not voting: Senator Marthakis and Mr. President.

S. B. No. 38 was transmitted to the House.

S. B. No. 39 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the title was amended as follows:

Line 2, strike the word "RELATIING" and insert in lieu thereof the word "RELATING".

On motion of Senator Day, the rules were suspended and *S. B. No. 39* was read the third time and placed on its final passage.

S. B. No. 39 then passed on the following roll call:

Ayes, 16; Nos, 4; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Larsen, Lund, Marsden, McShane, Melich, Milliman and Reese.

Those voting in the negative were: Senators Burns, Elggren, Jensen and Marthakis.

Absent and not voting: Senators Knight, Orser and Mr. President.

S. B. No. 39 was transmitted to the House.

S. B. No. 40 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 40* was read the third time and placed on its final passage.

S. B. No. 40 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns and Marthakis.

Absent and not voting: Senator Knight and Mr. President.

S. B. No. 40 was transmitted to the House.

S. B. No. 41 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 41* was read the third time and placed on its final passage.

S. B. No. 41 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Knight, Lund, and Mr. President.

S. B. No. 41 was transmitted to the House.

S. B. No. 42 was read the second time.

Committee report read and adopted.

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

Page 2, line 14, delete the word "medical".

Page 2, line 29, delete the word "medical" and the balance of the line after the word "superintendent".

Page 2, line 30, delete the words "trained in psychiatry, with".

Page 3, line 2, delete the word "medical".

Page 3, line 4, delete the word "medical".

Page 3, line 33, delete the word "medical".

On motion of Senator Melich, the bill was corrected as follows:

Delete the word "(Rewritten)" from underneath the number of the bill.

On motion of Senator Day, the rules were suspended and *S. B. No. 42* was read the third time and placed on its final passage.

S. B. No. 42 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senators Elggren, Larsen and Mr. President.

S. B. No. 42 was transmitted to the House.

S. B. No. 43 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 43* was read the third time and placed on its final passage.

S. B. No. 43 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Fowles, Gibbons, Gibson (explained vote), Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Elggren, Larsen and Mr. President.

S. B. No. 43 was transmitted to the House.

S. B. No. 45 was read the second time.

Committee report read and adopted.

On motion of Senator Melich, the rules were suspended and *S. B. No. 45* was read the third time and placed on its final passage.

S. B. No. 45 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senator Burns (explained vote).

Absent and not voting: Senators Elggren, Jones and Mr. President.

S. B. No. 45 was transmitted to the House.

S. B. No. 46 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis, the rules were suspended and *S. B. No. 46* was read the third time and placed on its final passage.

S. B. No. 46 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns and Elggren.

Absent and not voting: Senator Lund and Mr. President.

S. B. No. 46 was transmitted to the House.

S. B. No. 78 was read the second time.

Committee report read and adopted.

S. B. No. 78 was placed on the Third Reading Calendar on the following roll call:

Ayes, 11; Nos, 10; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Day, Gibbons, Jenkins, Jensen, Jolley, Lund, Marsden, Marthakis, McShane and Melich.

Those voting in the negative were: Senators Clegg, Elggren, Fowles, Gibson, Jones, Knight, Larsen, Milliman, Orser and Reese.

Absent and not voting: Senator Burns and Mr. President.

S. B. No. 79 was read the second time.

Committee report read and adopted.

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

Page 2, delete all material in Section 5, lines 8 to 14, both inclusive.

On motion of Senator Melich, *S. B. Nos. 79 and 84* were tabled.

S. B. No. 239 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 239* was read the third time and placed on its final passage.

S. B. No. 239 then passed on the following roll call:

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

Those voting in the affirmative were Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senator Gibbons and Mr. President.

S. B. No. 239 was transmitted to the House.

S. B. No. 261 was read the second time.

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

Page 1, line 11, strike the word "tthe" and insert in lieu thereof the word "the".

On motion of Senator Day, the rules were suspended and *S. B. No. 261* was read the third time and placed on its final passage.

S. B. No. 261 then passed on the following roll call:

Ayes, 18; Nos, 2; Absent, 3.

Those voting in the affirmative were Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Jones (explained vote) and Larsen.

Absent and not voting: Senators Gibbons, Jolley and Mr. President.

S. B. No. 261 was transmitted to the House.

S. B. No. 262 was read the second time.

Committee report read and adopted.

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

Page 1, line 3, strike the word "stae" and insert in lieu thereof the word "state".

Page 1, line 11, strike the word "dispersement" and insert in lieu thereof the word "disbursement".

Page 1, line 18, strike the figures "19-5-45" and insert in lieu thereof the figures "19-5-62".

On motion of Senator Day, the rules were suspended and *S. B. No. 262* was read the third time and placed on its final passage.

S. B. No. 262 then passed on the following roll call:

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

Those voting in the affirmative were Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senator Gibbons and Mr. President.

S. B. No. 262 was transmitted to the House.

S. B. No. 263 was read the second time.

Committee report read and adopted.

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

Line 4, underline the comma and insert deletion marks after the comma.

On motion of Senator Gibson, the rules were suspended and *S. B. No. 263* was read the third time and placed on its final passage.

S. B. No. 263 then passed on the following roll call:

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

Those voting in the affirmative were Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senator Gibbons and Mr. President.

S. B. No. 263 was transmitted to the House.

S. J. R. No. 11 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis, the rules were suspended and *S. J. R. No. 11* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibson, Jenkins, Jensen, Jolley, Knight, Larsen, Lund, Marsden, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Burns, Elggren, Jones and Marthakis.

Absent and not voting: Senator Gibbons and Mr. President.

S. J. R. No. 11 was transmitted to the House.

S. J. R. No. 12 was read the second time.

Committee report read and adopted.

On motion of Senator McShane, the rules were suspended and *S. J. R. No. 12* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Gibbons, Knight and Mr. President.

S. J. R. No. 12 was transmitted to the House.

S. B. No. 283 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, the title was amended as follows:

Line 2, strike the word "DISTRAINST" and insert on lieu thereof the word "DISTRAINT".

On motion of Senator Lund, the rules were suspended and *S. B. No. 283* was read the third time and placed on its final passage.

S. B. No. 283 then passed on the following roll call:

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

Those voting in the affirmative were Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senators Elggren, Gibbons, Knight and Mr. President.

S. B. No. 283 was transmitted to the House.

S. B. No. 284 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 284* was read the third time and placed on its final passage.

S. B. No. 284 then passed on the following roll call:

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

Those voting in the affirmative were Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senators Elggren, Gibbons, Knight and Mr. President.

S. B. No. 284 was transmitted to the House.

On motion of Senator Day, all bills on the Second Reading Calendar at the end of the Fifty-fifth Legislative Day, retained their place on the Second Reading Calendar.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today, it stand adjourned until Monday, March 7, 1949 at 10:00 a.m.

On motion of Senator Marthakis, the Senate adjourned.

FIFTY-SEVENTH DAY

MORNING SESSION

March 7, 1949

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

Rol Call—All Senators present except Senator Jensen, excused.

Prayer by the Chaplain.

March 7, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-fifth day and find it correct with minor amendments noted on the final copy.

Respectfully,

ELIAS L. DAY
L. RULON JENKINS

Report adopted and filed.

President Hopkin appointed Senators Jolley and Jones to revise the Journal for the week beginning March 7, 1949.

COMMUNICATIONS FROM THE GOVERNOR

March 5, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR COMMISSIONER OF DEPARTMENT OF AGRICULTURE:

J. H. Crofts, Holladay, Salt Lake County, Utah, to March 1, 1955. (Name submitted for that of Marion J. Steed, who has voluntarily withdrawn from this position.)

FOR MEMBER OF BOARD OF CORRECTIONS:

John F. Dugan, Salt Lake City, Salt Lake County, to April 1, 1955.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

REPORTS OF STANDING COMMITTEES

March 4, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 28*, by Messrs. Jolley and Knight, entitled,

"AN ACT AMENDING SECTION 15-8-55, UTAH CODE ANNOTATED 1943, RELATING TO FIRE DEPARTMENTS AND AUTHORIZING CITIES AND TOWNS TO EXTINGUISH FIRES OUSIDE OF THEIR CORPORATE LIMITS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 28 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signa- of the Speaker.

March 3, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 75*, by Mr. Melich entitled,

"AN ACT DEFINING AND PROVIDING FOR THE LICENSING AND REGISTRATION OF DENTAL HYGIENISTS AND FOR THE RENEWAL, REVOCATION AND SUSPENSION OF SUCH LICENSES AND REGISTRATIONS; PROVIDING FOR APPEALS AND FOR REINSTATEMENTS THEREOF, FIXING FEES THEREFOR, DEFINING THE POWERS AND DUTIES OF THE BOARD OF EXAMINERS THEREOF AND THE DEPARTMENT OF REGISTRATION WITH RESPECT THERETO AND FIXING PENALTIES FOR VIOLATIONS THEREOF," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 75 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 4, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 244*, by Mr. Hopkin, entitled:

"AN ACT AMENDING SECTION 30-0-47, UTAH CODE ANNOTATED 1943, DEFINING GAME ANIMALS, AND SPECIFYING THE HUNTING SEASON THEREOF, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 244 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signa- of the Speaker.

March 4, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 296*, by Mr. Fowles, entitled:

"AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE REGULAR SESSION OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 296 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signa- of the Speaker.

March 4, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 14*, by Messrs. Knight, Marthakis, Brockbank and Bailey, entitled:

"A JOINT RESOLUTION PROPOSING AN INVESTIGATION OF THE PROBLEM PRESENTED BY VETERANS INCARCERATED IN A PENAL INSTITUTION AND VETERANS ACCUSED OF COMMITTING CRIMES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. J. R. No. 14 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signa- of the Speaker.

Senator Day moved that the rules be suspended and that the Senate do this day consider Senate bills.

Motion carried.

With unanimous consent the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 300 By Mr. Reese for Committee on Highways

AN ACT AMENDING SECTION 36-6-3 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, AND BY CHAPTER 61, LAWS OF UTAH 1945; AMENDING SECTION 36-6-11, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947; AND ENACTING A NEW SECTION 36-6-26, UTAH CODE ANNOTATED 1943, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS, was read the first time.

Senator Larsen moved that the rules be suspended and that the Senate do now consider *S. B. No. 300*.

Motion carried.

S. B. No. 300 was read the second time.

On motion of Senator Knight, the rules were suspended and *S. B. No. 300* was read the third time and placed on its final passage.

S. B. No. 300 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were Senators Brockbank, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Jensen and Melich.

S. B. No. 300 was transmitted to the House.

Senator Reese moved that the Senate reconsider the vote by which *S. B. No. 293* was passed.

Motion carried.

On motion of Senator Reese, the enacting clause on *S. B. No. 293* was struck.

SPECIAL ORDER

H. B. No. 272, being a special order of business, was before the Senate.

H. B. No. 272 was read the second time.

Committee report read and adopted.

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

Delete all of Section 2.

Renumber Section 3 to be Section 2.

On motion of Senator Marthakis, the title was amended as follows:

Line 3, insert a period after the word "POSITIONS" and delete the balance of the material on line 3 and all material on lines 4 and 5.

On motion of Senator Milliman, the rules were suspended and *H. B. No. 272* was read the third time and placed on its final passage.

H. B. No. 272 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jolley, Jones, Knight, Lund, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Gibson, Larsen and McShane.

Absent and not voting: Senator Jensen.

H. B. No. 272 was returned to the House.

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

Committee report read and adopted.

On motion of Senator Marthakis, the rules were suspended and *H. J. R. No. 5* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg (explained vote), Day, Elggren (explained vote), Fowles, Gibson, Jenkins, Jolley, Jones, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Gibbons, Knight (explained vote), Larsen and McShane.

Absent and not voting: Senators Jensen and Lund.

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

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

Committee report read and adopted.

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

Page 2, line 4, strike the word "fit" and insert in lieu thereof the word "qualified".

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

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

Ayes, 16; Nos, 5; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jenkins, Jolley, Jones, Lund, Marsden, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Elggren, Gibbons, Larsen, Marthakis and McShane.

Absent and not voting: Senators Jensen and Knight.

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

On motion of Senator Melich, 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 GOVERNOR

March 7, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 288*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane and Clegg, entitled:

AN ACT AMENDING SECTIONS 42-1A-3; 42-1A-10; 42-1A-12; 42-1A-26 AND 42-1A-28, UTAH CODE ANNOTATED 1943, AND SECTIONS 42-1A-11 AND 42-1A-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, RELATING TO THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW; REDECLARING THE ABOLISHMENT OF ALL OTHER CIVIL LIABILITY AT COMMON LAW OR OTHERWISE; ENLARGING THE DEFINITION OF EMPLOYERS TO EMBRACE EMPLOYERS OF ONE OR MORE PERSONS; INCLUDING WITHIN THE COVERAGE OF THE ACT THE MEMBERS OF A PARTNERSHIP; DEFINING PARTIAL PERMANENT DISABILITY; INCREASING THE BENEFITS PAYABLE IN CASES OF PERMANENT TOTAL DISABILITY AND TEMPORARY TOTAL DISABILITY AND PROVIDING FOR REHABILITATION TRAINING OF INJURED WORKMEN AND PAYMENT THEREFOR; PROVIDING FOR INCREASED BENEFITS IN DEATH CASES; SHORTENING THE WAITING PERIOD AFTER INJURY; EXTENDING THE COVERAGE OF THE ACT TO OTHER DISEASES OR INJURIES TO HEALTH; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-57, RELATING TO THE ENJOINING OF NONINSURING EMPLOYERS; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 42-1A-58, UTAH CODE ANNOTATED 1943, AND TO BE A PART OF THE UTAH OCCUPATIONAL DISEASE DISABILITY LAW, RELATING TO PARTIAL PERMANENT DISABILITY FROM OCCUPATIONAL DISEASE, IMPOSING LIABILITY UPON THE EMPLOYER THEREFOR, PROVIDING A MEDICAL PANEL FOR DETERMINING THE EXTENT OF SUCH DISABILITY AND THE METHOD TO BE EMPLOYED IN REHABILITATION TRAINING AND THE FORMULA TO BE APPLIED IN DETERMINING THE PAYMENTS TO BE MADE BY THE EMPLOYER AND THE MANNER OF FINANCING REHABILITATION; AND REPEALING SECTION 42-1A-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945.

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

March 7, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 289*, by Messrs. Gibson, Knight, Jolley, Marthakis, Melich, Brockbank, Elggren, McShane, Clegg:

"AN ACT AMENDING SECTION 42-1-40, 42-1-57, 42-1-79, UTAH CODE ANNOTATED 1943; 42-1-41, 42-1-44, 42-1-61, 42-1-62, 42-1-63, 42-1-64 AND 42-1-75, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1945, BRINGING EMPLOYERS OF ONE OR MORE WORKMEN WITHIN ITS PROVISIONS; RE-DECLARING THE ABOLISHMENT OF COMMON LAW ACTIONS; PROVIDING FOR INCREASED BENEFITS; MAKING IT MANDATORY THAT IN CERTAIN CASES ATTEMPTS BE MADE TO REHABILITATE THE INJURED EMPLOYEE; PROVIDING FOR LARGER PAYMENTS IN CASE OF DEATH; INCREASING THE AMOUNTS PAYABLE FOR MEDICAL EXPENSE, BURIAL EXPENSE AND THE PURCHASE OF ARTIFICIAL APPLIANCES; MAKING IT MANDATORY THAT THE COMMISSION MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW; AND ADDING NEW SECTIONS TO BE KNOWN AS SECTION 42-1-85.10 AND SECTION 42-1-92.10, UTAH CODE ANNOTATED 1943, RELATING TO AUTOPSY IN DEATH CASES."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day appointed a Conference Committee consisting of Representatives Albrecht, Stewart, and Openshaw to act with a like committee from the Senate on consideration of proposed amendments to *H. B. No. 213*, by Mr. Albrecht, entitled,

"AN ACT APPROPRIATING $50,000 FROM THE EMERGENCY RELIEF FUND IN THE STATE TREASURY TO THE STATE DEPARTMENT OF HEALTH FOR CRIPPLED CHILDREN'S SERVICE PROGRAM."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF SPECIAL COMMITTEES

March 7, 1949

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, begs leave to report as follows:

We recommend that the Senate concur in the House amendments, with the following amendments:

In the House amendment, in Section 25-5-1, after the words, "any physically disabled elector" insert the words "who is confined in a hospital,"; In the House amendment, in Section 25-5-3, after the words "who is physically disabled" insert the words "and confined in a hospital,".

In the body of the bill, one page 2, line 4, after the words "being physically disabled" insert the words "and confined in a hospital"; on page 2, line 26, after the words "I am physically disabled" insert the words "and confined in a hospital".

In the Title, on line 3, after the words "PHYSICALLY DISABLED ELECTORS" insert the words "WHO ARE CONFINED IN HOSPITALS,".

Respectfully,

P. S. MARTHAKIS
Chairman, Senate Conference Committee

JUSTIN C. STEWART
Chairman, House Conference Committee

On motion of Senator Marthakis, the report of the Conference Committee was adopted and the bill and title amended accordingly.

S. B. No. 144 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Lund, Orser and Reese.

S. B. No. 144 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 135 was read the third time and placed on its final passage.

On motion of Senator Larsen, *S. B. No. 135* retained its place on the Third Reading Calendar.

On motion of Senator Day, *S. B. No. 78* retained its place on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 124 was read the second time.

Committee report read and adopted.

On motion of Senator Larsen, *S. B. No. 124* retained its place on the Second Reading Calendar.

S. B. No. 245 was read the second time.

Committee report read and adopted.

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

Page 1, delete all material on lines 13 to 18, both inclusive and all material on page 2, and insert in lieu thereof the following:

"Immediately after such termination of the association, the retirement commission shall distribute all of the remaining funds and assets of the association to its members and/or annuitants and/or claimants in such manner and order as to the commission shall seem proper or shall petition the district court of the county within which the association is located for an order dissolving the association and distributing its funds and assets to such members and/or annuitants and/or claimants."

On motion of Senator Jenkins, the title was amended as follows:

Delete the following words from lines 4, 5, and 6:

"PROVIDING FOR THE DESIGNATION OF TRUSTEES OF THE FUNDS OF SUCH ASSOCIATION;".

On motion of Senator Day, the rules were suspended and *S. B. No. 245* was read the third time and placed on its final passage.

S. B. No. 245 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Milliman, Orser Reese and Mr. President.

Absent and not voting: Senators Fowles and Melich.

S. B. No. 245 was transmitted to the House

S. B. No. 124 was before the Senate.

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

Line 6, after the word "to" delete the balance of the material on line 6 and all material on lines 7, 8, and 9, and insert in lieu thereof the following: "be transferred to the State Reserve Building Fund".

On motion of Senator McShane, the title was amended as follows:

Line 4, after the words "OF THE" strike the balance of the material on line 4 and all material on lines 5, 6 and 7 and insert in lieu thereof the words "STATE TREASURER TO BE TRANSFERRED TO THE STATE RESERVE BUILDING FUND".

On motion of Senator Milliman, the rules were suspended and *S. B. No. 124* was read the third time and placed on its final passage.

S. B. No. 124 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Gibbons, Gibson, Jenkins, Jensen (explained vote), Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Elggren (explained vote).

Absent and not voting: Senator Fowles.

S. B. No. 124 was transmitted to the House.

S. B. No. 246 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 246* was read the third time and placed on its final passage.

S. B. No. 246 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Fowles and Jolley.

S. B. No. 246 was transmitted to the House.

Senator Lund moved that the rules be suspended and that the Senate do now consider *S. B. No. 135*.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 135 was before the Senate.

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

Page 3, line 16, after the word "examinations" insert the words "in the basic sciences".

Page 3, line 16, delete the words "to ascertain".

Page 3, delete all of line 17.

Page 3, line 18, delete the words "healing art and shall pass upon the qualifications of such applicants".

Page 5, strike the figures "1949" and insert in lieu thereof the figures "1950".

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

Page 3, line 15, after the word "rector" insert the words "of registration".

Page 3, line 16, after the word "director" insert the words "of registration".

Page 3, lien 20, strike the word "once" and insert in lieu thereof the word "twice".

Page 2, line 5, strike the figures "$15.00" and insert in lieu thereof the figures "$5.00".

Senator Melich, with the aid of five Senators, requested a call of the Senate.

The Sergeant-at-Arms made his report.

On motion of Senator Marthakis, the call was lifted.

S. B. No. 135 then passed on the following roll call:

Ayes, 12; Nos, 9; Absent, 2.

Those voting in the affirmative were: Senators Clegg, Gibbons, Gibson, Jolley (explained vote), Jones (explained vote), Larsen, Lund, Marsden, McShane, Melich, Milliman and Reese.

Those voting in the negative were: Senators Brockbank, Burns, Day (explained vote), Elggren, Jenkins, Knight (explained vote), Marthakis, Orser and Mr. President.

Absent and not voting: Senators Fowles and Jensen.

S. B. No. 135 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 209 was read the second time.

Committee report read and adopted.

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

Page 2, line 6, after the word "one" insert the words "or a combination".

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

Page 2, line 22, after the word "tag.", change the period to a comma and add the words "except such cattle as have been officially vacinated and identified as calves and have not reached the age of thirty months."

On motion of Senator Day, the rules were suspended and *S. B. No. 209* was read the third time and placed on its final passage.

S. B. No. 209 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Larsen and Milliman.

S. B. No. 209 was transmitted to the House.

On motion of Senator Brockbank, the Senate recessed for ten minutes.

The Senate reassembled.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 301 By Messrs. Clegg, Day and Larsen

AN ACT CREATING THE DEPARTMENT OF PARKS, PUBLICITY AND PROMOTION, MAKING AN APPROPRIATION THEREFOR, PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS, THEIR TERMS OF OFFICE, POWERS AND DUTIES, AND REPEALING ALL ACTS IN CONFLICT HEREWITH, was read the first time.

Senator Marthakis moved that the rules be suspended and that the Senate do now consider *S. B. No. 301*.

Motion carried.

S. B. No. 301 was read the second time.

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

Page 2, line 13, strike the words "elect", "of" and "sho" and insert in lieu thereof the words "select", "or" and "who".

Page 5, line 7, after the dollar sign insert the figures "100,000.00".

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

Page 1, line 2, strike the words "Parks, Publicity and Promotion" and insert in lieu thereof the words "Parks and Publicity".

Page 1, line 7, strike the words "Parks, Publicity and Promotion" and insert in lieu thereof the words "Parks and Publicity".

Page 2, lines 23 and 24, strike the words "Parks, Publicity and Promotion" and insert in lieu thereof the words "Parks and Publicity".

Page 4, lines 26 and 27, strike the words "PARKS, PUBLICITY AND PROMOTION" and insert in lieu thereof the words "PARKS AND PUBLICITY".

On motion of Senator McShane, the title was amended as follows:

Line 1, strike the words "PARKS, PUBLICITY AND PROMOTION" and insert in lieu thereof the words "PARKS AND PUBLICITY".

On motion of Senator Day, the rules were suspended and *S. B. No. 301* was read the third time and placed on its final passage.

S. B. No. 301 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, McShane, Melich, Reese and Mr. President.

Those voting in the negative were: Senators Burns, Gibson (explained vote), Marthakis, Milliman and Orser.

S. B. No. 301 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 139 was read the second time.

Committee report read and adopted.

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

Page 2, line 26, after the word "publication" delete the word "and" and insert a comma; after the word "distribution", insert a comma and strike the word "of" and insert in lieu thereof the words "and sale of maps,".

Page 2, after line 28, insert the following paragraph:

"(7). Any income from the sale of maps and reports or from gifts or from other sources for the survey shall be turned over to the State Treasurer and credited by him to a fund to be known as the survey fund to be used under the direction of the director of the survey for publication of maps, bulletins or other reports of investigation of the Geological and Mineralogical Survey. Any funds now deposited with the State Treasurer under the provisions of section 34-0-4, Utah Code Annotated 1943, are hereby transferred to said survey fund."

Page 3, line 5, strike the figures "$50,000" and insert in lieu thereof the figures "$25,000".

Page 3, insert a new section to be known as Section 5 as follows:

"Section 5. This act shall take effect on July 1, 1949 or upon the proclamation of the Governor prior to that date."

On motion of Senator Melich, the title was amended as follows:

Line 13, strike the figures "$50,000" and insert in lieu thereof the figures "$25,000".

On motion of Senator Melich, the rules were suspended and *S. B. No. 139* was read the third time and placed on its final passage.

S. B. No. 139 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Burns, Elggren (explained vote), Marthakis and McShane (explained vote).

Absent and not voting: Senator Jensen.

S. B. No. 139 was transmitted to the House.

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

S. B. No. 149 was read the second time.

Committee report read and adopted.

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

Page 3, delete all material on lines 7, 8, 13, 17 and 22.

Page 3, insert the figures "80-14-37" at the beginning of the line.

On motion of Senator Day, the rules were suspended and *S. B. No. 149* was read the third time and placed on its final passage.

S. B. No. 149 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Fowles and Jenkins.

S. B. No. 149 was transmitted to the House.

S. B. No. 219 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 219* was read the third time and placed on its final passage.

S. B. No. 219 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Gibbons, Jensen, Jolley, Knight, Lund, Marsden, Marthakis, McShane (explained vote), Milliman, Reese and Mr. President.

Those voting in the negative were: Senators Clegg (explained vote), Fowles, Gibson, Jenkins, Jones, Larsen, Melich and Orser.

S. B. No. 219 was transmitted to the House.

On motion of Senator McShane the Senate adjourned until March 8, 1949 at 10:00 a.m.

FIFTY-EIGHTH DAY

MORNING SESSION

March 8, 1949

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

Roll Call—All Senators present except Senators Jenkins and McShane, excused.

Prayer by the Chaplain.

March 8, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-seventh day and find it correct with minor amendments noted on the final copy.

Respectfully,

B. MANNING JOLLEY
DAVID H. JONES

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 7, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR MEMBER OF UTAH STATE INSTITUTE OF FINE ARTS:

Fred E. Smith, Salt Lake City, Salt Lake County, Utah, to June 30, 1953. (reappointed)

Dr. C. Lowell Lees, Salt Lake City, Salt Lake County, to June 30, 1953.

Richmond T. Harris, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Mrs. Stewart P. Dobbs, Ogden, Weber County, Utah, to June 30, 1953. (reappointed)

Mrs. John M. Wallace, Salt Lake City, Salt Lake County, Utah, to June 30, 1953. (reappointed)

George M. Gadsby, Salt Lake City, Salt Lake County, Utah, to June 30, 1953. (reappointed)

Raymond J. Ashton, Kaysville, Davis County, Utah, to June 30, 1953.

FOR MEMBER OF HISTORICAL SOCIETY — BOARD OF CONTROL:

Rev. Robert J. Dwyer, Salt Lake City, Salt Lake County, Utah, to April 1, 1953. (reappointed)

Dr. Joel E. Ricks, Logan, Utah County, Utah, to April 1, 1953. (reappointed)

Dr. Leland H. Creer, Salt Lake City, Salt Lake County, Utah, to April 1, 1953.

Mrs. Juanita Brooks, St. George, Washington County, Utah, to April 1, 1953.

Noble Warrum, Jr., Salt Lake City, Salt Lake County, Utah, to April 1, 1953.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 28*, by Messrs. Jolley and Knight, entitled,

"AN ACT AMENDING SECTION 15-8-55, UTAH CODE ANNOTATED 1943, RELATING TO FIRE DEPARTMENTS AND AUTHORIZING CITIES AND TOWNS TO EXTINGUISH FIRES OUTSIDE OF THEIR CORPORATE LIMITS," and the same is forwarded herewith for transmission to the Goveronr.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 75*, by Mr. Melich, entitled,

"AN ACT DEFINING AND PROVIDING FOR THE LICENSING AND REGISTRATION OF DENTAL HYGIENISTS AND FOR THE RENEWAL, REVOCATION AND SUSPENSION OF SUCH LICENSES AND REGISTRATION; PROVIDING FOR APPEALS AND FOR REINSTATEMENTS THEREOF, FIXING FEES THEREFOR, DEFINING THE POWERS AND DUTIES OF THE BOARD OF EXAMINERS THEREOF AND THE DEPARTMENT OF REGISTRATION WITH

RESPECT THERETO AND FIXING PENALTIES FOR VIOLATIONS THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 75 was transmitted to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 244*, by Mr. Hopkin, entitled,

"AN ACT AMENDING SECTION 30-0-47, UTAH CODE ANNOTATED 1943, DEFINING GAME ANIMALS, AND SPECIFYING THE HUNTING SEASON THEREOF, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 244 was transmitted to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 296*, by Mr. Fowles, entitled,

"AN ACT APPROPRIATING FUNDS FOR DEFRAYING THE REGULAR AND CONTINGENT EXPENSES OF THE REGULAR SESSION OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 296 was transmitted to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. J. R. No. 14*, by Messrs. Knight, Marthakis, Brockbank and Bailey, entitled,

"A JOINT RESOLUTION PROPOSING AN INVESTIGATION OF THE PROBLEM PRESENTED BY VETERANS INCARCERATED IN A PENAL INSTITUTION AND VETERANS ACCUSED OF COMMITTING CRIMES," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 14 was transmitted to the Secretary of State.

March 7, 1949

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 Mr. Larson, entitled,

"AN ACT AUTHORIZING THE CREATION OF IMPROVEMENT DISTRICTS IN THE VARIOUS COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF THE BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO PAY SUCH BONDS AS MAY BE ISSUED HEREUNDER PAYABLE FROM TAXES AND FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSE FOR WHICH SUCH DISTRICTS ARE CREATED, PROVIDING FOR THE PAYMENT FROM REVENUES OF SUCH BONDS AS ARE NOT PAYABLE FROM TAXES, GRANTING THE POWER OF EMINENT DOMAIN TO SUCH DISTRICTS, PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS BY SUCH DISTRICTS, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, AND REPEALING CHAPTER 25, LAWS OF UTAH, 1947," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
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 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 26*, by Mrs. Jack, Messrs. Cannon and Walker, entitled,

"AN ACT AMENDING SECTION 21-0-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 37, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1947, RELATING TO COMPENSATION OF COURT REPORTERS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 26 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 30*, by Messrs. Roberts, Preece, Dean and Cullimore, entitled,

"AN ACT AMENDING SECTION 87-8-13 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 137, LAWS OF UTAH 1947, PROVIDING THAT THE POPULATION OF THE JUDICIAL DISTRICT FOR THE PURPOSE OF ENTITLING THE DISTRICT ATTORNEY TO A DEPUTY SHALL BE DETERMINED BY THE STATE BOARD OF EXAMINERS, WHO SHALL USE THE LAST PRECEDING UNITED STATES CENSUS AND OTHER EVIDENCE SATISFACTORY TO SUCH BOARD IN MAKING SUCH DETERMINATION AND PROVIDING FOR A SALARY FOR SUCH DEPUTY," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 30 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

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. 66*, by Mr. Davis, Mrs. Jack, Messrs. Kerr and Larson, entitled,

"AN ACT AMENDING SECTION 80-15-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1943, AND SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 118 LAWS OF UTAH 1947, RELATING TO THE DEFINITION OF RETAIL SALES, THE COLLECTION OF TAX — RETURNS — TOKENS — DEPOSIT OF SECURITY — PENALTIES FOR VIOLATIONS, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 66 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 108*, by Messrs. White, Marble, Baker and Johnson, entitled,

"AN ACT AMENDING SECTIONS 100-11-1, 100-11-2, 100-11-4, 100-11-9, 100-11-13, 100-11-14 AND 100-11-16, UTAH CODE ANNOTATED 1943, AND 100-11-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 135, LAWS OF UTAH 1945, RELATING TO THE ORGANIZATION OF WATER CONSERVANCY DISTRICTS AND TO DEFINE THE PURPOSES AND POWERS THEREOF," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 108 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

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. 240*, by Committee on Insurance, by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-17-34, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO THE LICENSING OF NON-RESIDENTS AS AGENTS OR BROKERS, PROVIDING FOR THE FILING OF A BOND BY NON-RESIDENT AGENTS AND PROVIDING CERTAIN EXEMPTIONS FOR SPECIFIED TYPES OF INSURORS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 240 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

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. 257*, by Mrs. Cazier, Messrs. Hinton, W. W. Young, Jensen and Patterson, entitled,

"AN ACT AMENDING SECTION 2, CHAPTER 41, LAWS OF UTAH 1947, PROVIDING FOR THE DETERMINATION AND PAYMENT OF DAMAGES CAUSED BY BIG GAME ANIMALS AND GAME BIRDS, AND AMENDING SECTION 30-0-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO FISH AND GAME, RESIDENT LICENSES TO FISH AND HUNT, FEES, SPECIAL PERMITS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Knight, *H. B. No. 257* was read the first time and referred to the Committee on Fish and Game.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 272*, by Mr. Cayias, entitled,

"AN ACT REPEALING CHAPTER 100, LAWS OF UTAH 1943, RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE FOR APPOINTIVE POSITIONS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 5, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 294*, by Messrs. Faust, Tippetts and O. W. Young, entitled,

"AN ACT AMENDING SECTIONS 46-0-45, 46-0-50, 46-0-87, 46-0-123, 46-0-158, 46-0-162 AND 46-0-182, UTAH CODE ANNOTATED 1943, RELATING TO INTOXICATING LIQUORS PROVIDING FOR DEFINITIONS, THE POWERS OF THE LIQUOR CONTROL COMMISSION, THE TRANSPORTATION OF LIQUOR, RETURNS AND RECORDS LICENSEES, PROHIBITING THE STORAGE OF LIQUOR ON PREMISES COVERED BY RETAIL LIQUOR DEALERS STAMPS, PROHIBITING SALES NOT PROVIDED FOR BY THIS ACT AND ADVERTISING OF LIQUOR, AND PROHIBITING THE ADULTERATION OF LIQUOR", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 294 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House *H. B. No. 297*, by Mrs. Jack, Messrs. Elswood, Baker, Dean, Bell, Bonacci, Cope, Walker, Doty, Ingleby and Marble, entitled,

"AN ACT AMENDING SECTIONS 2, 21, AND 30, CHAPTER 89, LAWS OF UTAH 1947, RELATING TO PUBLIC ASSISTANCE, PROVIDING FOR THE SUSPENSION OF ASSISTANCE WHEN PROPERTY IS TRANSFERRED AND FOR EXCEPTIONS, DEFIN-

ING FRAUD AS A MISDEMEANOR AND AUTHORIZING THE WELFARE DEPARTMENT TO RECOVER ASSISTANCE FRAUDULENTLY OBTAINED, PROVIDING FOR INVESTIGATION OF FAILURE TO SUPPORT APPLICANTS AND RECIPIENTS OF ASSISTANCE, ESTABLISHING PROCEDURE TO REQUIRE COMPLIANCE WITH PROVISIONS OF PUBLIC ASSISTANCE ACT OF 1947, ASCRIBING DUTIES TO DISTRICT ATTORNEY AND COUNTY ATTORNEY," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 297 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. J. R. No. 6*, by Messrs. Larsen and Tippetts entitled,

"A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 1, 10 AND 20 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE STATE EXECUTIVE DEPARTMENT, TERMS, RESIDENCE, AND DUTIES OF OFFICERS; THE GOVERNOR'S APPOINTIVE POWER IN FILLING OF VACANCIES IN CERTAIN OFFICES; AND THE COMPENSATION OF STATE OFFICERS".

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 7, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. No. 294 and H. B. Nos. 73, 24, 160, 102, 281, 51, 172, 69, 253, 188 and 23.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

S. B. No. 294 and H. B. Nos. 73, 24, 160, 102, 281, 51, 172, 69, 253, 188 and 23 were placed on the Second Reading Calendar.

On motion of Senator Day, *S. B. Nos. 295, 143 and 78* retained their place on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 294 was read the second time.

Committee report read and adopted.

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

Page 3, line 27, after the word "commissioner" insert the word "and".

On motion of Senator Fowles, the rules were suspended and *S. B. No. 294* was read the third time and placed on its final passage.

S. B. No. 294 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jones, Knight, Larsen, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Jenkins, Jolley, Lund and McShane.

S. B. No. 294 was transmitted to the House.

H. B. No. 73 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 73* was read the third time and placed on its final passage.

H. B. No. 73 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jones, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, Jolley, McShane and Milliman.

H. B. No. 73 was returned to the House.

H. B. No. 24 (rewritten) was before the Senate for consideration.

Committee report read and adopted.

On motion of Senator Gibson, the rules were suspended and *H. B. No. 24* (rewritten) was read the third time and placed on its final passage.

H. B. No. 24 (rewritten) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, McShane and Milliman.

H. B. No. 24 (rewritten) was returned to the House.

On motion of Senator Fowles, *H. B. No. 160* was made a special order of business for this afternoon at 2:30 p.m.

H. B. No. 281 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 281* was read the third time and placed on its final passage.

H. B. No. 281 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Knight, Larsen, Lund and McShane.

H. B. No. 281 was returned to the House.

President Hopkin recognized the presence of Bishop Joseph A. Cornwall, former Chaplain of both the Senate and the House.

H. B. No. 102 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *H. B. No. 102* was read the third time and placed on its final passage.

H. B. No. 102 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Fowles, Jenkins, Larsen, Lund and McShane.

H. B. No. 102 was returned to the House.

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

Committee report read.

On motion of Senator Orser, the report was adopted and the bill amended accordingly.

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

Page 9, line 20, strike the word "Unitd" and insert in lieu thereof the word "United".

On motion of Senator Elggren, *H. B. No. 51* was made a special order of business for this afternoon at 3:00 p.m.

On motion of Senator Elggren, 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 Senator Jenkins, excused.

On motion of Senator Knight, the Secretary was directed to send a letter to the publisher of the magazine "Utah", complimenting him on the excellency of the magazine in publicizing and promoting the various industries and scenic wonders of the state.

COMMUNICATIONS FROM THE GOVERNOR

February 19, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 11*, by Mr. Melich, entitled:

"AN ACT AMENDING SECTION 48-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE NUMBER OF TRIAL JURORS AND FIXING THEIR FEE."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

February 19, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 67*, by Mr. Day, entitled:

"AN ACT AMENDING SECTION 104-30-12, UTAH CODE ANNOTATED 1943, RELATING TO JUDGMENT BOOK AND ENTRY OF JUDGMENTS."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

February 19, 1949

To the Senate
Building

Gentlemen:

I have today approved and transmitted to the Secretary of State, *Senate Bill No. 71*, by Mr. Melich, entitled:

"AN ACT AMENDING SECTION 105-18-2, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE MEMBERSHIP OF THE GRAND JURY AND HOW MANY SHALL CONSTITUTE A QUORUM."

Sincerely yours,

J. BRACKEN LEE,
Governor.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1949

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. 12* (rewritten), by Messrs. Jolley, Milliman and Marthakis, entitled,

"AN ACT AMENDING SECTIONS 15-1-1 AND 15-1-2, UTAH CODE ANNOTATED 1943, RELATING TO THE CLASSIFICATION AND CHANGE OF CLASSIFICATION OF CITIES AND TOWNS", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 12 (rewritten) was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1949

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. 116*, by Messrs. Day, Elggren and Reese, entitled,

"AN ACT PROVIDING FOR THE REGULATION AND CONTROL OF THE BUSINESS OF DEALING IN MOTOR VEHICLES AND THE CREATION OF THE OFFICE OF AN ADMINISTRATOR OF THE DEPARTMENT OF MOTOR VEHICLES OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION, LICENSING, EXAMINATION, REGULATION AND SUPERVISION OF ALL DEALERS IN MOTOR VEHICLES BOTH NEW AND USED ENGAGED IN THE BUSINESS OF BUYING, SELLING OR IN ANY MANNER DEALING IN MOTOR VEHICLES IN THE STATE OF UTAH; PROVIDING FOR AN ADVISORY COUNCIL PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS AND ADMINISTATION THEREOF," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments.

S. B. No. 116 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins, Knight and Milliman.

S. B. No. 116 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 7, 1949, and passed *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, entitled,

"AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, 25-5-6, UTAH CODE ANNOTATED 1943, AND ENACTING SECTION 25-5-15 RELATING TO VOTING BY ABSENT ELECTORS AND PHYSICALLY DISABLED ELECTORS WHO ARE CONFINED IN HOS-

PITALS, AND PROVIDING PENALTY FOR PERJURY OR MISREPRESENTATION", and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 144 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 219*, by Messrs. Day, Elggren and Marthakis, entitled,

"AN ACT AMENDING SECTION 6-0-10, UTAH CODE ANNOTATED 1943, RELATING TO THE QUALIFICATIONS FOR ADMISSION TO THE PRACTICE OF LAW, ELIMINATING BAR EXAMINATION, AND PROVIDING FOR OATHS AND FEES", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 219 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 68*, by Messrs. Stewart and Davis, entitled,

"AN ACT AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AND SECTIONS 3 AND 9, CHAPTER 32, LAWS OF UTAH 1947, PROVIDING FOR SUPERVISION BY DIRECTOR OF CERTAIN PROFESSIONS, TRADES AND OCCUPATIONS IN COLLABORATION WITH COMMITTEES OF SAME UNDER SUPERVISION OF DEPARTMENT OF BUSINESS REGULATION AND FOR DESIGNATION OF COMMITTEE FOR PRACTICE OF NURSING AND PROVIDING FOR EXCEPTIONS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 68 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 70*, by Messrs. Larsen and Marble, entitled,

"AN ACT EMPOWERING BOARDS OF EDUCATION TO REMOVE FROM THEIR FILES AND DESTROY DOCUMENTS WHICH BOARD DETERMINED TO HAVE CEASED TO HAVE FURTHER IMPORTANCE", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 70 was read the first time and referred to the Sifting Committee.

March 7, 1949

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. 134*, by Mr. Baker, entitled,

"AN ACT APPROPRIATING $1,500.00 TO GLEN W. CROSBIE", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 134 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 150*, by Mr. Olson, entitled,

"AN ACT AMENDING SECTION 36-2-11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1947, RELATING TO THE IMPROVEMENT OF HIGHWAYS AND PROVIDING THAT ANY WORK INVOLVING EITHER CONSTRUC-

TION OR MAINTENANCE OF ROADS MAY BE LET BY CONTRACT TO THE LOWEST RESPONSIBLE BIDDER," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 150 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 161*, by Mrs. Mitchell, Messrs. Openshaw, Aldous and Walker, entitled,

"AN ACT AMENDING SECTION 80-9-5 UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1945, CHAPTER 109, REQUIRING THE BOARD OF COUNTY COMMISSIONERS TO MAKE TAX LEVIES, FIXING TIME AND MAXIMUM THEREFOR", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 161 was read the first time and referred to the Sifting Committee.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has has this day passed *H. B. No. 163*, by Messrs. Aldous, Openshaw, Mrs. Mitchell, Messrs. Walker and Davis, entitled,

"AN ACT AMENDING SECTION 72-0-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR EXPENSES INCURRED IN THE EQUIPMENT, OPERATION AND MAINTENANCE OF RECREATIONAL FACILITIES IN CITIES, TOWNS, COUNTIES OR SCHOOL DISTRICTS AND RAISING MONEY TO PAY FOR SAME AND LIMITING THE AMOUNT TO BE COLLECTED," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 163 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 165*, by Messrs. Jarman, Munk and Brotherson, entitled,

"AN ACT AMENDING SECTION 57-12-7, UTAH CODE ANNOTATED 1943, RELATING TO THE DEDUCTION FOR EVAPORATION OF MOTOR FUELS; SUBSTITUTING A TWO PER CENT ALLOWANCE FOR DEDUCTION FOR EVAPORATION IN LIEU OF A THREE PER CENT DEDUCTION", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 165 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 168*, by Mr. Bonacci, Mrs. Jack, Mr. Cannon, Mrs. Mitchell, and Mr. Openshaw, entitled,

"AN ACT PERMITTING BANKS AND LOAN AND TRUST COMPANIES TO REMAIN CLOSED ON SATURDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST, AND SEPTEMBER, AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN THE BANK IS CLOSED, IN JUNE, JULY, AUGUST OR SEPTEMBER, MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 168 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 174*, by Messrs. Patterson and Hurst, entitled,

"AN ACT AMENDING SECTIONS 30-0-32 AND 30-0-34, UTAH CODE ANNOTATED 1943, PROVIDING FOR UNLIMITED FISHING BY ANGLING AND SET LINE FOR CERTAIN FISH IN CERTAIN

WATERS, AND FIXING HOURS OF FISHING AND LIMIT OF CATCH, AND DEFINING TERMS USED HEREIN", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 174 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 178*, by Messrs. Lyman and Jarman, entitled,

"AN ACT AMENDING 80-5-66, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 108, LAWS OF UTAH 1947, RELATING TO THE IMPOSITION OF A MINING OCCUPATION TAX UPON METALLIFEROUS MINES AND DETERMINING THE MANNER OF COMPUTING SAID TAX," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 178 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 179*, by Messrs. Lyman and Jarman, entitled,

"AN ACT AMENDING SECTION 80-5-57, UTAH CODE ANNOTATED 1943, RELATING TO THE IMPOSITION OF A NET ANNUAL PROCEEDS TAX AND SETTING FORTH THE MANNER OF ARRIVING AT THE TAX LIABILITY", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 179 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 184*, by Messrs. Johnson, Marble and Luke, entitled,

"AN ACT AMENDING SECTION 11, CHAPTER 141, LAWS OF UTAH 1947, RELATING TO THE UTAH WATER AND POWER BOARD AND PROVIDING THAT THE STATE ENGINEER SHALL COLLECT MONEYS DUE THE STATE." and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 184 was read the first time and referred to the Sifting Committee.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 7, 1949, and passed *H. B. No. 213*, by Mr. Albrecht, entitled,

"AN ACT APPROPRIATING $50,000 FROM THE EMERGENCY RELIEF FUND IN THE STATE TREASURY TO THE STATE DEPARTMENT OF HEALTH FOR CRIPPLED CHILDREN'S SERVICE PROGRAM."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 7, 1949

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. 234*, by Messrs. Openshaw and Woolley, entitled,

"AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR FUELS AND DEFINING TERMS AS USED IN THE ACT", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 234 was read the first time and referred to the Sifting Committee.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 237*, by Messrs. Tippetts, Roberts and Openshaw, entitled,

"AN ACT AMENDING SECTION 80-14-2 AND 80-14-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR TAXATION UPON INCOME OF EVERY RESIDENT OF THE STATE AND UPON INCOME OF EVERY NON-RESIDENT WHICH IS EARNED WITHIN THE STATE OF UTAH, AND DEFINING GROSS INCOME, PROVIDING FOR DEDUCTIONS AND ENACTING A NEW SECTION TO BE KNOWN AS 80-14-10.10," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 237 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body by the House, *H. B. No. 268*, by Messrs. Cayias and Faust, entitled,

"AN ACT ENACTING SECTIONS 5 AND 6, CHAPTER 96, LAWS OF UTAH 1947, RELATING TO RADIO AND TELEVISION BROADCASTING STATIONS AND PROVIDING FOR THE RETRACTION OF LIBELOUS BROADCASTS, LIMITING THE LIABILITY IN SUCH CASES AND DEFINING PRIVILEGED BROADCASTS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 268 was read the first time and referred to the Sifting Committee.

March 8, 1949

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. 272*, by Mr. Cayias, entitled,

"AN ACT REPEALING CHAPTER 100, LAWS OF UTAH 1943, RELATING TO THE ELIGIBILITY OF MEMBERS OF THE LEGISLATURE FOR APPOINTIVE POSITIONS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 272 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 283*, by Messrs. Openshaw and Aldous, entitled,

"AN ACT AMENDING SECTION 6, CHAPTER 23A, LAWS OF UTAH 1947, FIXING THE LIMIT OF A LEVY ON REAL AND PERSONAL PROPERTY TO ONE-HALF MILL TO DEFRAY COSTS OF FLOOD CONTROL PROJECTS", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 283 was read the first time and referred to the Sifting Committee.

March 7, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this passed *H. B. No. 296*, by Mr. Stewart, entitled,

"AN ACT APPROPRIATING $25,000.00 TO THE UTAH DEPARTMENT OF VETERANS' AFFAIRS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 296 was read the first time and referred to the Sifting Committee.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 5*, by Messrs. Larsen and Tippetts, entitled,

"A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 8, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE CONTROL AND SUPERVISION OF THE PUBLIC SCHOOL SYSTEM, BY THE STATE BOARD OF EDUCATION AND THE APPOINTMENT BY THE STATE BOARD OF EDUCATION OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. J. R. No. 5 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House ,*H. J. R. No. 6*, by Messrs. Larsen and Tippetts, entitled,

"A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 1, 10, AND 20 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE STATE EXECUTIVE DEPARTMENT, TERMS, RESIDENCE, AND DUTIES OF OFFICERS; THE GOVERNOR'S APPOINTIVE POWER IN FILLING OF VACANCIES IN CERTAIN OFFICES; AND THE COMPENSATION OF STATE OFFICERS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

REPORTS OF SPECIAL COMMITTEES

March 7, 1949

Mr. President:

Mr. Speaker:

Your Joint Conference Committee consisting of Senators Jensen, Elggren and Knight, and Representatives Albrecht, Stewart and Openshaw, have met, and recommend that the Senate amendments to *H. B. No. 213* be adopted.

Respectfully submitted,

MRS. A. C. JENSEN,
Chairman, Senate Committee

CLARENCE J. ALBRECHT,
Chairman, House Committee

Committee report read and adopted.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 302 By Mr. Jenkins for the Committee on Appropriations and Claims

AN ACT AMENDING CHAPTER 122, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 12, 1948 LAWS, FIRST SPECIAL SESSION, RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM, AND ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 8 AND 9, RELATING TO A SCHEDULE OF ITEMS OF APPROPRIATIONS AND CREATING AN ADVISORY COMMITTEE TO INVESTIGATE PLANNING AND CONSTRUCTION OF STATE BUILDING PROJECTS BASED UPON NEED, was read the first time.

Senator Milliman moved that the rules be suspended and that the Senate do now consider *S. B. No. 302*.

Motion carried.

S. B. No. 302 was read the second time.

On motion of Senator Milliman, the rules were suspended and *S. B. No. 302* was read the third time and placed on its final passage.

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

Page 1, lines 5 and 6, strike the words ", or which may be approved for construction by the Board of Examiners, and", and insert deletion marks in lieu thereof.

Senator Day moved that the Senate rescind its action by which it passed the amendment to *S. B. No. 302*, page 1, lines 5 and 6.

Motion carried.

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

Page 1, line 5, strike the words ", or which may be" and insert in lieu thereof the word "and".

S. B. No. 302 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Knight.

S. B. No. 302 was transmitted to the House.

On motion of Senator Marthakis, the enacting clause on *S. B. No. 196* was struck.

On motion of Senator Elggren, the enacting clause on *S. B. No. 121* was struck.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today, it stand adjourned until Wednesday, March 9, 1949 at 10:00 a.m.

SPECIAL ORDER

H. B. No. 160, being a special order of business, was before the Senate.

On motion of Senator Day, *H. B. No. 160* was made a special order of business for March 9, 1949 at 10:30 a.m.

H. B. No. 51, being a special order of business, was before the Senate.

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

Page 4, line 22, delete the second "by".

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

Delete all of Section 100-5-16, contained on page 10, lines 24 to 33, both inclusive, and page 11, lines 1 to 7, both inclusive.

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

Page 10, line 3, strike the word "three" and insert in lieu thereof the word "two".

Page 10, line 4, delete the figures ", 100-5-16".

Page 11, line 8, strike the figures "100-5-17" and insert in lieu thereof the figures "100-5-16".

On motion of Senator Melich, the title was amended as follows:

Line 14, strike the word "THREE" and insert in lieu thereof the word "TWO".

Delete the following material from lines 16, 17 and 18: "SECTION 100-5-16, PERTAINING TO THE REPORTS TO THE STATE ENGINEER BY PUBLICLY OWNED UTILITIES,".

Line 19, strike the figures "100-5-17" and insert in lieu thereof the figures "100-5-16".

On motion of Senator Orser, the rules were suspended and *H. B. No. 51* was read the third time and placed on its final passage.

H. B. No. 51 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund (explained vote), Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Jenkins.

H. B. No. 51 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 172 was read the second time.

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

Page 2, line 6, strike the words "an annual" and insert in lieu thereof the words "a quarterly".

Page 2, line 7, strike the figures "$240", which was inserted by a House amendment, and insert in lieu thereof the figures "$50".

On motion of Senator Melich, the title was amended as follows:

Line 5, strike the words "AN ANNUAL" and the figures "$240" which were inserted by a House amendment, and insert in lieu thereof the words "A QUARTERLY" and the figures "$50".

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

Page 1, line 8, strike the word "Universiy" and insert in lieu thereof the word "University".

H. B. No. 172 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Gibson, Jensen, Jolley, Knight, Larsen, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Elggren (explained vote), Gibbons (explained vote), Jones, Lund, Marsden and Mr. President.

Absent and not voting: Senator Jenkins.

H. B. No. 69 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, the rules were suspended and *H. B. No. 69* was read the third time and placed on its final passage.

H. B. No. 69 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Jenkins.

H. B. No. 69 was returned to the House.

H. B. No. 253 was read the second time.

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

Line 1, strike the word "moneys" and insert in lieu thereof the word "monies".

Line 2, strike the word "moneys" and insert in lieu thereof the word "monies".

Line 5, strike the word "moneys" and insert in lieu thereof the word "monies".

Line 6, strike the word "moneys" and insert in lieu thereof the word "monies".

On motion of Senator Milliman, the title was amended as follows:

Line 1, after the word "APPROPRIATING" insert the words "FROM THE GENERAL FUND NOT OTHERWISE APPROPRIATED".

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 253* was read the third time and placed on its final passage.

H. B. No. 253 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibbons, Jenkins and Lund.

H. B. No. 253 was returned to the House.

On motion of Senator Elggren, the Senate adjourned.

FIFTY-NINTH DAY

MORNING SESSION

March 9, 1949

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

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

Prayer by the Chaplain.

March 9, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-eighth day and find it correct with minor amendments noted on the final copy.

Respectfully,

B. MANNING JOLLEY
DAVID H. JONES

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1949

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. 2*, by Mr. Clegg, entitled,

"AN ACT AMENDING SECTION 103-26-19, UTAH CODE ANNOTATED 1943, AND PROHIBITING ANY MEMBER OF THE LEGISLATURE FROM RECEIVING ANY CONSIDERATION FOR DRAFTING OR PREPARING ANY BILL OR RESOLUTION PROPOSED TO BE INTRODUCED INTO THE LEGISLATURE", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

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

March 8, 1949

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. 127*, by Messrs. Brockbank, Melich, Larsen and Orser, entitled,

"AN ACT AMENDING SECTION 80-10-68, UTAH CODE ANNOTATED 1943, RELATING TO THE SALE AND LEASE OF UNREDEEMED TAX TITLE PROPERTY BY COUNTY COMMISSIONERS, PRESCRIBING THE TERMS UPON WHICH THE PROPERTY MAY BE SOLD, AND PERMITTING COUNTIES TO RESERVE OIL, GAS AND MINERAL RIGHTS, AND TO SELL AND LEASE THE SAME, AUTHORIZING THE COUNTY COMMISSIONERS TO ENTER INTO AGREEMENTS FOR THE POOLING AND UNITIZATION OF ACREAGE WITH OTHERS FOR UNIT OPERATIONS FOR THE PRODUCTION OF OIL OR GAS, OR BOTH, AND RATIFYING EXISTING MINERAL, ASPHALT, OIL AND GAS LEASES," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Brockbank, the Senate concurred in the House amendments.

S. B. No. 127 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Lund.

S. B. No. 127 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, on reconsideration and under suspension of the rules, *H. B. No. 112*, by Messrs. Murch, Stewart, Bonacci, Mrs. Mitchell, Mrs. Jack and Mr. Rees, entitled,

"AN ACT DELARING THE NECESSITY FOR CITIES, HAVING A POPULATION OF 3,000 OR MORE, AND COUNTIES; TO UNDERTAKE PROJECTS TO CLEAR BLIGHTED AREAS AND TO PROVIDE HOUSING IN URBAN AND RURAL AREAS FOR PERSONS OF LOW INCOME, INCLUDING FARMERS AND VETERANS; TO MAKE LAND AVAILABLE FOR REDEVELOPMENT BY PRIVATE ENTERPRISE OR PUBLIC AGENCIES IN ACCORDANCE WITH APPROVED REDEVELOPMENT PLANS; 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 THEREFOR; TO PROVIDE THAT ANY SUCH CITY OR COUNTY MAY OBTAIN THE ATTORNEY GENERAL'S OPINION UPON BONDS AND OTHER OBLIGATIONS ISSUED PURSUANT TO THIS ACT; TO AUTHORIZE ANY SUCH CITY AND ANY COUNTY TO CREATE A HOUSING AND REDEVELOPMENT AUTHORITY AND DELEGATE TO SUCH AUTHORITY CERTAIN POWERS CONFERRED BY THIS ACT; TO DECLARE THAT THE HOUSING AND REDEVELOPMENT 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 RELATING TO SUCH AID; AND TO MAKE BONDS ISSUED FOR THE PURPOSES OF THIS ACT LEGAL INVESTMENTS AND SECURITY FOR PUBLIC DEPOSITS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 112 was read the first time and referred to the Sifting Committee.

March 8, 1949

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. 247* (rewritten), by Messrs. Bonacci and Olson, entitled,

"AN ACT AMENDING SECTIONS 55-2-5, 55-2-8, 55-2-15, AND 55-2-16, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 83, LAWS OF UTAH 1945, AND SECTION 55-2-11, UTAH CODE ANNOTATED 1943, RELATING TO COAL AND HYDROCARBON MINES AND MORE PARTICULARLY TO THE VENTILATION THEREOF, TO THE GENERAL RULES FOR OPERATORS AND EMPLOYEES, TO THE UNDERGROUND STORAGE AND USE OF OILS AND GREASES, TO THE CERTIFICATION OF MINE FOREMAN, FIREBOSSES AND SHOTFIRERS, TO THE SUBSTITUTION OF COMPETENCY CERTIFICATES IN CERTAIN INSTANCES", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 247 (rewritten) was read the first time and referred to the Sifting Committee.

Senator Milliman moved that no further legislation, other than that of extreme emergency, be passed in the Senate after the close of the session today, and that the Secretary be requested to advise the House of this action.

Motion carried.

Senator Milliman moved that the rules be suspended and that the Senate do now consider *S. B. No. 295*.

Motion carried.

S. B. No. 295 was read the third time and placed on its final passage.

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

Page 4, line 17, after the word "fund", insert the words "Brigham Young Statue Committee,".

Page 5, line 1, strike the figures "820" and insert in lieu thereof the figures "82C".

Page 5, line 2, after the figure "2," insert the words "Utah Code Annotated 1943,".

Page 5, line 12, after the word "institution" delete the "semi-colon".

Page 8, line 7, strike the figures "$90,000.00" and insert in lieu thereof the figures "$95,000.00".

Page 8, line 15, strike the figures "$700,000.00" and insert in lieu thereof the figures "$500,000.00".

Page 8, line 46, strike the figures "$30,000.00" and insert in lieu thereof the figures "$40,000.00".

Page 8, line 48, strike the figures "$90,000.00" and insert in lieu thereof the figures "$120,000.00".

Page 10 line 19, strike the words "and Services." and insert in lieu thereof the figures "$200,000.00".

Page 10, insert a new line, line 19A, containing the following material:

"Services $660,982.00"

Page 10, line 20, delete the figures "$860,982.00".

Page 10, line 30, strike the words "To Park Commission" and insert in lieu thereof the words "To Historical Society for Old State House, State Park at Fillmore".

Page 11, line 12, strike the figures "$4,350,000.00" and insert in lieu thereof the figures "$4,133,500.00".

Page 11, line 14, strike the words "Special Items" and insert in lieu thereof the words "Stewart Training School".

Page 11, line 15, strike the figures "$495,000.00" and insert in lieu thereof the figures "$470,250.00".

Page 11, line 22, strike the figures "$2,450,000.00" and insert in lieu thereof the figures "$2,327,500.00".

Page 11, line 24, strike the figures "$655,000.00" and insert in lieu thereof the figures "$622,250.00".

Page 11, line 26, strike the figures "$400,000.00" and inserrt in lieu thereof the figures "$380,000.00".

Page 11, line 28, strike the figures "$315,000.00" and insert in lieu thereof the figures "$299,250.00".

Page 11, line 30, strike the figures "$45,000.00" and insert in lieu thereof the figures "$42,750.00".

Page 11, line 34, strike the figures "$3,000.00" and insert in lieu thereof the figures "$2,850.00".

Page 14, line 15, strike the word "Investigations" and insert in lieu thereof the word "Administration".

Page 15, line 5, strike the figures "$225,000.00" and insert in lieu thereof the figures "$213,250.00".

Page 15, line 9, strike the figures "$750,000.00" and insert in lieu thereof the figures "$500,000.00".

Page 15, line 11, strike the figures "$60,000.00" and insert in lieu thereof the figures "$50,000.00".

Page 15, line 14, strike the figures "$500,000.00" and insert in lieu thereof the figures "$475,000.00".

Page 18, between lines 15 and 16, insert the following:

"Item 171. To Department of Health for Hospital Construction."

"From Emergency Relief Fund $375,000.00."

S. B. No. 295 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren (explained vote), Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Lund.

S. B. No. 295 was transmitted to the House.

SPECIAL ORDER

H. B. No. 160, being a special order of business, was before the Senate.

H. B. No. 160 was read the second time.

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

Page 4, line 9, change the period to a comma and add "providing that no participant shall receive more than $100.00 per month on retirement."

On motion of Senator Melich, 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 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES," and requests the Senate to recede from its amendments.

I am further directed to inform your Honorable Body that the following motion was this day passed by the House in regard to *H. B. No. 293*:

March 9, 1949

"Mr. Speaker:

"I move that the House return *House Bill No. 293* to the Senate so that Body may restore said bill to the condition it was prior to the amendments made by the Senate in violation of Joint Rules Numbers thirty-one and thirty-two, which rules are in effect to facilitate legislative action and permit either House to recede from amendments or to appoint a Conference Committee to settle differences between them.

"An amended bill is subject to these two courses of action only and is not open for amendment. The reason for this rule, is to provide for bringing a bill to rest which would be impossible if it were the prerogative of either House to continue to amend a measure indefinitely.

"In the event the two Houses disagree, Joint Rule 32 provides for changes in the bill only through the Joint Conference Committee method.

"I move further that the Clerk of the House be directed to transmit the bill back to the Senate so that Body may have an opportunity to correct its erroneous action and to handle the bill in accordance with House and Senate Joint Rules.

"Maurice Anderson
Democratic Majority Floor Leader"

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Marthakis, the Senate refused to recede from its amendments to *H. B. No. 293* referred to in the above communication and the President was authorized to appoint a Conference Committee to meet with a like committee from the House to consider the amendments.

The President appointed the following Conference Committee: Senators Milliman, Day and Jenkins.

March 8, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended on reconsideration and under suspension of

the rules, *H. B. No. 240*, by Committee on Insurance, by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-17-34, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO THE LICENSING OF NON-RESIDENTS AS AGENTS OR BROKERS, PROVIDING FOR THE FILING OF A BOND BY NON-RESIDENT AGENTS AND PROVIDING CERTAIN EXEMPTIONS FOR SPECIFIED TYPES OF INSURORS," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 240, on reconsideration, was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 2*, by Mr. Clegg, entitled:

"AN ACT AMENDING SECTION 103-26-19, UTAH CODE ANNOTATED 1943, AND PROHIBITING ANY MEMBER OF THE LEGISLATURE FROM RECEIVING ANY CONSIDERATION FOR DRAFTING OR PREPARING ANY BILL OR RESOLUTION PROPOSED TO BE INTRODUCED INTO THE LEGISLATURE," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

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

March 8, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 12* (rewritten) by Messrs. Jolley, Milliman and Marthakis, entitled,

"AN ACT AMENDING SECTIONS 15-1-1 AND 15-1-2, UTAH CODE ANNOTATED 1943, RELATING TO THE CLASSIFICATION AND CHANGE OF CLASSIFICATION OF CITIES AND TOWNS,"

has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
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.

March 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 116*, by Messrs. Day, Elggren and Reese, entitled:

"AN ACT PROVIDING FOR THE REGULATION AND CONTROL OF THE BUSINESS OF DEALING IN MOTOR VEHICLES AND THE CREATION OF THE OFFICE OF AN ADMINISTRATOR OF THE DEPARTMENT OF MOTOR VEHICLES OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION, LICENSING, EXAMINATION, REGULATION AND SUPERVISION OF ALL DEALERS IN MOTOR VEHICLES BOTH NEW AND USED ENGAGED IN THE BUSINESS OF BUYING, SELLING OR IN ANY MANNER DEALING IN MOTOR VEHICLES IN THE STATE OF UTAH; PROVIDING FOR AN ADVISORY COUNCIL PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS AND ADMINISTRATION THEREOF," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 116 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 219*, by Messrs. Day, Elggren and Marthakis, entitled:

"AN ACT AMENDING SECTION 6-0-10, UTAH CODE ANNOTATED 1943, RELATING TO THE QUALIFICATIONS FOR ADMISSION TO THE PRACTICE OF LAW, ELIMINATING BAR EXAMIN-

ATION, AND PROVIDING FOR OATHS AND FEES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 219 was signed 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

H. B. No. 160, being unfinished business, was before the Senate.

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

Page 8, line 5, after the word "made" insert the word "by the Legislative Council".

Senator Marthakis, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Marthakis, the call was lifted.

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

Page 1, line 9, strike the word "except" and insert in lieu thereof the word "including".

Page 1, line 10, strike the first "and" and insert in lieu thereof the words "but not including".

Page 3, line 1, delete the word "not".

Page 3, line 3, strike the words "nor with" and insert in lieu thereof the words "but not including".

On motion of Senator Knight, the rules were suspended and *H. B. No. 160* was read the third time and placed on its final passage.

H. B. No. 160 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Fowles, Jenkins, Jensen, Jolley (explained vote), Knight, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Clegg (explained vote), Day (explained vote), Gibbons, Gibson (explained vote), Jones (explained vote), Larsen, Lund, Marsden and McShane (explained vote).

H. B. No. 160 was returned to the House.

Senator Fowles moved that the Senate reconsider its action by which *H. B. No. 240* was referred to the Sifting Committee.

Motion carried.

Senator Fowles moved that the rules be suspended and that the Senate do now consider *H. B. No. 240*.

Motion carried.

On motion of Senator Fowles, the rules were suspended, and *H. B. No. 240* was read the second and third times and placed on its final passage.

H. B. No. 240 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank and Jensen.

H. B. No. 240 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day, *S. B. Nos. 143 and 78* retained their place on the Third Reading Calendar.

H. B. No. 172 was read the third time and placed on its final passage.

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

Page 2, line 7, strike the figures "$50" which were inserted by a previous Senate amendment, and insert in lieu thereof the figures "$35".

On motion of Senator Brockbank, the title was amended as follows:

Line 5, strike the figures "$50" which were inserted by a previous Senate amendment, and insert in lieu thereof the figures "$35".

H. B. No. 172 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Lund and McShane.

H. B. No. 172 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 188 was read the second time.

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

Page 1, line 11, strike the word "uncorrected" and insert in lieu thereof the word "corrected".

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 188* was read the third time and placed on its final passage.

H. B. No. 188 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibson, Jenkins, Jolley, Jones, Knight, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Clegg.

Absent and not voting: Senators Gibbons, Jensen, Larsen, Lund and McShane.

H. B. No. 188 was returned to the House.

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

Committee report read and adopted.

Senator Knight moved that *H. B. No. 23* be tabled.

Senator Marthakis, with the aid of five Senators, requested a roll call on the motion to table *H. B. No. 23*.

H. B. No. 23 was then tabled on the following roll call:

Ayes, 12; Nos, 11; Absent, 0.

Those voting in the affirmative were: Senators Clegg, Day, Gibbons, Jolley, Knight, Larsen, Lund, Marsden, McShane, Melich, Orser and Reese.

Those voting in the negative were: Senators Brockbank, Burns, Elggren, Fowles, Gibson, Jenkins, Jensen, Jones, Marthakis, Milliman and Mr. President.

On motion of Senator Knight, the Senate recessed for ten minutes.

The Senate reassembled.

REPORTS OF SPECIAL COMMITTEES

March 9, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. No. 247; S. B. No. 194; H. B. Nos. 178, 179, 134, 167, 125, 184, 80, 296, 168, 28, 234, 174, 138, 239, 161, 163, 283 and 113.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 247; S. B. No. 194; H. B. Nos. 178, 179, 134, 167, 125, 184, 80, 296, 168, 28, 234, 174, 138, 239, 161, 163, 283 and 113 were placed on the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of March 7, 1949, and passed *S. B. No. 13* (rewritten), by Messrs. Jolley, Jones, Orser and Marthakis, entitled,

"AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL DISTRICTS, NUMBER OF JUDGES, AND AMENDING THE SAME TO PROVIDE FOR THE APPOINTMENT OF TEMPORARY DISTRICT JUDGES TO SERVE UNTIL JUNE 30, 1951, AND AUTHORIZING THE BOARD OF EXAMINERS TO ALLOW DEFICITS TO COVER SALARIES AND EXPENSES," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *S. B. No. 133*, by Messrs. Gibson, Day, Clegg, Fowles, Marthakis, Elggren, Brockbank, Melich, Knight, Reese, Larsen, Orser and Jenkins, entitled,

"AN ACT AMENDING SECTION 14-4-8, UTAH CODE ANNOTATED 1943 RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND THE METHOD OF APPROVING SUCH CONSENT," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Gibson, the Senate refused to concur in the House amendments and requested the House to recede.

March 9, 1949

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. 134*, by Messrs. Milliman, Reese and Marsden, entitled,

"AN ACT AMENDING SECTIONS 19-13-14 AND 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CH. 30, LAWS OF UTAH 1943, AND BY CHS. 34 AND 35, LAWS OF UTAH 1945, AND AS AMENDED BY CH. 23, LAWS OF UTAH 1947, AND AS AMENDED BY CH. 1, LAWS OF UTAH 1948 (SPECIAL SESSION) PROVIDING FOR THE CLASSIFICATION OF COUNTIES, SALARIES OF COUNTY OFFICERS AND FIXING AND DETERMINING SALARIES, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Milliman, the Senate concurred in the House amendments.

S. B. No. 134 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Milliman and Orser.

Absent and not voting: Senators Brockbank, Gibbons, Lund, Melich, Reese and Mr. President.

S. B. No. 134 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 275*, by Messrs. Larsen and Orser, entitled,

"AN ACT AMENDING SECTION 3-5-124, UTAH CODE ANNOTATED 1943, RELATING TO BRANDS AND MARKS AND RESERVING THE BRAND ID FOR THE EXCLUSIVE USE OF THE BUREAU OF INDIAN AFFAIRS OF THE UNITED STATES GOVERNMENT," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 275 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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, *S. B. No. 294*, by Messrs. Melich and Orser, entitled,

"AN ACT AMENDING SECTION 4 OF CHAPTER 141 OF THE LAWS OF UTAH, 1947, RELATING TO THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD AND CONSTITUTING SAID BOARD THE INTERSTATE STREAMS COMMISSION OF THE STATE AND FIXING ITS POWERS AND DUTIES AS SUCH COMMISSION, PROVIDING FOR AN INTERSTATE STREAMS COMMISSIONER AND PROVIDING FOR HIM TO BE THE COMMISSIONER REPRESENTING THE STATE OF UTAH ON THE UPPER COLORADO RIVER COMMISSION, PURSUANT TO THE UPPER COLORADO RIVER COMPACT WHICH WAS RATIFIED BY THE STATE OF UTAH IN SENATE BILL NO. 1 OF THE 28TH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, APPROVED JANUARY 31, 1949, UPON THE ESTABLISHMENT OF SUCH COMMISSION AND PROVIDING FOR HIS ADVISORS AND FIXING HIS AND THEIR COMPENSATION; REPEALING SECTION 100-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS, AND AMENDING SECTION 100-2-8, UTAH CODE ANNOTATED 1943, RELATING TO

THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Melich, the Senate refused to concur in the House amendments and requested the House to recede.

REPORTS OF SPECIAL COMMITTEES

March 7, 1949

Mr. President
and Mr. Speaker:

Your Conference Committee consisting of Senators Jenkins, Jolley and Gibson, and Representatives Elswood, Marble and Crouch, respectfully reports that it has met and considered the amendments to *S. B. No. 13* (rewritten). Your committee recommends that all Senate, House and Joint rules to the contrary be suspended and that the Senate and House amend *S. B. No. 13* (rewritten) as follows:

Page 1, line 3: Strike "Section 1." and insert in lieu thereof "20-3-1." Also strike the House amendment in this line.

Line 5: Strike all House amendments and strike the word "three" and the underscoring and insert in lieu thereof the word "two".

Line 7: Strike the "." and insert ";" and the following:
"provided, however, that the governor is authorized to appoint on a temporary basis one additional district judge for the second judicial district and one additional district judge for the fourth judicial district, such temporary appointments to be for the period extending from the effective date of this act to and including June 30, 1951, and the board of examiners is authorized to allow such deficits as may be necessary to pay the salaries of such temporary district judges and of the court reporters they are hereby authorized to employ on the same temporary basis, and for the actual and necessary travelling expenses of said temporary district judges and temporary court reporters."

Strike all on lines 8, 9, and 10.

Line 11. Strike the figure "3" and insert the figure "2".

Your committee further recommends that the Title be amended as follows:

Line 3: Strike the word "THAT" and insert the word "FOR".

Strike all of lines 4, 5 and 6 and insert in lieu thereof the following:

"THE APPOINTMENT OF TEMPORARY DISTRICT JUDGES TO SERVE UNTIL JUNE 30, 1951, AND AUTHORIZING THE BOARD OF EXAMINERS TO ALLOW DEFICITS TO COVER SALARIES AND EXPENSES."

Respectfully submitted,

MARL D. GIBSON
Chairman, Senate Committee

S. A. ELSWOOD
Chairman, House Committee

The report of the Conference Committee was adopted and the bill amended accordingly on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Milliman, Orser and Mr. President.

Absent and not voting: Senators Brockbank, Jolley, Lund, Melich and Reese.

S. B. No. 13 (rewritten) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Brockbank, Jolley, Lund and Reese.

S. B. No. 13 (rewritten) was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 247 (rewritten) was read the second time.

On motion of Senator Jenkins, the rules were suspended and *H. B. No. 247* was read the third time and placed on its final passage.

H. B. No. 247 (rewritten) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Clegg, Gibson, Jensen, Lund, Melich and Milliman.

H. B. No. 247 (rewritten) was returned to the House.

S. B. No. 194 was read the second time.

Committee report read and adopted.

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

Page 2, line 4, strike the word "sates" and insert in lieu thereof the word "states".

On motion of Senator Marthakis, the rules were suspended and *S. B. No. 194* was read the third time and placed on its final passage.

S. B. No. 194 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Jenkins, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Gibbons, Gibson, Jensen, Lund, Melich and Milliman.

S. B. No. 194 was transmitted to the House.

H. B. No. 178 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 178* was read the third time and placed on its final passage.

H. B. No. 178 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Fowles, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Elggren, Gibbons, Gibson, Lund and Milliman.

H. B. No. 178 was returned to the House.

H. B. No. 179 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 179* was read the third time and placed on its final passage.

H. B. No. 179 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Orser and Reese.

Absent and not voting: Senators Clegg, Gibson, Lund, Milliman and Mr. President.

H. B. No. 179 was returned to the House.

H. B. No. 134 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 134* was read the third time and placed on its final passage.

H. B. No. 134 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Orser and Reese.

Absent and not voting: Senators Gibson, Lund, Milliman and Mr. President.

H. B. No. 134 was returned to the House.

H. B. No. 167 was read the second time.

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

Page 4, line 12, strike the words "on the first" and insert in lieu thereof the words "prior to the fifteenth".

Page 4, line 13, strike the word "be" and insert in lieu thereof the words "have been".

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

Page 5, line 27, strike the word "rcords" and insert in lieu thereof the word "records".

On motion of Senator Day, the title was amended as follows:

Line 17, strike the word "LICENEES" and insert in lieu thereof the word "LICENSEES".

On motion of Senator Day, the rules were suspended and *H. B. No 167* was read the third time and placed on its final passage.

H. B. No. 167 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser and Reese.

Absent and not voting: Senators Gibson, Lund and Mr. President.

H. B. No. 167 was returned to the House.

H. B. No. 125 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *H. B. No. 125* was read the third time and placed on its final passage.

H. B. No. 125 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibson, Lund, Marsden and Milliman.

H. B. No. 125 was returned to the House.

H. B. No. 184 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 184* was read the third time and placed on its final passage.

H. B. No. 184 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Marthakis, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Gibbons, Gibson, Lund, Marsden, McShane and Milliman.

H. B. No. 184 was returned to the House.

H. B. No. 80 was read the second time.

Committee report read and adopted.

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

Page 4, line 12, strike the word "graduate" and insert in lieu thereof the word "graduates".

On motion of Senator Day, the title was amended as follows:

Line 1, delete the word and figures "APPROPRIATING $20,000" and insert in lieu thereof the words and figures, "AUTHORIZING THE INDUSTRIAL COMMISSION TO USE UP TO $20,000 OF ITS APPROPRIATED FUNDS".

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 80* was read the third time and placed on its final passage.

H. B. No. 80 then passed on the following roll call:

Ayes, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Reese and Mr. President.

Absent and not voting: Senators Jenkins and Orser.

H. B. No. 80 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1949

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. 298*, by Mr. Anderson, entitled,

"AN ACT DIRECTING THE SECRETARY OF STATE TO EXPEND UNEXPENDED FUNDS HERETOFORE APPROPRIATED BY CHAPTER 143, ITEM 14, LAWS OF UTAH 1947, FOR CLEANING, PAINTING, REPAIRING AND RENOVATING OF LEGISLATIVE CHAMBERS AND FIXTURES THEREIN, AND THE PURCHASE OF NEW FIXTURES THEREFOR," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 298 was read the first time.

Senator Day moved that the rules be suspended and that the Senate do now consider *H. B. No. 298*.

Motion carried.

H. B. No. 298 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 298* was read the third time and placed on its final passage.

H. B. No. 298 then passed on the following roll call:

Ayes, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Gibson.

H. B. No. 298 was returned to the House.

March 9, 1949

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 Roberts, Barton and Openshaw, to act with a like Committee from the Senate to consider *H. B. No. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 9, 1949

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. 9* (rewritten), by Messrs. Gibson, Fowles, Jenkins, Day and Knight, entitled,

"AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION BY AMENDING SECTIONS 25-1-7, UTAH CODE ANNOTATED 1943, AND 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 25-3-10, CHAPTER 35, LAWS OF UTAH 1947, TO PROVIDE A NON-PARTISAN METHOD OF SELECTING JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS OF UTAH; AND ENACTING NEW SECTIONS 20-8-1, 20-8-2, 20-8-3, 20-8-4, AND 20-8-5, UTAH CODE ANNOTATED 1943; PROVIDING FOR THE CREATION OF JUDICIAL SELECTION COMMISSIONS TO SELECT PERSONS FOR AND TO FILL VACANCIES IN SAID OFFICES; FOR THE SELECTION OF THE MEMBERS OF SUCH COMMISSIONS, THEIR TERMS OF OFFICE, THEIR DUTIES AND REMUNERATION; PROHIBITING INCUMBENTS OF AND CANDIDATES FOR SUCH JUDICIAL OFFICES FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND BEING CANDIDATES FOR OR ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTENT HEREWITH," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments.

S. B. No. 9 (rewritten) then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Jenkins and Milliman.

S. B. No. 9 (rewritten) was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF SPECIAL COMMITTEES

March 9, 1949

Mr. President:

Your Sifting Committee reports out H. B. No. 70.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. No. 70 was placed on the Second Reading Calendar.

Senator Fowles moved that the rules be suspended and that the Senate do now consider *H. B. No. 70.*

Motion carried.

H. B. No. 70 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 70* was read the third time and placed on its final passage.

H. B. No. 70 then passed on the following roll call:

Ayes, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Burns, Day, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Clegg, Gibson, Jenkins and Milliman.

H. B. No. 70 was returned to the House.

March 9, 1949

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. 213*, by Mr. Albrecht, entitled,

"AN ACT APPROPRIATING $50,000 FROM THE EMERGENCY RELIEF FUND IN THE STATE TREASURY TO THE STATE DEPARTMENT OF HEALTH FOR CRIPPLED CHILDREN'S SERVICE PROGRAM," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 213 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 24*, by Messrs. Bonacci, Anderson and Cope, entitled,

"AN ACT ENACTING SECTIONS 43-19-13.10 AND 43-19-13.20, CHAPTER 63, LAWS OF UTAH, 1947, ESTABLISHING CONDITIONS UNDER WHICH WORKMEN'S COMPENSATION INSURANCE MUST BE ISSUED AND CARRIED TO CONCLUSION BY INSURANCE COMPANIES, INCLUDING STATE INSURANCE FUND, AND REQUIRING EVERY POLICY TO COVER LIABILITY OF EMPLOYER, AND TO STATE THE RIGHT OF EMPLOYEE TO ENFORCE THE POLICY IN HIS OWN NAME, AND TO MAKE PAYMENT OR PART-PAYMENT OF CLAIM BY INSURANCE COMPANY OR EMPLOYER A BAR TO RECOVERY FROM THE OTHER, AND TO STATE WHEN INSURANCE COMPANY IS DEEMED TO HAVE NOTICE OF INJURY, AND UNDER WHAT CONDITIONS THE INSURANCE COMPANY IS BOUND, AND TO STATE THAT BANKRUPTCY DOES NOT RELIEVE DUTY OF PAYMENT OF EMPLOYER", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1949

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. 73*, by Mrs. Jack, entitled,

"AN ACT DESIGNATING UNITED STATES HIGHWAY NO. 6 THROUGH THE STATE OF UTAH AS A MEMORIAL HIGHWAY TO BE KNOWN AS THE GRAND ARMY OF THE REPUBLIC HIGHWAY, AND APPROPRIATING $150 TO CARRY OUT THE PURPOSES OF THIS ACT", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 73 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1949

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. 281*, by Messrs. Kerr, Anderson, Davis and Larson, entitled,

"AN ACT AMENDING SECTION 25-3-38, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1943, AND SECTIONS 5, 6, 8, 9, AND 11, CHAPTER 35, LAWS OF UTAH 1947, ESTABLISHING THE HOURS THE POLLS SHALL BE OPEN; FIXING THE TIME WITHIN WHICH THE JUDICIAL CONVENTIONS, LEGISLATIVE CONVENTIONS, AND PRECINCT PRIMARY CONVENTIONS SHALL BE HELD, AND PROVIDING FOR THE NOMINATION OF PARTY CANDIDATES", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 281 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *S. B. No. 300*, by Mr. Reese for Committee on Highways, entitled,

"AN ACT AMENDING SECTION 36-6-3 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, AND BY CHAPTER 61, LAWS OF UTAH 1945; AMENDING

SECTION 36-6-11, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947; AND ENACTING A NEW SECTION 36-6-27, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL OF ALL HIGHWAYS, ROADS, PATHS, OR WAYS NOT SO OTHERWISE DESIGNATED," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Reese, the Senate concurred in the House amendments.

S. B. No. 300 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, Larsen and Milliman.

S. B. No. 300 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 133*, by Messrs. Gibson, Day, Clegg, Fowles, Marthakis, Elggren, Brockbank, Melich, Knight, Reese, Larsen, Orser and Jenkins, entitled,

"AN ACT AMENDING SECTION 14-4-8, UTAH CODE ANNOTATED 1943 RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND THE METHOD OF APPROVING SUCH CONSENT," and has appointed a conference committee consisting of Representatives Cayias, O. W. Young and Crofts, to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Melich, the President appointed a Conference Committee consisting of Senators Clegg, Knight and Reese, to act with a like committee from the House on this bill.

March 9, 1949

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. 201*, by Messrs. Woolley, Smith, Cope, Ingleby, Davis, Cayias and Mrs. Cullimore, entitled,

"AN ACT AMENDING SECTION 20-5a-15, UTAH CODE ANNOTATED 1943, FIXING FEES TO BE CHARGED IN THE SMALL CLAIMS COURT," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 201 was read the first time and referred to the Sifting Committee.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 160*, by Mrs. Jack, Messrs. Cope, Anderson, Davis, Walker and Bonacci, entitled,

"AN ACT AMENDING SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, AND 16, CHAPTER 131, LAWS OF UTAH, 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 15.1, 15.2, AND 15.3, PROVIDING FOR A RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE STATE OF UTAH AND MAKING AN APPROPRIATION THEREFOR AND PROVIDING FOR THE APPLICATION OF ITS PROVISIONS TO PERSONS IN THE PUBLIC SERVICE AND DEFINING THAT TERM."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 51*, by Messrs. Johnson, Roberts, Marble, Albrecht and Luke, entitled,

"AN ACT AMENDING SECTION 100-2-4, 100-3-3, 100-3-16, 100-3-18, AND REPEALING 100-5-9, UTAH CODE ANNOTATED 1943, AMENDING SECTION 100-3-2, 100-3-6, 100-5-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1945, CHAPTER 134, RELATING TO WATER AND WATER RIGHTS, THEIR TRANS-

FER AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF; AMENDING CHAPTER 3, TITLE 100, UTAH CODE ANNOTATED, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS 100-3-28, RELATING TO REPLACEMENT WELLS, AND AMENDING CHAPTER 5, TITLE 100, UTAH CODE ANNOTATED 1943, BY ADDING THERETO TWO NEW SECTIONS TO BE KNOWN AS 100-5-15, PERMITTING FILING AND RECORDING OF CLAIMS TO SURFACE WATER, AND SECTION 100-5-16, PERMITTING THE STATE ENGINEER TO DETERMINE THE WATERSHED TO WHICH A PARTICULAR SOURCE IS TRIBUTARY."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 253*, by Mr. Roberts, entitled,

"AN ACT APPROPRIATING FROM THE GENERAL FUND NOT OTHERWISE APPROPRIATED $19,000 FOR THE BUILDING OF A TRANSMITTER STATION FOR THE UTAH HIGHWAY PATROL AND THE INSTALLATION OF A RADIO EQUIPMENT THEREIN."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 9, 1949

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. 209*, by Mrs. Cullimore, entitled,

"AN ACT EMPOWERING CITIES AND SCHOOL DISTRICTS TO CONTRACT AND COOPERATE WITH ONE ANOTHER", and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 209 was read the first time and referred to the Sifting Committee.

March 9, 1949

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. 2*, by Mr. Clegg, entitled,

"AN ACT AMENDING SECTION 103-26-19, UTAH CODE ANNOTATED 1943, AND PROHIBITING ANY MEMBER OF THE LEGISLATURE FROM RECEIVING ANY CONSIDERATION FOR DRAFTING OR PREPARING ANY BILL OR RESOLUTION PROPOSED TO BE INTRODUCED INTO THE LEGISLATURE," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 2 was transmitted to the Governor.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 12*, by Messrs. Jolley, Milliman and Marthakis, entitled,

"AN ACT AMENDING SECTIONS 15-1-1 AND 15-1-2, UTAH CODE ANNOTATED 1943, RELATING TO THE CLASSIFICATION AND CHANGE OF CLASSIFICATION OF CITIES AND TOWNS," and the same is forwarded herewith for transmission the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 12 was transmitted to the Governor.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 116*, by Messrs. Day, Elggren and Reese, entitled,

"AN ACT PROVIDING FOR THE REGULATION AND CONTROL OF THE BUSINESS OF DEALING IN MOTOR VEHICLES AND THE CREATION OF THE OFFICE OF AN ADMINISTRATOR OF THE DEPARTMENT OF MOTOR VEHICLES OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION, LICENSING,

EXAMINATION, REGULATION AND SUPERVISION OF ALL DEALERS IN MOTOR VEHICLES BOTH NEW AND USED ENGAGED IN THE BUSINESS OF BUYING, SELLING OR IN ANY MANNER DEALING IN MOTOR VEHICLES IN THE STATE OF UTAH; PROVIDING FOR AN ADVISORY COUNCIL PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS AND ADMINISTRATION THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 116 was transmitted to the Governor.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 219*, by Messrs. Day, Elggren and Marthakis, entitled,

"AN ACT AMENDING SECTION 6-0-10, UTAH CODE ANNOTATED 1943, RELATING TO THE QUALIFICATIONS FOR ADMISSION TO THE PRACTICE OF LAW, ELIMINATING BAR EXAMINATION, AND PROVIDING FOR OATHS AND FEES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 219 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

March 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 275*, by Messrs. Larsen and Orser, entitled:

"AN ACT AMENDING SECTION 3-5-124, UTAH CODE ANNOTATED 1943, RELATING TO BRANDS AND MARKS AND RESERVING THE BRAND ID FOR THE EXCLUSIVE USE OF THE BUREAU OF INDIAN AFFAIRS OF THE UNITED STATES GOV-

ERNMENT," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 275 was signed 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 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 127*, by Messrs. Brockbank, Melich, Larsen and Orser, entitled,

"AN ACT AMENDING SECTION 80-10-68, UTAH CODE ANNOTATED 1943, RELATING TO THE SALE AND LEASE OF UNREDEEMED TAX TITLE PROPERTY BY COUNTY COMMISSIONERS, PRESCRIBING THE TERMS UPON WHICH THE PROPERTY MAY BE SOLD, AND PERMITTING COUNTIES TO RESERVE OIL, GAS AND MINERAL RIGHTS, AND TO SELL AND LEASE THE SAME, AUTHORIZING THE COUNTY COMMISSIONERS TO ENTER INTO AGREEMENTS FOR THE POOLING AND UNITIZATION OF ACREAGE WITH OTHERS FOR UNIT OPERATIONS FOR THE PRODUCTION OF OIL OR GAS, OR BOTH, AND RATIFYING EXISTING MINERAL, ASPHALT, OIL AND GAS LEASES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 127 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 134*, by Messrs. Milliman, Reese and Marsden, entitled:

"AN ACT AMENDING SECTIONS 19-13-14 AND 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CH. 30, LAWS OF UTAH 1943, AND BY CHS. 34 AND 35, LAWS OF UTAH 1945, AND AS AMENDED BY CH. 23, LAWS OF UTAH 1947,

AND AS AMENDED BY CH. 1, LAWS OF UTAH 1948 (SPECIAL SESSION), PROVIDING FOR THE CLASSIFICATION OF COUNTIES, SALARIES OF COUNTY OFFICERS AND FIXING AND DETERMINING SALARIES, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 134 was signed 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 9, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, entitled,

"AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, 25-5-6, UTAH CODE ANNOTATED 1943, AND ENACTING SECTION 25-5-15 RELATING TO VOTING BY ABSENT ELECTORS AND PHYSICALLY DIABLED ELECTORS WHO ARE CONFINED IN HOSPITALS, AND PROVIDING PENALTY FOR PERJURY OR MISREPRESENTATION," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 144 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 9, 1949

Mr. President:

Your Committee on Appropriations and Claims, returns Senate Bills Nos.: 24, 88, 89, 101, 156, 167, 172, 178, 197, 198 and 210.

All of the amounts have been incorporated in *S. B. No. 302* Reserve Building Fund.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

S. B. Nos. 24, 88, 89, 101, 156, 167, 172, 178, 197, 198 and 210 were referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 296 was read the second time.

On motion of Senator Knight, the bill was amended as follows:

After the word "Finance", the last word in the bill, change the period to a comma and insert the following: "provided, however, that any unexpended funds for the present biennium be added to this appropriation to effectuate the purposes of this act.".

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 296* was read the third time and placed on its final passage.

H. B. No. 296 then passed on the following roll call:

Ayes, 15; Nos, 0; Absent, 8.

Those voting in the affirmative were: Senators Burns, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Marthakis, McShane, Melich, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Clegg, Jenkins, Larsen, Lund, Marsden, Milliman and Orser.

Senator Reese moved that *S. B. No. 300* be recalled from the Committee on Revision and Enrolling, for reconsideration of the vote by which the Senate passed *S. B. No. 300*, as amended by the House, and that it be placed on the Calendar as unfinished business.

Motion carried.

On motion of Senator Fowles, it was agreed that when the Senate adjourns today, it stand adjourned until Thursday, March 10, 1949 at 9:00 a.m.

H. B. No. 168 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 168* was read the third time and placed on its final passage.

H. B. No. 168 then passed on the following roll call:

Ayes, 14; Nos, 6; Absent, 3.

Those voting in the affirmative were: Senators Clegg, Day, Elggren, Gibson (explained vote), Jensen, Jolley, Jones (explained vote), Knight, Larsen, Lund, Marsden (explained vote), Marthakis, McShane (explained vote) and Melich.

Those voting in the negative were: Senators Burns, Fowles, Gibbons, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins and Milliman.

H. B. No. 168 was returned to the House.

H. B. No. 28 was read the second time.

On motion of Senator Gibson, *H. B. No. 28* retained its place on the Second Reading Calendar.

On motion of Senator Fowles, all bills on the Second Reading Calendar, except *H. B. No. 28*, were referred back to the Sifting Committee.

On motion of Senator Marthakis, the Senate adjourned.

SIXTIETH DAY

MORNING SESSION

March 10, 1949

The Senate was called to order at 9:00 a.m. President Hopkin in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 10, 1949

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifty-ninth day and find it correct with minor amendments noted on the final copy.

Respectfully,

B. MANNING JOLLEY
DAVID H. JONES

Report adopted and filed.

On motion of Senator Marthakis, the secretary was directed to address a letter to the Legislature of the State of Oregon, thanking it for courtesies extended to the Utah delegates at the uniform truck legislation meeting held at Salem, Oregon on February 9, 1949.

COMMUNICATIONS FROM THE GOVERNOR

March 9, 1949

To the Senate
Building

Gentlemen:

I have this day made the following appointments, and I am submitting the same to your honorable body for your advice and consent:

FOR MEMBER OF UTAH DEPT. OF VETERAN AFFAIRS — VETERAN'S COUNCIL:

Don C. James, Salt Lake City, Salt Lake County, to April 26, 1953. (reappointed)

Joseph J. Jeremy, Salt Lake City, Salt Lake County, to April 26, 1953.

FOR DIRECTOR OF UTAH DEPARTMENT OF VETERAN AFFAIRS:

Edward T. O'Brien, Salt Lake City, Salt Lake County, Utah.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 9, 1949

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. 124*, by Mr. Brockbank, entitled,

"AN ACT TO PROVIDE FOR THE SALE OF THE STATE CENTER FOR THE BLIND BY THE DEPARTMENT OF FINANCE AND TO DEPOSIT ALL MONEY ACCRUING THEREFROM TO THE CREDIT OF THE UTAH COMMISSION FOR THE BLIND FOR THE PURCHASE OF EQUIPMENT, FURNISHINGS, AND OTHER FACILITIES FOR THE PROPOSED NEW CENTER FOR THE BLIND AT SALT LAKE CITY," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Brockbank, the Senate concurred in the House amendments.

S. B. No. 124 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Gibson, Jenkins and Larsen.

S. B. No. 124 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 147*, by Messrs. Knight, Marthakis, Brockbank, Bailey, Day, Fowles and McShane, entitled,

"AN ACT PROVIDING FOR THE EDUCATION OF UNREMARRIED WIDOWS AND CHILDREN OF PERSONS WHO SERVED AS MEMBERS OF THE ARMY, NAVY, COAST GUARD OR MARINE CORPS OF THE UNITED STATES, WHO WERE KILLED IN ACTION OR DIED AS A RESULT OF WAR SERVICE IN WORLD WAR II," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 147 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 150*, by Messrs. Melich and Elggren, entitled,

"AN ACT AMENDING SECTION 80-14-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1947, RELATING TO THE GRANTING OF CREDITS AGAINST NET INCOME AND GRANTING A CREDIT FOR NET INCOME DERIVED FROM SOURCES WITHOUT THE STATE, AND PROVIDING EXEMPTION FOR BLIND PERSONS," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments.

S. B. No. 150 then passed on the following roll call:

Ayes, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, Melich, Milliman, Reese and Mr. President.

Absent and not voting: Senators Day, Gibbons, Gibson, Jenkins, Larsen, McShane and Orser.

S. B. No. 150 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 151*, by Mr. Melich, entitled,

"AN ACT AUTHORIZING AND EMPOWERING THE UNIVERSITY OF UTAH TO APPOINT ONE OR MORE PERSONS TO BE MEMBERS OF THE UNIVERSITY OF UTAH POLICE DEPARTMENT AND PRESCRIBING THE POWERS AND AUTHORITY OF SAID DEPARTMENT AND THE MEMBERS THEREOF," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 151 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 165*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 100-5-5, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS BY THE ADDITION OF A PROVISO CONCERNING IMPOUNDING DAMS FOR STOCK WATERING PURPOSES IN REMOTE LOCATIONS WITH RESPECT TO RESIDENTIAL AREAS OR OTHER WORKS OF MAN," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 165 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 221*, by Messrs. Knight, Fowles and Marthakis, entitled,

"AN ACT AMENDING SECTION 5, CHAPTER 32, LAWS OF UTAH 1947, RELATING TO THE QUALIFICATIONS OF REGISTERED NURSES AND PROVIDING FOR THEIR REINSTATEMENT ON PAYMENT OF CERTAIN PAST DUE LICENSE FEES," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 221 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 223*, by Messrs. Elggren, Jenkins, Knight and Fowles, entitled,

"AN ACT AMENDING SECTIONS 85-5-3 AND 85-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 123, LAWS OF UTAH 1945; AND ENACTING ONE NEW SECTION TO BE KNOWN AS SECTION 85-5-2-A, UTAH CODE ANNOTATED 1943; RELATING TO THE UTAH STATE HISTORICAL SOCIETY; AUTHORIZING THE SOCIETY TO CONSULT WITH THE ATTORNEY GENERAL OF UTAH AND OTHER PUBLIC OFFICERS OF THE STATE HAVING CUSTODY OF PUBLIC RECORDS, TO DETERMINE THE LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE OF SUCH RECORDS AND UPON UNANIMOUS AGREEMENT OF SAID OFFICIALS THAT CERTAIN PUBLIC RECORDS HAVE NO LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE TO THEN DISPOSE OF SAME; PRESCRIBING THAT THE QUALITY OF PAPER, INK AND OTHER MATERIALS USED IN PUBLIC OFFICES OF THE STATE OF UTAH, FOR THE PURPOSES OF PERMANENT RECORDS, SHALL BE DURABLE QUALITY; AUTHORIZING CUSTODIANS OF PUBLIC RECORDS OF THE STATE TO MAKE COPIES BY PHOTOGRAPH, MICROFILM OR SIMILAR PROCESSES OF SAID RECORDS AND PROVIDING FOR THE CERTIFYING OF SUCH COPIES BY THEIR RESPECTIVE CUSTODIANS AS BEING TRUE COPIES THEREOF; PROVIDING FOR THE CATALOGUING, PROTECTION, PRESERVATION, ARRANGING AND DISPLAYING OF SUCH PUBLIC RECORDS AND/OR COPIES THEREOF; AUTHORIZING THE SOCIETY TO PUBLISH

AND SELL BOOKS AND MAGAZINES; PROVIDING FOR A BOARD OF CONTROL OF SAID SOCIETY, COMPENSATION, EXPENSES, EDITORIAL WORK AND OTHER EMPLOYEES AND THE CREATION OF A DEPARTMENT OF SAID SOCIETY TO BE KNOWN AS THE DEPARTMENT OF ARCHIVES AND HISTORY, AND THE EMPLOYMENT OF A STATE ARCHIVIST BY SAID SOCIETY IN CONNECTION THEREWITH AND DEFINING THE DUTIES AND FIXING THE COMPENSATION AND PROVIDING THE MANNER OF PAYMENT FOR SUCH SERVICES OF THE SAID STATE ARCHIVIST AND PROVIDING FOR THE PURCHASE AND ACQUIRING BY THE SAID SOCIETY OF THE NECESSARY APPARATUS AND MACHINERY FOR MICROFILMING, MICROFILM READERS AND THE PHOTOGRAPHING OF ALL SUCH PUBLIC RECORDS OF THE STATE BY SAID SOCIETY AND WITHIN ITS DISCRETION FOR THE PROTECTION AND PRESERVATION OF ALL SUCH PUBLIC RECORDS OF THE STATE OF UTAH," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 223 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *S. B. No. 239*, by Messrs. Day, Burns and Marthakis, entitled,

"AN ACT TO BE KNOWN AS SECTION 103-25-1A, UTAH CODE ANNOTATED 1943, RELATING TO GAMBLING EQUIPMENT AND PROVIDING THAT GAMBLING EQUIPMENT AND DEVICES SUBJECT TO DESTRUCTION MAY BE SOLD AND THE PROCEEDS THEREOF PAID INTO THE TREASURY OF LOCAL GOVERNING BODIES," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments.

S. B. No. 239 then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Fowles, Gibbons, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Elggren, Gibson, Jenkins, Knight and Lund.

S. B. No. 239 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 245*, by Messrs. Jenkins and Fowles, entitled,

"AN ACT RELATING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS; PROVIDING FOR THE TERMINATION OF A PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATION BY ELECTION OF THE MEMBERS; AND PROVIDING FOR THE MANNER IN WHICH SUCH FUNDS SHALL BE DISTRIBUTED," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 245 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 246*, by Messrs. Jenkins and Fowles, entitled,

"AN ACT AMENDING SECTIONS 75-29-37, 75-29-45, 75-29-47, UTAH CODE ANNOTATED 1943, AND SECTION 75-29-27, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947, AND SECTION 75-29-48, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 98, LAWS OF UTAH 1945, RELATING TO THE TEACHERS' RETIREMENT ACT; CLARIFYING THE METHOD OF COMPUTING BENEFITS; PROVIDING THAT ACCUMULATED CONTRIBUTIONS OF MEMBERS BE HELD IN TRUST FOR SAID MEMBERS; PROVIDING FOR FAIR AND EQUITABLE PARTICIPATION IN THE TEACHERS RETIREMENT ACT BY MEMBERS WHO ARE MEMBERS OF A LOCAL TEACHERS RETIREMENT ASSOCIATION IN THE EVENT OF DISSOLUTION OF THE SAID ASSOCIATION; AND ELIMINATING THE REDUC-

TION OF PENSIONS OF MEMBERS RETIRED FOR SERVICE WHO ENGAGE IN GAINFUL OCCUPATIONS," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 246 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 259*, by Mr. Gibson, entitled,

"AN ACT AMENDING SECTION 30-0-36, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 30-0-36, CHAPTER 42, LAWS OF UTAH 1947, RELATING TO FISH AND GAME PROHIBITING FISHING WITH CERTAIN TYPES OF BAIT," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 259 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 260*, by Mr. Brockbank, entitled,

"AN ACT AMENDING SECTION 85-3-18, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 127, LAWS OF UTAH, 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS 85-3-19, 85-3-20, AND 85-3-21 TO ENLARGE THE POWERS AND FUNCTIONS OF THE UTAH COMMISSION FOR THE BLIND AND TO ESTABLISH A REVOLVING FUND TO EXPEDITE THE PURCHASE OF RAW MATERIALS AND PAYMENT OF WAGES TO WORKSHOP EMPLOYEES OF THE COMMISSION," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 260 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 261*, by Messrs. Melich and Gibson, entitled,

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, AS AMENDED BY S. B. NO. 10 (REWRITTEN) 28TH LEGISLATURE RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING FOR THE LEVYING OF A TAX FOR INDIGENTS AND WELFARE," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 261 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 262*, by Mr. Gibson, entitled,

"AN ACT AUTHORIZING CERTAIN POLITICAL SUBDIVISIONS OF THE STATE TO CONSTRUCT, OWN AND OPERATE HOSPITALS AND TO JOIN WITH OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION, OWNERSHIP AND OPERATION THEREOF AND TO LEVY A TAX FOR SUCH PURPOSES, PROVIDING FOR CONTROL OF SUCH HOSPITALS AND THE FUNDS AND RELATION THERETO TO BE KNOWN AS SECTIONS 3 AND 4 OF CHAPTER 112, LAWS OF UTAH 1945," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 262 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 263*, by Mr. Gibson, entitled,

"AN ACT AMENDING SECTION 19-5-45 UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS AND PROVIDING THAT THEY MAY JOIN OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION AND OPERATION OF HOSPITALS," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 263 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 283*, by Mr. Lund, entitled,

"AN ACT AMENDING SECTION 3-5-80, UTAH CODE ANNOTATED 1943, RELATING TO DISTRAINT OR ANIMALS TRESPASSING OR DOING DAMAGE AND PROVIDING THAT IN PRECINCTS WHERE THERE IS NO POUNDKEEPER, SUCH ANIMALS BE DELIVERED TO THE COUNTY SHERIFF WHO SHALL ACT AS EX OFFICIO POUNDKEEPER," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 283 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 284*, by Mr. Lund, entitled,

"AN ACT AMENDING SECTIONS 3-5-71 AND 3-5-91, UTAH CODE ANNOTATED 1943, RELATING TO POUNDKEEPERS FEES AND PROVIDING THAT SHERIFFS BE EX OFFICIO POUNDKEEPERS IN PRECINCTS WHERE NO CONSTABLE HAS QUALIFIED," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 284 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 302*, by Mr. Jenkins for the Committee on Appropriations and Claims, entitled,

"AN ACT AMENDING CHAPTER 122, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 12, 1948 LAWS, FIRST SPECIAL SESSION, RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATION THEREFROM, AND ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 8 AND 9, RELATING TO A SCHEDULE OF ITEMS OF APPROPRIATIONS AND CREATING AN ADVISORY COMMITTEE TO INVESTIGATE PLANNING AND CONSTRUCTION OF STATE BUILDING PROJECTS BASED UPON NEED," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Milliman, the Senate concurred in the House amendments.

S. B. No. 302 then passed on the following roll call:

Ayes, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Burns, Clegg, Fowles, Gibbons, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Brockbank, Day, Elggren, Gibson, Jenkins, Knight and Lund.

S. B. No. 302 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 9, 1949

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. 270*, by Messrs. Preece and Jensen, entitled,

"AN ACT AMENDING SECTION 3-5-80, UTAH CODE ANNOTATED 1943, RELATING TO THE DISTRAINT OF ESTRAYS AND

TRESPASSING ANIMALS, AND THE APPRAISAL OF DAMAGES CAUSED THEREBY," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 270 was read the first time and referred to the Sifting Committee.

March 9, 1949

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. 286*, by Mr. Larson, entitled,

"AN ACT AMENDING SECTION 103-41-3 AND 103-41-5 OF THE UTAH CODE ANNOTATED 1943, EXTENDING THE DEFINITION OF PUBLIC NUISANCE TO INCLUDE THE ALLOWING AND CAUSING OF SULPHURIC DIOXIDE OR ARSENIC FUMES OR ACIDS TO BE PRESENT OVER OR ON THE PROPERTY OR HABITATION OF ANOTHER: PENALTIES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 286 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 13* (rewritten), by Messrs. Jolley, Jones, Orser and Marthakis, entitled:

"AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL DISTRICTS, NUMBER OF JUDGES, AND AMENDING THE SAME TO PROVIDE FOR THE APPOINTMENT OF TEMPORARY DISTRICT JUDGES TO SERVE UNTIL JUNE 30, 1951, AND AUTHORIZING THE BOARD OF EXAMINERS TO ALLOW DEFICITS TO COVER SALARIES AND EX-

PENSES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 13 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

March 9, 1949

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 146*, (rewritten) by Messrs. Marthakis, Knight, Brockbank and Bailey, begs leave to report as follows:

Your committee recommends that the Senate concur with the House amendments.

Respectfully,

L. RULON JENKINS,
Chairman, Senate Committee

JUSTIN C. STEWART
Chairman, House Committee

On motion of Senator Marthakis, the report of the Conference Committee was adopted and the bill amended accordingly.

S. B. No. 146 (rewritten) then passed on the following roll call:

Ayes, 14; Nos, 0; Absent, 9.

Those voting in the affirmative were: Senators Burns, Clegg, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Marsden, Marthakis, McShane, Melich, Orser and Mr. President.

Absent and not voting: Senators Brockbank, Day, Elggren, Gibson, Jenkins, Larsen, Lund, Milliman and Reese.

S. B. No. 146 (rewritten) was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

Senator Melich moved that the rules be suspended and that *H. B. No. 257* be lifted from the Committee on Fish and Game and that it be referred to the Sifting Committee.

Motion carried.

March 10, 1949

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 297, 234, 138, 174, 209, 268, 257, 239, 161, 163, 283, 189 and 82.

Respectfully,

J. FRANCIS FOWLES,
Chairman.

Report filed.

H. B. Nos. 297, 234, 138, 174, 209, 268, 257, 239, 161, 163, 283, 189 and 82 were placed on the Second Reading Calendar.

Senator Jolley moved that *H. B. No. 18* be lifted from the Sifting Committee.

Senator Gibbons, with the aid of five Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Ayes, 8; Nos, 14; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Gibbons, Jensen, Jolley, Jones and Lund.

Those voting in the negative were: Senators Clegg, Day, Fowles, Gibson, Knight, Larsen, Marsden, Marthakis, McShane (explained vote), Melich (explained vote), Milliman, Orser, Reese and Mr. President (explained vote).

Absent and not voting: Senator Jenkins.

UNFINISHED BUSINESS

H. B. No. 28 was before the Senate on second reading.

On motion of Senator Gibson, the bill was amended as follows.

Page 1, line 12, strike the words "of their spouse" and insert in lieu thereof the words "as the case may be".

Page 1, line 12, After the second "or" insert the words "where one of the parties".

Page 2, line 1, strike the word "their" and insert in lieu thereof the words "his or her".

Page 2, line 2, strike the word "their" and insert in lieu thereof the words "his or her".

On motion of Senator Day, the rules were suspended and *H. B. No. 28* was read the third time and placed on its final passage.

H. B. No. 28 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Jenkins, Larsen, McShane and Melich.

H. B. No. 28 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 297 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 297* was read the third time and placed on its final passage.

H. B. No. 297 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Fowles, Gibson and Jenkins.

H. B. No. 297 was returned to the House.

H. B. No. 234 was read the second time.

On motion of Senator Reese the rules were suspended and *H. B. No. 234* was read the third time and placed on its final passage:

H. B. No. 234 then passed on the following roll call:

Ayes, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Gibson and Jenkins.

H. B. No. 234 was returned to the House.

H. B. No. 138 was read the second time.

On motion of Senator Lund, the rules were suspended and *H. B. No. 138* was read the third time and placed on its final passage.

H. B. No. 138 then passed on the following roll:

Ayes, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marthakis, McShane, Melich, Milliman, Orser and Mr. President.

Absent and not voting: Senators Day, Gibson, Jenkins, Marsden and Reese.

H. B. No. 138 was returned to the House.

H. B. No. 174 was read the second time.

On motion of Senator Melich, the rules were suspended and *H. B. No. 174* was read the third time and placed on its final passage.

H. B. No. 174 then passed on the following roll call:

Ayes, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Gibson, Jenkins and Lund.

H. B. No. 174 was returned to the House.

H. B. No. 209 was read the second time.

On motion of Senator Jolley, the rules were suspended and *H. B. No. 209* was read the third time and placed on its final passage.

H. B. No. 209 then passed on the following roll call:

Ayes, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Knight, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Day, Gibson, Jenkins, Larsen and Lund.

H. B. No. 209 was returned to the House.

H. B. No. 268 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 268* was read the third time and placed on its final passage.

H. B. No. 268 then passed on the following roll call:

Ayes, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Day, Gibson, Jenkins, Knight, Lund, and McShane.

H. B. No. 268 was returned to the House.

On motion of Senator Fowles, *H. B. No. 257* retained its place on the Second Reading Calendar.

H. B. No. 239 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 239* was read the third time and placed on its final passage.

H. B. No. 239 then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Fowles, Gibbons, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Day, Gibson, Jenkins, Knight and Lund.

H. B. No. 239 was returned to the House.

H. B. No. 161 was read the second time.

On motion of Senator Melich, the bill was amended as follows:

Page 1, line 18 and page 2, line 1, strike the words "seven and five-tenths" and insert in lieu thereof the word "six".

Page 2, line 6, strike the word "six" and insert in lieu thereof the word "five".

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 161* was read the third time and placed on its final passage.

H. B. No. 161 then passed on the following roll call:

Ayes, 15; Nos, 3; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Gibbons, Jensen, Jolley, Larsen, Lund, Marsden, Marthakis, Melich, Milliman, Orser and Reese.

Those voting in the negative were: Senators Jones, McShane (explained vote) and Mr. President.

Absent and not voting: Senators Clegg, Fowles, Gibson, Jenkins and Knight.

H. B. No. 161 was returned to the House.

Senator Marthakis moved that *H. B. No. 113* be lifted from the Sifting Committee.

Senator Marthakis, with the aid of five Senators, requested a roll call on the motion.

The motion was lost on the following roll call:

Ayes, 8; Nos, 13; Absent, 2.

Those voting in the affirmative were: Senators Burns, Elggren, Jenkins, Jensen, Jones, Knight, Marthakis and Milliman.

Those voting in the negative were: Senators Brockbank, Clegg, Day, Fowles, Gibbons, Larsen, Lund, Marsden, McShane, Melich (explained vote), Orser, Reese and Mr. President.

Absent and not voting: Senators Gibson and Jolley.

H. B. No. 163 was read the second time.

On motion of Senator Knight, the rules were suspended and *H. B. No. 163* was read the third time and placed on its final passage.

H. B. No. 163 then passed on the following roll call:

Ayes, 17; Nos, 1; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Jenkins, Jensen, Knight, Lund, Marsden, Marthakis, McShane, Melich, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Jones.

Absent and not voting: Senators Gibbons, Gibson, Jolley, Larsen and Milliman.

H. B. No. 163 was returned to the House.

H. B. No. 283 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 283* was read the third time and placed on its final passage.

H. B. No. 283 then passed on the following roll call:

Ayes, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Gibson and Jolley.

H. B. No. 283 was returned to the House.

H. B. No. 189 was read the second time.

On motion of Senator Melich, the bill was amended as follows:

Page 2, lines 4 and 5, strike the words "sales tax" and insert in lieu thereof the words "Emergency Relief Fund".

On motion of Senator Melich, the title was amended as follows:

Line 1, strike the words "SALES TAX" and insert in lieu thereof the words "EMERGENCY RELIEF FUND".

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 189* was read the third time and placed on its final passage.

H. B. No. 189 then passed on the following roll call:

Ayes, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Brockbank, Burns, Day, Elggren, Fowles, Gibbons, Jenkins, Jensen, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senators Clegg, Gibson and Jolley.

H. B. No. 189 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 37*, by Messrs. Day, Fowles, Melich and Reese, entitled,

"AN ACT AMENDING SECTIONS 57-7-78, 57-7-82, 57-7-85, 57-7-88, 57-7-89, 57-7-90, 57-7-91, 57-7-92, 57-7-93, 57-7-94, 57-7-102, 57-7-103, 57-7-104, 57-7-107, 57-7-111, 57-7-115, 57-7-120, 57-7-123, 57-7-128, 57-7-129, 57-7-130, 57-7-133, 57-7-140, 57-7-141, 57-7-146, 57-7-151, 57-7-153, 57-7-159, 57-7-161, 57-7-162, 57-7-163, 57-7-164, 57-7-167, 57-7-168, 57-7-178, 57-7-179, 57-7-180, 57-7-181, 57-7-182, 57-7-185, 57-7-190, 57-7-191, 57-7-193, 57-7-194, 57-7-195, 57-7-196, 57-7-200, 57-7-201, 57-7-205, 57-7-207, 57-7-211, 57-7-214, 57-7-212, AS AMENDED BY CHAPTER 70, LAWS OF UTAH 1947, 57-7-225, 57-7-227, 57-7-232, 36-1-28, 36-1-32, 36-1-33, 36-1-36, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 57-7-78.1, 57-7-78.2, 57-7-78.3, 57-7-78.4, 57-7-78.5, 57-7-78.6, 57-7-78.7, 57-7-78.8, 57-7-78.9, 57-7-86.10, 57-7-118.10, 57-7-129.10, 57-7-129.11, 57-7-129.12, 57-7-169.10, 57-7-169.11, 57-7-169.12, 57-7-198.1, 57-7-205.1, 57-7-231.10, UTAH CODE ANNOTATED 1943; REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THERE-

ON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS; LIMITING THE LOADS ON VEHICLES; AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 57-7-118 AND 57-7-188, UTAH CODE ANNOTATED 1943," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Knight, the Senate concurred in the House amendments.

S. B. No. 37 then passed on the following roll call:

Ayes, 17; Nos, 1; Absent, 5.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Jenkins, Jones, Knight, Lund, Marsden, Marthakis, McShane (explained vote), Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Larsen.

Absent and not voting: Senators Fowles, Gibbons, Gibson, Jensen and Jolley.

S. B. No. 37 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 80*, by Messrs. Marble, Larson and Murch, entitled,

"AN ACT AUTHORIZING THE INDUSTRIAL COMMISSION TO USE UP TO $20,000 OF ITS APPROPRIATED FUNDS FOR ESTABLISHING AN APPRENTICESHIP COUNCIL AND LOCAL STATE JOINT APPRENTICESHIP COMMITTEES FOR THE PURPOSE OF EFFECTUATING AN APPRENTICE TRAINING PROGRAM IN THE STATE OF UTAH; PROVIDING FOR A DIRECTOR OF APPRENTICESHIP WITHIN INDUSTRIAL COMMISSION OF UTAH; PRESCRIBING A PROCEDURE FOR THE DETERMINA-

TION OF APPRENTICESHIP AGREEMENT CONTROVERSIES; REQUIRING REPORTS TO THE INDUSTRIAL COMMISSION OF UTAH TO BE MADE PUBLIC."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 82 was read the second time.

On motion of Senator Jenkins, the rules were suspended and *H. B. No. 82* was read the third time and placed on its final passage.

On motion of Senator Larsen, *H. B. No. 82* was tabled.

H. B. No. 257 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 257* was read the third time and placed on its final passage.

H. B. No. 257 then passed on the following roll call:

Ayes, 14; Nos, 5; Absent, 4.

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Gibbons, Jensen, Jones (explained vote), Larsen (explained vote), Lund, Marsden, Melich, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Clegg (explained vote), Day, Gibson (explained vote), Knight (explained vote) and Marthakis.

Absent and not voting: Senators Fowles, Jenkins, Jolley and McShane.

H. B. No. 257 was returned to the House.

On motion of Senator Knight, 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.

On motion of Senator Day, the Secretary was directed to address a letter to the Board of Directors and Officers of the Geneva Steel Company expressing the appreciation of the Senate for the contributions made by Geneva Steel Company to the economic well-being and welfare of the State of Utah.

On motion of Senator Day, the Secretary was directed to address a letter to the Colorado River Commissioner of Utah and his associates expressing the appreciation of the Senate for their service to the people of the State of Utah in the preparation and negotiation of the Upper Colorado River Basin Compact.

On motion of Senator Marthakis, the letter from the Honorable Harry S. Truman, President of the United States, addressed to Senator Fred J. Milliman, was ordered printed in the Journal.

November 18, 1948

White House, Washington

Dear Mr. Milliman:

I have read your letter with the deepest interest and appreciation. In thanking you for it, I also want to convey congratulations on the occasion of your own victory.

Very sincerely yours,

HARRY S. TRUMAN

Honorable Fred J. Milliman,
State Senator-Elect,
Mammoth, Utah.

REPORTS OF SPECIAL COMMITTEES

March 10, 1949

Mr. Speaker and Mr. President:

Your Joint Conference Committee on *H. B. No. 293*, by Appropriations Committee, by majority vote recommends that the House of Representatives concur in the Senate amendments to *H. B. No. 293*.

Respectfully submitted,

MARL D. GIBSON,
Chairman, Senate Committee
ELIAS L. DAY,
L. RULON JENKINS
FRANK M. OPENSHAW

Report filed.

March 10, 1949

Mr. Speaker and Mr. President:

We the undersigned two members of the Joint House and Senate Conference Committee on *H. B. No. 293* hereby submit a minority report as follows:

That the Senate recede on its amendments to *H. B. No. 293* and that the Senate amendments to *H. B. No. 293* be deleted.

Respectfully submitted,

HENRY C. ROBERTS

JOHN P. BARTON

Report filed.

On motion of Senator Gibson the majority report of the Joint Conference Committee was adopted.

COMMUNICATIONS FROM THE HOUSE

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 127*, by Messrs. Brockbank, Melich, Larsen and Orser, entitled,

"AN ACT AMENDING SECTION 80-10-68, UTAH CODE ANNOTATED 1943, RELATING TO THE SALE AND LEASE OF UNREDEEMED TAX TITLE PROPERTY BY COUNTY COMMISSIONERS, PRESCRIBING THE TERMS UPON WHICH THE PROPERTY MAY BE SOLD, AND PERMITTING COUNTIES TO RESERVE OIL, GAS AND MINERAL RIGHTS, AND TO SELL AND LEASE THE SAME, AUTHORIZING THE COUNTY COMMISSIONERS TO ENTER INTO AGREEMENTS FOR THE POOLING AND UNITIZATION OF ACREAGE WITH OTHERS FOR UNIT OPERATIONS FOR THE PRODUCTION OF OIL OR GAS, OR BOTH, AND RATIFYING EXISTING MINERAL, ASPHALT, OIL AND GAS LEASES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 127 was transmitted to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 144*, by Messrs. Brockbank, Marthakis, Knight and Bailey, entitled,

"AN ACT AMENDING SECTIONS 25-5-1, 25-5-3, 25-5-4, 25-5-6, UTAH CODE ANNOTATED 1943, AND ENACTING SECTION 25-5-15 RELATING TO VOTING BY ABSENT ELECTORS AND PHYSICALLY DISABLED ELECTORS WHO ARE CONFINED IN HOS-

PITALS, AND PROVIDING PENALTY FOR PERJURY OR MISREPRESENTATION", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 144 was transmitted to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in open session, in the presence of the House, *S. B. No. 275*, by Messrs. Larsen and Orser, entitled,

"AN ACT AMENDING SECTION 3-5-124, UTAH CODE ANNOTATED 1943, RELATING TO BRANDS AND MARKS AND RESERVING THE BRAND ID FOR THE EXCLUSIVE USE OF THE BUREAU OF INDIAN AFFAIRS OF THE UNITED STATES GOVERNMENT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 275 was transmitted to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 294*, by Messrs. Melich and Orser, entitled,

"AN ACT AMENDING SECTION 4 OF CHAPTER 141 OF THE LAWS OF UTAH, 1947, RELATING TO THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD AND CONSTITUTING SAID BOARD THE INTERSTATE STREAMS COMMISSION OF THE STATE AND FIXING ITS POWERS AND DUTIES AS SUCH COMMISSION, PROVIDING FOR AN INTERSTATE STREAMS COMMISSIONER AND PROVIDING FOR HIM TO BE THE COMMISSIONER REPRESENTING THE STATE OF UTAH ON THE UPPER COLORADO RIVER COMMISSION, PURSUANT TO THE UPPER COLORADO RIVER COMPACT WHICH WAS RATIFIED BY THE STATE OF UTAH IN SENATE BILL NO. 1 OF THE 28TH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, APPROVED JANUARY 31, 1949, UPON THE ESTABLISHMENT OF SUCH COMMISSION AND PROVIDING FOR HIS ADVISORS AND FIXING

HIS AND THEIR COMPENSATION; REPEALING SECTION 100-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS, AND AMENDING SECTION 100-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS," and has appointed a conference committee consisting of Representatives Murch, Jensen and Johnson, to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Melich, the President appointed a Conference Committee consisting of Senators Melich, Orser and Gibbons, to act with a like committee from the House on this bill.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 51*, by Messrs. Johnson, Roberts, Marble, Albrecht and Luke, entitled,

"AN ACT AMENDING SECTION 100-2-4, 100-3-3, 100-3-16, 100-3-18 AND REPEALING 100-5-9, UTAH CODE ANNOTATED 1943, AMENDING SECTION 100-3-2, 100-3-6, 100-5-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1945, CHAPTER 134 RELATING TO WATER AND WATER RIGHTS, THEIR TRANSFER AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF; AMENDING CHAPTER 3, TITLE 100, UTAH CODE ANNOTATED, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS 100-3-28, RELATING TO REPLACEMENT WELLS, AND AMENDING CHAPTER 5, TITLE 100, UTAH CODE ANNOTATED 1943, BY ADDING THERETO TWO NEW SECTIONS TO BE KNOWN AS 100-5-15, PERMITTING FILING AND RECORDING OF CLAIMS TO SURFACE WATER, AND SECTION 100-5-16, PERMITTING THE STATE ENGINEER TO DETERMINE THE WATERSHED TO WHICH A PARTICULAR SOURCE IS TRIBUTARY", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 51 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 69*, by Messrs. Cope and Cannon, entitled,

"AN ACT AMENDING SECTION 1 AND SECTION 4, CHAPTER 62, LAWS OF UTAH 1947, RELATING TO AUTHORIZATION OF FINANCE COMPANIES TO WRITE MOTOR VEHICULAR INSURANCE SUBJECT TO CERTAIN RESTRICTIONS AND LIMITING TO TYPES OF INSURANCE TO BE SOLD AND PROVIDING FOR THE EXTENSION OF THE AUTHORIZATION THEREOF TO AND INCLUDING THE FIRST DAY OF JULY, 1951; SUBJECTING FINANCE COMPANIES TO SECTIONS 43-12-4 AND 8 AND SECTION 43-13, CHAPTER 63, LAWS OF UTAH 1947", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 69 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 188*, by Mrs. Jack and Mr. Cope, entitled,

"AN ACT TO EXEMPT BLIND PERSONS AND THE WIDOWS AND MINOR ORPHANS OF DECEASED BLIND PERSONS FROM THE PAYMENT OF TAXES UPON ALL REAL AND PERSONAL TANGIBLE PROPERTY, NOT TO EXCEED IN VALUATION THE SUM OF $2,000 ASSESSED VALUATION FOR HOMES AND HOMESTEADS, AND $300 FOR PERSONAL PROPERTY, AND PROVIDING FOR PROCEDURES TO CARRY OUT THE PROVISIONS OF THIS ACT."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 172*, by Mr. O. W. Young, entitled,

"AN ACT AMENDING SECTION 75-2-1, UTAH CODE ANNOTATED 1943, FIXING FEES AND TUITION OF INSTITUTIONS OF HIGHER EDUCATION AND EMPOWERING THE GOVERNING BOARDS OF SAID INSTITUTIONS TO EXACT A QUARTERLY FEE OF $35.00, OR MORE, IN ADDITION TO THE TUITION AND OTHER FEES, FROM EACH STUDENT WHOSE DOMICILE IS NOT IN THE STATE OF UTAH, PARTIALLY OR WHOLLY EXEMPTING STUDENTS APPLYING FOR FULL-TIME COLLEGE VOCATIONAL COURSES OPERATING UNDER STATE PLANS FOR VOCATIONAL EDUCATION UPON REQUEST OF THE STATE BOARD FOR VOCATIONAL EDUCATION."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 167*, by Messrs. Kerr, Murch, Munk, Luke, Jarman, Crofts, Nielsen and W. W. Young, entitled,

"AN ACT RELATING TO THE PRACTICE OF ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS; PROVIDING FOR THE REGULATION, LICENSING AND CONTROL THEREOF; DEFINING ARTIFICIAL INSEMINATION; REQUIRING A LICENSE TO PRACTICE AND DEFINING THE QUALIFICATONS FOR THE APPLICANTS; DEFINING THE POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THIS ACT; PROVIDING PROCEDURE FOR MAKING APPLICATION AND TAKING EXAMINATIONS; PROVIDING FOR FEES; PROVIDING FOR REFUSAL, REVOCATION OR SUSPENSION OF LICENSES AND THE GROUNDS AND PROCEDURE THEREFOR; PROVIDING FOR ISSUANCE, RENEWAL AND REINSTATEMENT OF LICENSES; REQUIRING THE STATE BOARD OF AGRICULTURE TO KEEP A REGISTER OF APPLICANTS AND LICENSEES; REQUIRING LICENSEES TO KEEP RECORDS; PROVIDING FOR INSPECTION OF RECORDS BY THE BOARD OF AGRICULTURE; PRESCRIBING THE VIOLATIONS AND PENALTIES."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 10, 1949

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. 253*, by Mr. Roberts, entitled,

"AN ACT APPROPRIATING FROM THE GENERAL FUND NOT OTHERWISE APPROPRIATED $19,000 FOR THE BUILDING OF A TRANSMITTER STATION FOR THE UTAH HIGHWAY PATROL AND THE INSTALLATION OF RADIO EQUIPMENT THEREIN", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 253 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 296*, by Mr. Stewart, entitled,

"AN ACT APPROPRIATING $25,000.00 TO THE UTAH DEPARTMENT OF VETERANS' AFFAIRS."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 9* (rewritten), by Messrs. Gibson, Fowles, Jenkins, Day and Knight, entitled:

"AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION BY AMENDING SECTIONS 25-1-7, UTAH CODE ANNOTATED 1943, AND 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 25-3-10, CHAPTER 35, LAWS OF UTAH 1947, TO PROVIDE A NON-PARTISAN METHOD OF SELECTING JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS OF UTAH; AND ENACTING NEW SECTIONS 20-8-1, 20-8-2, 20-8-3, 20-8-4, AND 20-8-5, UTAH CODE ANNOTATED 1943; PROVIDING FOR THE CREATION OF JUDICIAL SELECTION COMMISSIONS TO SELECT PERSONS FOR AND TO FILL VACANCIES IN SAID OFFICES; FOR THE SELECTION OF THE MEMBERS OF SUCH COMMISSIONS, THEIR TERMS OF OFFICE, THEIR DUTIES AND REMUNERATION; PROHIBITING INCUMBANT OF AND CANDIDATES FOR SUCH JUDICIAL

OFFICES FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND BEING CANDIDATES FOR OR ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTENT HEREWITH," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 9 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 124*, by Mr. Brockbank, entitled:

"AN ACT TO PROVIDE FOR THE SALE OF THE STATE CENTER FOR THE BLIND BY THE DEPARTMENT OF FINANCE AND TO DEPOSIT ALL MONEY ACCRUING THEREFROM TO THE CREDIT OF THE UTAH COMMISSION FOR THE BLIND FOR THE PURCHASE OF EQUIPMENT, FURNISHINGS, AND OTHER FACILITIES FOR THE PROPOSED NEW CENTER FOR THE BLIND AT SALT LAKE CITY," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 124 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 147*, by Messrs. Knight, Marthakis, Brockbank, Bailey, Day, Fowles and McShane, entitled:

"AN ACT PROVIDING FOR THE EDUCATION OF UNREMARRIED WIDOWS AND CHILDREN OF PERSONS WHO SERVED AS MEMBERS OF THE ARMY, NAVY, COAST GUARD OR MARINE CORPS OF THE UNITED STATES, WHO WERE KILLED IN AC-

TION OR DIES AS A RESULT OF WAR SERVICE IN WORLD WAR II," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 147 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 239*, by Messrs. Day, Burns and Marthakis, entitled,

"AN ACT TO BE KNOWN AS SECTION 103-25-1A, UTAH CODE ANNOTATED 1943, RELATING TO GAMBLING EQUIPMENT AND PROVIDING THAT GAMBLING EQUIPMENT AND DEVICES SUBJECT TO DESTRUCTION MAY BE SOLD AND THE PROCEEDS THEREOF PAID INTO THE TREASURY OF LOCAL GOVERNING BODIES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 239 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 260*, by Mr. Brockbank, entitled:

"AN ACT AMENDING SECTION 85-3-18, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 127, LAWS OF UTAH 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS 85-3-19, 85-3-20, AND 85-3-21 TO ENLARGE THE POWERS AND FUNCTIONS OF THE UTAH COMMISSION FOR THE BLIND AND TO ESTABLISH A REVOLVING FUND TO EXPEDITE THE PURCHASE OF RAW MATERIALS AND PAYMENT OF WAGES TO

WORKSHOP EMPLOYEES OF THE COMMISSION," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 260 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 261*, by Messrs. Melich and Gibson, entitled,

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, AS AMENDED BY S. B. NO. 10 (REWRITTEN) 28TH LEGISLATURE RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING FOR THE LEVYING OF A TAX FOR INDIGENTS AND WELFARE," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 261 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 284*, by Mr. Lund, entitled:

"AN ACT AMENDING SECTIONS 3-5-71 AND 3-5-91, UTAH CODE ANNOTATED 1943, RELATING TO POUNDKEEPERS FEES AND PROVIDING THAT SHERIFFS BE EX OFFICIO POUNDKEEPERS IN PRECINCTS WHERE NO CONSTABLE HAS QUALIFIED," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 284 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Knight, *S. B. Nos. 143 and 78*, on the Second Reading Calendar, and *S. B. Nos. 79 and 84*, and *H. B. No. 23*, Tabled, were referred back to the Sifting Committee.

On motion of Senator Marthakis, the Senate recessed for fifteen minutes.

The Senate reassembled.

REPORTS OF STANDING COMMITTEES

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 150*, by Messrs. Melich and Elggren, entitled,

"AN ACT AMENDING SECTION 80-14-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1947, RELATING TO THE GRANTING OF CREDITS AGAINST NET INCOME AND GRANTING CREDIT FOR NET INCOME DERIVED FROM SOURCES WITHOUT THE STATE, AND PROVIDING EXEMPTION FOR BLIND PERSONS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 150 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 245*, by Messrs. Jenkins and Fowles, entitled,

"AN ACT RELATING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS; PROVIDING FOR THE TERMINATION OF A PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATION BY ELECTION OF THE MEMBERS; AND PROVIDING FOR THE MANNER IN WHICH SUCH FUNDS SHALL BE DISTRIB-

UTED," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 245 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 262*, by Mr. Gibson, entitled,

"AN ACT AUTHORIZING CERTAIN POLITICAL SUBDIVISIONS OF THE STATE TO CONSTRUCT, OWN AND OPERATE HOSPITALS AND TO JOIN WITH OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION, OWNERSHIP AND OPERATION THEREOF AND TO LEVY A TAX FOR SUCH PURPOSES, PROVIDING FOR CONTROL OF SUCH HOSPITALS AND THE FUNDS AND RELATION THERETO TO BE KNOWN AS SECTIONS 3 AND 4 OF CHAPTER 112, LAWS OF UTAH 1945," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 262 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 263*, by Mr. Gibson, entitled:

"AN ACT AMENDING SECTION 19-5-45 UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS AND PROVIDING THAT THEY MAY JOIN OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION AND OPERATION OF HOSPITALS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 263 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 283*, by Mr. Lund, entitled:

"AN ACT AMENDING SECTION 3-5-80, UTAH CODE ANNOTATED 1943, RELATING TO DISTRAINT OR ANIMALS TRESPASSING OR DOING DAMAGE AND PROVIDING THAT IN PRECINCTS WHERE THERE IS NO POUNDKEEPER, SUCH ANIMALS BE DELIVERED TO THE COUNTY SHERIFF WHO SHALL ACT AS EX OFFICIO POUNDKEEPER," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 283 was signed 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 10, 1949

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. 134*, by Messrs. Milliman, Reese and Marsden, entitled,

"AN ACT AMENDING SECTIONS 19-13-14 AND 19-13-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CH. 30, LAWS OF UTAH 1943, AND BY CHS. 34 AND 35, LAWS OF UTAH 1945, AND AS AMENDED BY CH. 23, LAWS OF UTAH 1947, AND AS AMENDED BY CH. 1, LAWS OF UTAH 1948 (SPECIAL SESSION), PROVIDING FOR THE CLASSIFICATION OF COUNTIES, SALARIES OF COUNTY OFFICERS AND FIXING AND DETERMINING SALARIES, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 134 was transmitted to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 189*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING FUNDS FROM EMERGENCY RELIEF FUND TO CARRY ON THE BUSINESS OF AND CREATING WITHIN THE UTAH COMMISSION FOR THE BLIND THE POSITION OF CONSULTANT OF SIGHT CONSERVATION AND PREVENTION OF BLINDNESS, PRESCRIBING THE POWERS AND DUTIES THEREOF, AND AUTHORIZING THE SALARY OF CONSULTANT TO BE FIXED BY UTAH COMMISSION FOR THE BLIND."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 10, 1949

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. 299*, by Mr. Anderson, entitled,

"AN ACT APPROPRIATING $16,000 TO THE SECRETARY OF STATE FOR THE PURPOSE OF DEFRAYING THE COST OF PUBLISHING PROPOSED CONSTITUTIONAL AMENDMENTS AS PASSED BY THE 28TH SESSION OF THE LEGISLATURE," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,

Communication filed. Chief Clerk.

H. B. No. 299 was read the first time.

Senator Milliman moved that the rules be suspended and that the Senate do now consider *H. B. No. 299*.

Motion carried.

On motion of Senator Milliman, the rules were suspended and *H. B. No. 299* was read the second and third times and placed on its final passage.

H. B. No. 299 then passed on the following roll call:

Ayes, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Larsen, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Fowles.

H. B. No. 299 was returned to the House.

On motion of Senator Melich, the Senate resolved itself into a Committee of the Whole.

On motion of Senator Melich, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected the Joint Conference Committee Report as of March 10, 1949, to *H. B. No. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES," has adopted the minority report, and has this day appointed a conference committee consisting of Representatives Anderson, Stewart and Aldous, to act with a like committee from the Senate on this bill.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Melich, the Senate refused to adopt the minority report of the Joint Conference Committee.

Senator Gibson moved that the Secretary convey to the House that it might be advisable for the House to consider *S. B. No. 295* at this time, as an alternative to the procedural difficulties that have arisen between the Senate and House on *H. B. No. 293*.

Motion carried.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 133*, by Messrs. Gibson, Day, Clegg, Fowles, Marthakis, Elggren, Brockbank, Melich, Knight, Reese, Larsen, Orser and Jenkins, entitled,

"AN ACT AMENDING SECTION 14-4-8, UTAH CODE ANNOTATED 1943 RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND THE METHOD OF APPROVING SUCH CONSENT," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 133 was filed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. R. No. 11*, by Messrs. Day, Jenkins and McShane, entitled,

"A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF STATE RETIREMENT PLANS AND PENSIONS," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. J. R. No. 12*, by Messrs. McShane, Orser and Day, entitled,

"A JOINT RESOLUTION PROVIDING FOR A STUDY OF THE EFFECTS OF HEAVY VEHICLE TRAFFIC UPON THE UTAH HIGHWAYS AND THE ADEQUACY OF TAXES AND FEES LEVIED UPON SUCH VEHICLES," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 12 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 161*, by Mrs. Mitchell, Messrs. Openshaw, Aldous and Walker, entitled,

"AN ACT AMENDING SECTION 80-9-5 UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1945, CHAPTER 109, REQUIRING THE BOARD OF COUNTY COMMISSIONERS TO MAKE TAX LEVIES, FIXING TIME AND MAXIMUM THEREFOR."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 28*, by Mrs. Jack, entitled,

"AN ACT AMENDING SECTION 40-1-2, UTAH CODE ANNOTATED 1943, PROHIBITING AND DEFINING PROHIBITED AND VOID MARRIAGES AND PROVIDING EXCEPTION WHEN ONE PARTY TO VOID MARRAIGE ACTING IN GOOD FAITH, BELIEVING FORMER SPOUSE DEAD OF OTHER PARTY OR WITHOUT KNOWLEDGE OF FORMER MARRIAGE OF OTHER PARTY, OR THAT DECREE OF DIVORCE HAS NOT BECOME FINAL, PARTIES SHALL BE DEEMED LEGALLY MARRIED FROM TIME OF REMOVAL OF IMPEDIMENT TO MARRIAGE BY DEATH OR DIVORCE."

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

REPORTS OF STANDING COMMITTEES

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 146* (rewritten), by Messrs. Marthakis, Knight, Brockbank and Bailey, entitled:

"AN ACT AMENDING SECTION 25-2-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 38, LAWS OF UTAH 1943, AND BY CHAPTER 3, LAWS OF UTAH 1944, 1ST SPECIAL

SESSION, RELATING TO REGISTERING ABSENT VOTERS BY THE COUNTY CLERK OR PHYSICALLY DISABLED VOTERS BY MAIL," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 146 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 165*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 100-5-5, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS BY THE ADDITION OF A PROVISO CONCERNING IMPOUNDING DAMS FOR STOCK WATERING PURPOSES IN REMOTE LOCATIONS WITH RESPECT TO RESIDENTIAL AREAS OR OTHER WORKS OF MAN," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 165 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 223*, by Messrs. Elggren, Jenkins, Knight and Fowles, entitled:

"AN ACT AMENDING SECTIONS 85-5-3 AND 85-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 123, LAWS OF UTAH 1945; AND ENACTING ONE NEW SECTION TO BE KNOWN AS SECTION 85-5-2-A, UTAH CODE ANNOTATED 1943; RELATING TO THE UTAH STATE HISTORICAL SOCIETY; AUTHORIZING THE SOCIETY TO CONSULT WITH THE ATTORNEY GENERAL OF UTAH AND OTHER PUBLIC OFFICERS OF THE

STATE HAVING CUSTODY OF PUBLIC RECORDS, TO DETERMINE THE LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE OF SUCH RECORDS AND UPON UNANIMOUS AGREEMENT OF SAID OFFICIALS THAT CERTAIN PUBLIC RECORDS HAVE NO LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE TO THEN DISPOSE OF SAME; PRESCRIBING THAT THE QUALITY OF PAPER, INK AND OTHER MATERIALS USED IN PUBLIC OFFICES OF THE STATE OF UTAH, FOR THE PURPOSES OF PERMANENT RECORDS, SHALL BE OF DURABLE QUALITY; AUTHORIZING CUSTODIANS OF PUBLIC RECORDS OF THE STATE TO MAKE COPIES BY PHOTOGRAPH, MICROFILM OR SIMILAR PROCESSES OF SAID RECORDS AND PROVIDING FOR THE CERTIFYING OF SUCH COPIES BY THEIR RESPECTIVE CUSTODIANS AS BEING TRUE COPIES THEREOF; PROVIDING FOR THE CATALOGUING, PROTECTION, PRESERVATION, ARRANGING AND DISPLAYING OF SUCH PUBLIC RECORDS AND/OR COPIES THEREOF; AUTHORIZING THE SOCIETY TO PUBLISH AND SELL BOOKS AND MAGAZINES; PROVIDING FOR A BOARD OF CONTROL OF SAID SOCIETY, COMPENSATION, EXPENSES, EDITORIAL WORK AND OTHER EMPLOYEES AND THE CREATION OF A DEPARTMENT OF SAID SOCIETY TO BE KNOWN AS THE DEPARTMENT OF ARCHIVES AND HISTORY, AND THE EMPLOYMENT OF A STATE ARCHIVIST BY THE SAID SOCIETY IN CONNECTION THEREWITH AND DEFINING THE DUTIES AND FIXING THE COMPENSATION AND PROVIDING THE MANNER OF PAYMENT FOR SUCH SERVICES OF THE SAID STATE ARCHIVIST AND PROVIDING FOR THE PURCHASE AND ACQUIRING BY THE SAID SOCIETY OF THE NECESSARY APPARATUS AND MACHINERY FOR MICROFILMING, MICROFILM READERS AND THE PHOTOGRAPHING OF ALL SUCH PUBLIC RECORDS OF THE STATE BY THE SAID SOCIETY AND WITHIN ITS DISCRETION FOR THE PROTECTION AND PRESERVATION OF ALL SUCH PUBLIC RECORDS OF THE STATE OF UTAH," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 223 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 221*, by Messrs. Knight, Fowles and Marthakis, entitled,

"AN ACT AMENDING SECTION 5, CHAPTER 32, LAWS OF UTAH 1947, RELATING TO THE QUALIFICATIONS OF REGIS-

TERED NURSES AND PROVIDING FOR THEIR REINSTATEMENT ON PAYMENT OF CERTAIN PAST DUE LICENSE FEES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 221 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 259*, by Mr. Gibson, entitled,

"AN ACT AMENDING SECTION 30-0-36 UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 30-0-36, CHAPTER 42, LAWS OF UTAH 1947, RELATING TO FISH AND GAME PROHIBITING FISHING WITH CERTAIN TYPES OF BAIT, has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 259, was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Brockbank, the Senate resolved itsself into Executive Session.

On motion of Senator Day, the Senate resolved itself into Regular Session.

COMMUNICATIONS FROM THE GOVERNOR

March 10, 1949

Honorable Alonzo F. Hopkin
President, Utah State Senate

Dear President:

With permission of the Utah State Senate I would like to withdraw the following appointments:

Don D. James, as a member of Utah Department, Veterans Affairs.

Edward T. O'Brien, as Director, Utah Department, Veterans Affairs.

Doctor James P. Kerby, as a member, Board of Regents, University of Utah.

To fill the above vacancies, I submit the following:

J. Allen Pike, as a member of Utah Department, Veterans Affairs, Resident, Ogden, Utah.

Ken Scott, as Director, Utah Department, Veterans Affairs, Residence, Salt Lake City, Utah.

Mrs. J. L. Gibson, Salt Lake City, Utah, as a member, Board of Regents, University of Utah.

Respectfully yours,

J. BRACKEN LEE,
Governor.

Communication referred to the Committee on Appointments.

On motion of Senator Brockbank, the Senate resolved itself into Executive Session.

On motion of Senator Day, the Senate resolved itself into Regular Session.

Senator Brockbank moved that the Senate do advise and consent to the following appointments:

FOR MEMBER OF DEPARTMENT OF ENGINEERING:

David Whittenberg, Richfield, Sevier County, Utah, to March 1, 1955.

James N. Stacey, Richfield, Sevier County, Utah, (Temporary to March 15, 1949) for the unexpired term of Ray H. Leavitt to March 1, 1955.

FOR MEMBER OF ADVISORY COUNCIL, DEPARTMENT OF ENGINEERING:

George W. Snyder, Sr., Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

Sumner G. Margetts, Salt Lake City, Salt Lake County, Utah, to March 1, 1954.

STATE ENGINEER:

Harold A. Linke, Salt Lake City, Salt Lake County, Utah, to March 1, 1953.

FOR MEMBER OF ADVISORY COUNCIL, DEPARTMENT OF FINANCE:

George Jefferson, Milford, Beaver County, Utah, to March 1, 1953.

Lane W. Adams, Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

FOR MEMBER OF FISH AND GAME COMMISSION, DISTRICT 4:

Golden G. Sanderson, Fairview, Sanpete County, Utah, to May 11, 1955.

FOR MEMBER OF STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Gomer Peacock, Price, Carbon County, Utah, for the unexpired term of William J. Fitzpatrick, resigned January 1, 1950.

FOR MEMBER OF INDUSTRIAL COMMISSION:

Otto A. Wiesley, Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

FOR MEMBER OF LIQUOR CONTROL COMMISSION:

Roy W. Simmons, Layton, Davis County, Utah (temporary), to the unexpired term of Lawrence A. Johnson, to March 31, 1949.

J. W. Pace, Delta, Millard County, for the unexpired term of George H. Lunt, to July 1, 1951.

W. W. Seegmiller, Beaver, Beaver County, Utah, for the unexpired term of Orlando S. Peterson, to July 1, 1953.

FOR MEMBER OF DEPARTMENT OF PUBLIC WELFARE:

Dr. A. C. Lambert, Provo, Utah County, Utah, to March 1, 1955.

FOR MEMBER OF ADVISORY COUNCIL FOR THE SCHOOL FOR THE DEAF AND BLIND:

Ray G. Wenger, Salt Lake City, Salt Lake County, Utah (reappointed) March 1, 1953.

Mrs. William G. Shelton, Salt Lake City, Salt Lake County, Utah, to March 1, 1955.

TAX COMMISSION:

H. C. Shoemaker, Bountiful, Davis County, Utah, to March 1, 1953.

FOR MEMBER LIQUOR CONTROL COMMISSION:

Kenneth Doan, Cedar City, Iron County, Utah, to July 1, 1955. (To succeed Roy W. Simmons who resigns March 31, 1949).

FOR MEMBER OF DEPARTMENT OF ENGINEERING:

Harley J. Corleissen, Provo, Utah County, Utah, for the unexpired term ending March 1, 1951. (To succeed James M. Stacey, temporary appointee who resigns March 15, 1949).

FOR MEMBER OF BOARD OF ABSTRACT COMMISSIONERS:

Robert E. Curtis, Provo, Utah County, Utah, to April 1, 1951.

Mark D. Eggertsen, Salt Lake City, Salt Lake County, Utah, to April 1, 1952.

FOR MEMBER OF UTAH STATE HOSPITAL FOR POLIOMYELITIS AND OTHER CHILDREN'S CRIPPLING DISEASES; BOARD OF TRUSTEES:

Clarence Bamberger, Salt Lake City, Salt Lake County, Utah, to March 31, 1956.

Joseph S. Robison, Lehi, Utah County, Utah, for the unexpired term of John C. Denton, deceased, to March 31, 1952.

FOR MEMBER OF UNIVERSITY OF UTAH, BOARD OF REGENTS:

LeRoy H. Cox, St. George, Washington County, Utah, to June 30, 1953.

Reed C. Culp, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

William J. O'Connor, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Walter E. Cosgriff, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Mrs. J. L. Gibson, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

Dr. Adam S. Bennion, Salt Lake City, Salt Lake County, Utah, to June 30, 1953.

FOR MEMBER OF THE UTAH BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES:

Harold N. Wilkinson, Salt Lake City, Salt Lake County, Utah, to July 1, 1951.

John D. Rice, Salt Lake City, Salt Lake County, Utah, to July 1, 1951.

George W. Worthen, Provo, Utah County, Utah, to July 1, 1951, (reappointed).

FOR MEMBER OF UTAH STATE AGRICULTURAL COLLEGE BOARD OF TRUSTEES:

Arthur Woolley, Ogden, Weber County, Utah, to July 1, 1953.

Glenn G. Nielsen, Logan, Cache County, Utah, to July 1, 1953.

Fred M. Nye, Ogden, Weber County, Utah, to July 1, 1953.

Herschel Bullen, Jr., Logan, Cache County, Utah, to July 1, 1953.

Charles R. Hunter, Cedar City, Iron County, Utah, to July 1, 1953.

Carl W. Peterson, Kenilworth, Carbon County, Utah, to July 1, 1953.

FOR MEMBER OF DEPARTMENT OF HEALTH — HEALTH BOARD:

Dr. James Z. Davis, Salt Lake City, Salt Lake County, Utah, to March 1, 1956.

FOR COMMISSIONER OF DEPARTMENT OF AGRICULTURE:

J. H. Crofts, Holladay, Salt Lake County, Utah, to March 1, 1955.

FOR MEMBER OF BOARD OF CORRECTIONS:

John F. Dugan, Salt Lake City, Salt Lake County, to April 1, 1955.

FOR MEMBER OF UTAH STATE INSTITUTE OF FINE ARTS:

Fred E. Smith, Salt Lake City, Salt Lake County, Utah, to June 30, 1953 (reappointed).

Dr. C. Lowell Lees, Salt Lake City, Salt Lake County, to June 30, 1953.

Richmond T. Harris, Salt Lake City, Salt Lake County, to June 30, 1953.

Mrs. Stewart P. Dobbs, Ogden, Weber County, to June 30, 1953 (reappointed).

Mrs. John M. Wallace, Salt Lake City, Salt Lake County, to June 30, 1953 (reappointed).

George M. Gadsby, Salt Lake City, Salt Lake County, to June 30, 1953 (reappointed).

Raymond J. Ashton, Kaysville, Davis County, Utah, to June 30, 1953.

FOR MEMBER OF HISTORICAL SOCIETY — BOARD OF CONTROL:

Rev. Robert J. Dwyer, Salt Lake City, Salt Lake County, Utah, to April 1, 1953 (reappointed).

Dr. Joel E. Ricks, Logan, Utah, County, Utah, to April 1, 1953 (reappointed).

Dr. Leland H. Creer, Salt Lake City, Salt Lake County, to April 1, 1953.

Mrs. Juanita Brooks, St. George, Washington County, to April 1, 1953.

Noble Warrum, Jr., Salt Lake City, Salt Lake County, to April 1, 1953.

FOR DIRECTOR OF UTAH DEPARTMENT OF VETERANS AFFAIRS:

Kenn Scott, Salt Lake City, Salt Lake County, to April 26, 1953.

FOR MEMBER OF UTAH DEPARTMENT OF VETERANS AFFAIRS — VETERANS' COUNCIL:

J. Allen Pike, Ogden, Weber County, to April 26, 1953.

Joseph J. Jeremy, Salt Lake City, Salt Lake County, to April 26, 1953.

Motion carried.

President Hopkin recognized former State Senator, Stanley N. Child, who addressed the Senate briefly.

REPORTS OF SPECIAL COMMITTEES

March 10, 1949

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 294*, by Messrs. Melich and Orser, begs leave to report as follows:

That the House recede from its amendments to *S. B. No. 294* on page 3, lines 9, 10, 11 and 19, and accept the bill in this respect as passed by the Senate.

That the Senate accept the House amendments to *S. B. No. 294* on page 3, lines 26, 27, 28, 29 and 30, and accept the new material inserted in lieu thereof by the House.

We recommend that both the House and Senate accept the above report and that the bill be passed in the form herin recommended.

Respectfully,

MITCHELL MELICH
Chairman, Senate Committee

JOHN A. MURCH
Chairman, House Committee

Report filed.

COMMUNICATIONS FROM THE HOUSE

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of March 10, 1949, and passed *S. B. No. 294*, by Messrs. Melich and Orser entitled,

"AN ACT AMENDING SECTION 4 OF CHAPTER 141 OF THE LAWS OF UTAH, 1947, RELATING TO THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD AND CONSTITUTING SAID BOARD THE INTERSTATE STREAMS COMMISSION OF THE STATE AND FIXING ITS POWERS AND DUTIES AS SUCH COMMISSION, PROVIDING FOR AN INTERSTATE STREAMS COMMISSIONER AND PROVIDING FOR HIM TO BE THE COMMISSIONER REPRESENTING THE STATE OF UTAH ON THE UPPER COLORADO RIVER COMMISSION, PURSUANT TO THE UPPER COLORADO RIVER COMPACT WHICH WAS RATIFIED BY THE STATE OF UTAH IN SENATE BILL NO. 1 OF THE 28TH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, APPROVED JANUARY 31, 1949, UPON THE ESTABLISHMENT OF SUCH COMMISSION AND PROVIDING FOR HIS ADVISORS AND FIXING HIS AND THEIR COMPENSATION; REPEALING SECTION 100-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS, AND AMENDING SECTION 100-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS," and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Orser, the report of the Joint Conference Committee on *S. B. No. 294* was adopted and the bill amended accordingly.

S. B. No. 294 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Larsen, Marsden, Marthakis, McShane, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senator Lund.

Absent and not voting: Senators Knight and Melich.

S. B. No. 294 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 151*, by Mr. Melich, entitled,

"AN ACT AUTHORIZING AND EMPOWERING THE UNIVERSITY OF UTAH TO APPOINT ONE OR MORE PERSONS TO BE MEMBERS OF THE UNIVERSITY OF UTAH POLICE DEPARTMENT AND PRESCRIBING THE POWERS AND AUTHORITY OF SAID DEPARTMENT AND THE MEMBERS THEREOF," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 151 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 246*, by Messrs. Jenkins and Fowles, entitled,

"AN ACT AMENDING SECTIONS 75-29-37, 75-29-45, 75-29-47, UTAH CODE ANNOTATED 1943, AND SECTION 75-29-27, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947, AND SECTION 75-29-48, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 98, LAWS OF UTAH 1945, RELATING TO THE TEACHERS' RETIREMENT ACT; CLARIFYING THE METHOD OF COMPUTING BENEFITS; PROVIDING THAT ACCUMULATED CONTRIBUTIONS OF MEMBERS BE HELD IN TRUST FOR SAID MEMBERS; PROVIDING FOR FAIR AND EQUITABLE PARTICIPATION IN THE TEACHERS RETIREMENT ACT BY MEMBERS WHO ARE MEMBERS OF A LOCAL TEACHERS RETIREMENT ASSOCIATION IN THE EVENT OF DISSOLUTION OF THE SAID ASSOCIATION; AND ELIMINATING THE REDUCTION OF PENSIONS OF MEMBERS RETIRED FOR SERVICE WHO ENGAGE IN GAINFUL OCCUPATIONS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 246 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 300*, by Mr. Reese for Committee on Highways, entitled:

"AN ACT AMENDING SECTION 36-6-3 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, AND BY CHAPTER 61, LAWS OF UTAH 1945; AMENDING SECTION 36-6-11, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947; AND ENACTING A NEW SECTION 36-6-27, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL OF ALL HIGHWAYS, ROADS, PATHS, OR WAYS NOT SO OTHERWISE DESIGNATED," has carefully compared the bill as passed, with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 300 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 302*, by Mr. Jenkins for the Committee on Appropriations and Claims, entitled,

"AN ACT AMENDING CHAPTER 122, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 12, 1948 LAWS, FIRST SPECIAL SESSION, RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM, AND ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 8 AND 9, RELATING TO A SCHEDULE OF ITEMS OF APPROPRIATIONS AND CREATING AN ADVISORY COMMITTEE TO INVESTIGATE PLANNING AND CONSTRUCTION OF STATE BUILDING PROJECTS BASED UPON NEED", has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 302 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 11*, by Messrs. Day, Jenkins and McShane, entitled:

"A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF STATE RETIREMENT PLANS AND PENSIONS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. J. R. No. 11 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 12*, by Messrs. McShane, Orser and Day, entitled,

"A JOINT RESOLUTION PROVIDING FOR A STUDY OF THE EFFECTS OF HEAVY VEHICLE TRAFFIC UPON THE UTAH HIGHWAYS AND THE ADEQUACY OF TAXES AND FEES LEVIED UPON SUCH VEHICLES," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. J. R. No. 12 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 10, 1949

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. 139*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTIONS 34-0-1, 34-0-2, 34-0-3, AND REPEALING SECTIONS 34-0-4, 34-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE UTAH GEOLOGICAL AND MINERALOGICAL SURVEY AND ITS GOVERNING BOARD WITHIN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND TRANSFERRING ALL THE RIGHTS, POWERS AND DUTIES OF SAID SURVEY, ITS GOVERNING BOARD, AND THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT IN REFERENCE THERETO, TO THE STATE SCHOOL OF MINES AND MINERAL INDUSTRIES OF THE UNIVERSITY OF UTAH, PROVIDING FOR AN ADVISORY BOARD TO ASSIST IN ATTAINING THE OBJECTS OF SAID SURVEY; AND APPROPRIATING $25,000 FOR CARRYING OUT THE PURPOSES OF THIS ACT", and the same is transmitted herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Melich, the Senate concurred in the House amendments.

S. B. No. 139 then passed on the following roll call:

Ayes, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Day, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jolley, Jones, Knight, Lund, Marsden, Marthakis, McShane, Melich, Milliman, Orser, Reese and Mr. President.

Absent and not voting: Senator Larsen.

S. B. No. 139 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, on reconsideration, as amended by the House in conformity with the Joint Conference Committee Minority Report, *H. B. No. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES," and the same is transmitted herewith for your action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

On motion of Senator Milliman, the Senate rescinded its former action by which it had adopted the majority report of the Joint Conference Committee on *H. B. No. 293*, and adopted in its stead the minority report.

H. B. No. 293 then passed on the following roll call:

Ayes, 17; Nos, 4, Absent, 2.

Those voting in the affirmative were: Senators Brockbank, Burns, Clegg, Elggren, Fowles, Gibbons, Gibson, Jenkins, Jensen, Jones, Knight, Marsden, Marthakis, Milliman, Orser, Reese and Mr. President.

Those voting in the negative were: Senators Day, Jolley, McShane and Melich.

Absent and not voting: Senators Larsen and Lund.

H. B. No. 293 was returned to the House.

REPORTS OF STANDING COMMITTEES

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 37*, by Messrs. Day, Fowles, Melich and Reese, entitled:

"AN ACT AMENDING SECTIONS 57-7-78, 57-7-82, 57-7-85, 57-7-88, 57-7-89, 57-7-90, 57-7-91, 57-7-92, 57-7-93, 57-7-94, 57-7-102, 57-7-103, 57-7-104, 57-7-107, 57-7-111, 57-7-115, 57-7-120, 57-7-123, 57-7-128, 57-7-129, 57-7-130, 57-7-133, 57-7-140, 57-7-141, 57-7-146, 57-7-151, 57-7-153, 57-7-159, 57-7-161, 57-7-162, 57-7-163, 57-7-164, 57-7-167, 57-7-168, 57-7-178, 57-7-179, 57-7-180, 57-7-181, 57-7-182, 57-7-185, 57-7-190, 57-7-191, 57-7-193, 57-7-194, 57-7-195, 57-7-196, 57-7-200, 57-7-201, 57-7-205, 57-7-207, 57-7-211, 57-7-214, 57-7-212, AS AMENDED BY CHAPTER 70, LAWS OF UTAH 1947, 57-7-225, 57-7-227, 57-7-232, 36-1-28, 36-1-32, 36-1-33, 36-1-36, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 57-7-78.1, 57-7-78.2, 57-7-78.3, 57-7-78.4, 57-7-78.5, 57-7-78.6, 57-7-78.7, 57-7-78.8, 57-7-78.9, 57-7-86.10, 57-7-118.10, 57-7-129.10, 57-7-129.11, 57-7-129.12, 57-7-169.10, 57-7-169.11, 57-7-169.12, 57-7-198.1, 57-7-205.1, 57-7-231.10, UTAH CODE ANNOTATED 1943; REGULATING TRAFFIC ON

HIGHWAYS AND DEFINING CERTAIN CRIMES AND THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS; LIMITING THE LOADS ON VEHICLES; AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 57-7-118 AND 57-7-188, UTAH CODE ANNOTATED 1943," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. B. No. 37 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 294*, by Messrs. Melich and Orser, entitled,

"AN ACT AMENDING SECTION 4 OF CHAPTER 141 OF THE LAWS OF UTAH, 1947, RELATING TO THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD AND CONSTITUTING SAID BOARD THE INTERSTATE STREAMS COMMISSION OF THE STATE AND FIXING ITS POWERS AND DUTIES AS SUCH COMMISSION, PROVIDING FOR AN INTERSTATE STREAMS COMMISSIONER AND PROVIDING FOR HIM TO BE THE COMMISSIONER REPRESENTING THE STATE OF UTAH ON THE UPPER COLORADO RIVER COMMISSION, PURSUANT TO THE UPPER COLORADO RIVER COMPACT WHICH WAS RATIFIED BY THE STATE OF UTAH IN SENATE BILL NO. 1 OF THE 28TH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, APPROVED JANUARY 31, 1949, UPON THE ESTABLISHMENT OF SUCH COMMISSION AND PROVIDING FOR HIS ADVISORS AND FIXING HIS AND THEIR COMPENSATION; REPEALING SECTION 100-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS, AND AMENDING SEC-

TION 100-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 294 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed, in open session, in the presence of the House, *S. B. No. 9*, by Messrs. Gibson, Fowles, Jenkins, Day, and Knight, entitled,

"AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION BY AMENDING SECTIONS 25-1-7, UTAH CODE ANNOTATED 1943, AND 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 25-3-10, CHAPTER 35, LAWS OF UTAH 1947, TO PROVIDE A NON-PARTISAN METHOD OF SELECTING JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS OF UTAH; AND ENACTING NEW SECTIONS 20-8-1, 20-8-2, 20-8-3, 20-8-4, AND 20-8-5, UTAH CODE ANNOTATED 1943; PROVIDING FOR THE CREATION OF JUDICIAL SELECTION COMMISSIONS TO SELECT PERSONS FOR AND TO FILL VACANCIES IN SAID OFFICES; FOR THE SELECTION OF THE MEMBERS OF SUCH COMMISSIONS, THEIR TERMS OF OFFICE, THEIR DUTIES AND REMUNERATION; PROHIBITING INCUMBENTS OF AND CANDIDATES FOR SUCH JUDICIAL OFFICES FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND BEING CANDIDATES FOR OR ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTENT HEREWITH," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 9 was transmitted to the Governor.

March 10, 1949

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. 13*, by Messrs. Jolley, Jones, Orser and Marthakis, entitled,

"AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, RELATING TO JUDICIAL DISTRICTS, NUMBER OF JUDGES, AND AMENDING THE SAME TO PROVIDE FOR THE APPOINTMENT OF TEMPORARY DISTRICT JUDGES TO SERVE UNTIL JUNE 30, 1951 AND AUTHORIZING THE BOARD OF EXAMINERS TO ALLOW DEFICITS TO COVER SALARIES AND EXPENSES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 13 was transmitted to the Governor.

March 10, 1949

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. 109*, by Messrs. Elggren, Day and Brockbank, entitled,

"AN ACT AMENDING SECTION 75-29-44, UTAH CODE ANNOTATED 1943, RELATING TO RETIREMENT OF SCHOOL TEACHERS PROVIDED THAT TEACHERS ATTAINING THE AGE OF SEVENTY MAY COMPLETE THEIR TEACHING CONTRACT FOR THE SCHOOL YEAR", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 109 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

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. 124*, by Mr. Brockbank, entitled,

"AN ACT TO PROVIDE FOR THE SALE OF THE STATE CENTER FOR THE BLIND BY THE DEPARTMENT OF FINANCE AND TO DEPOSIT ALL MONEY ACCRUING THEREFROM TO THE CREDIT OF THE UTAH COMMISSION FOR THE BLIND FOR THE PURCHASE OF EQUIPMENT, FURNISHINGS, AND OTHER FACILITIES FOR THE PROPOSED NEW CENTER FOR THE BLIND AT SALT LAKE CITY," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 124 was transmitted to the Governor.

March 10, 1949

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. 147*, by Messrs. Knight, Marthakis, Brockbank, Bailey, Day, Fowles and McShane, entitled,

"AN ACT PROVIDING FOR THE EDUCATION OF UNREMARRIED WIDOWS AND CHILDREN OF PERSONS WHO SERVED AS MEMBERS OF THE ARMY, NAVY, COAST GUARD OR MARINE CORPS OF THE UNITED STATES, WHO WERE KILLED IN ACTION OR DIED AS A RESULT OF WAR SERVICE IN WORLD WAR II," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 147 was transmitted to the Governor.

March 10, 1949

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. 150*, by Messrs. Melich and Elggren, entitled,

"AN ACT AMENDING SECTION 80-14-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1947, RELATING TO THE GRANTING OF CREDITS AGAINST NET INCOME AND GRANTING CREDIT FOR NET INCOME DE-

RIVED FROM SOURCES WITHOUT THE STATE, AND PROVIDING EXEMPTION FOR BLIND PERSONS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 150 was transmitted to the Governor.

March 10, 1949

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. 239*, by Messrs. Day, Burns and Marthakis, entitled,

"AN ACT TO BE KNOWN AS SECTION 103-25-1A, UTAH CODE ANNOTATED 1943, RELATING TO GAMBLING EQUIPMENT AND PROVIDING THAT GAMBLING EQUIPMENT AND DEVICES SUBJECT TO DESTRUCTION MAY BE SOLD AND THE PROCEEDS THEREOF PAID INTO THE TREASURY OF LOCAL GOVERNING BODIES", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 239 was transmitted to the Governor.

March 10, 1949

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. 245*, by Messrs. Jenkins and Fowles, entitled,

"AN ACT RELATING TO PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS; PROVIDING FOR THE TERMINATION OF A PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATION BY ELECTION OF THE MEMBERS; AND PROVIDING FOR THE MANNER IN WHICH SUCH FUNDS SHALL BE DISTRIBUTED", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 245 **was transmitted to the Governor.**

March 10, 1949

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. 260*, by Mr. Brockbank, entitled,

"AN ACT AMENDING SECTION 85-3-18, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 127, LAWS OF UTAH 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS 85-3-19, 85-3-20, AND 85-3-21 TO ENLARGE THE POWERS AND FUNCTIONS OF THE UTAH COMMISSION FOR THE BLIND AND TO ESTABLISH A REVOLVING FUND TO EXPEDITE THE PURCHASE OF RAW MATERIALS AND PAYMENT OF WAGES TO WORKSHOP EMPLOYEES OF THE COMMISSION," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 260 was transmitted to the Governor.

March 10, 1949

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. 261*, by Messrs. Melich and Gibson, entitled,

"AN ACT AMENDING SECTION 19-5-62, UTAH CODE ANNOTATED 1943, AS AMENDED BY S. B. NO. 10 (REWRITTEN) 28TH LEGISLATURE RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING FOR THE LEVYING OF A TAX FOR INDIGENTS AND WELFARE", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 261 was transmitted to the Governor.

March 10, 1949

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. 262*, by Mr. Gibson, entitled,

"AN ACT AUTHORIZING CERTAIN POLITICAL SUBDIVISIONS OF THE STATE TO CONSTRUCT, OWN AND OPERATE HOSPITALS AND TO JOIN WITH OTHER POLITICAL SUBDIVI-

SIONS IN THE CONSTRUCTION, OWNERSHIP AND OPERATION THEREOF AND TO LEVY A TAX FOR SUCH PURPOSES, PROVIDING FOR CONTROL OF SUCH HOSPITALS AND THE FUNDS AND RELATION THERETO TO BE KNOWN AS SECTIONS 3 AND 4 OF CHAPTER 112, LAWS OF UTAH 1945", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 262 was transmitted to the Governor.

March 10, 1949

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. 263*, by Mr. Gibson, entitled,

"AN ACT AMENDING SECTION 19-5-45 UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS AND PROVIDING THAT THEY MAY JOIN OTHER POLITICAL SUBDIVISIONS IN THE CONSTRUCTION AND OPERATION OF HOSPITALS", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 263 was transmitted to the Governor.

March 10, 1949

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. 283*, by Mr. Lund, entitled,

"AN ACT AMENDING SECTION 3-5-80, UTAH CODE ANNOTATED 1943, RELATING TO DISTRAINT OR ANIMALS TRESPASSING OR DOING DAMAGE AND PROVIDING THAT IN PRECINCTS WHERE THERE IN NO POUNDKEEPER, SUCH ANIMALS BE DELIVERED TO THE COUNTY SHERIFF WHO SHALL ACT AS EX OFFICIO POUNDKEEPER", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 283 was transmitted to the Governor.

March 10, 1949

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. 284*, by Mr. Lund, entitled,

"AN ACT AMENDING SECTIONS 3-5-71 AND 3-5-91, UTAH CODE ANNOTATED 1943, RELATING TO POUNDKEEPERS FEES AND PROVIDING THAT SHERIFFS BE EX OFFICIO POUNDKEEPERS IN PRECINCTS WHERE NO CONSTABLE HAS QUALIFIED", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 284 was transmitted to the Governor.

March 10, 1949

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. 15*, by Messrs. Knight and Marthakis, entitled,

"A RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH, AUTHORIZING THE STATE MILITIA, STATE ARMORY BOARD AND THE STATE GUARD TO COOPERATE WITH THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, DEPARTMENT OF UTAH, IN THE ORGANIZATION AND OPERATION OF THE "V.F.W. EMERGENCY SERVICE CORPS", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 15 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

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. 16*, by Messrs. Day, Knight, Brockbank and Elggren, entitled,

"A RESOLUTION EXPRESSING APPRECIATION TO JUNIOR RESERVE OFFICER TRAINING CORPS UNITS OF THE STATE

HIGH SCHOOLS FOR THEIR PARTICIPATION IN FUNERAL AND MEMORIAL SERVICES FOR VETERANS OF THE WARS", and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 16 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *S. C. R. No. 1*, by Messrs. McShane and Knight, entitled,

"A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE FEDERALIZATION OF THE NATIONAL GUARD OF THE UNITED STATES AND THE NATIONAL GUARD OF THE SEVERAL STATES, TERRITORIES AND THE DISTRICT OF COLUMBIA IN WHOLE OR IN PART," and the same is returned herewith for your further action.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. C. R. No. 1 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 70*, by Messrs. Larsen and Marble, entitled,

"AN ACT EMPOWERING BOARDS OF EDUCATION TO REMOVE FROM THEIR FILES AND DESTROY DOCUMENTS WHICH BOARD DETERMINED TO HAVE CEASED TO HAVE FURTHER IMPORTANCE", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 70 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 125*, by Messrs. Johnson, Mayers, Barton and Rowberry, entitled,

"AN ACT AUTHORIZING THE STATE OF UTAH, OR ANY DEPARTMENT OR BOARD OR AGENCY THEREOF, COUNTIES, CITIES, AND TOWNS, OWNING OR HAVING CONTROL OF LAND OR IMPROVEMENTS THEREON, IN NEED OF WATER FOR SUCH LAND OR THE IMPROVEMENTS THEREON, OR OF FACILITIES FOR CONVEYANCE OF SUCH WATER TO SUBSCRIBE FOR OR PURCHASE CORPORATE STOCK OF IRRIGATION COMPANIES, PIPE LINE COMPANIES, AND ASSOCIATIONS AND TO TAKE NECESSARY STEPS TO BRING LAND OWNED OR CONTROLLED BY ANY OF THEM WITHIN ANY CONSERVATION OR CONSERVANCY DISTRICT TO ALL INTENTS AND PURPOSES AS IF AN INDIVIDUAL", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 125 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 134*, by Mr. Baker, entitled,

"AN ACT APPROPRIATING $1,500.00 TO GLEN W. CROSBIE", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 134 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 160*, by Mrs. Jack, Messrs. Cope, Anderson, Davis, Walker and Bonacci, entitled,

"AN ACT AMENDING SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, CHAPTER 131, LAWS OF UTAH, 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 15.1, 15.2, AND 15.3, PROVIDING FOR A RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE STATE OF UTAH AND MAKING AN APPROPRIATION THEREFOR AND PROVIDING FOR THE APPLICATION OF ITS PROVISIONS TO PERSONS IN THE PUBLIC SERVICE AND DEFINING THAT TERM", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 160 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 168*, by Mr. Bonacci, Mrs. Jack, Mr. Cannon, Mrs. Mitchell and Mr. Openshaw, entitled,

"AN ACT PERMITTING BANKS AND LOAN AND TRUST COMPANIES TO REMAIN CLOSED ON SATURDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST, AND SEPTEMBER, AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN THE BANK IS CLOSED, IN JUNE, JULY, AUGUST OR SEPTEMBER MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 168 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 172*, by Mr. O. W. Young, entitled,

"AN ACT AMENDING SECTION 75-2-1, UTAH CODE ANNOTATED 1943, FIXING FEES AND TUITION OF INSTITUTIONS OF HIGHER EDUCATION AND EMPOWERING THE GOVERNING BOARDS OF SAID INSTITUTIONS TO EXACT A QUARTERLY FEE OF $35, OR MORE, IN ADDITION TO THE TUITION AND OTHER FEES, FROM EACH STUDENT WHOSE DOMICILE IS NOT IN THE STATE OF UTAH, PARTIALLY OR WHOLLY EXEMPTING STUDENTS APPLYING FOR FULL-TIME COLLEGE VOCATIONAL COURSES OPERATING UNDER STATE PLANS FOR VOCATIONAL EDUCATION UPON REQUEST OF THE STATE BOARD FOR VOCATIONAL EDUCATION," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 172 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 178* by Messrs. Lyman and Jarman, entitled,

"AN ACT AMENDING 80-5-66, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 108, LAWS OF UTAH 1917, RELATING TO THE IMPOSITION OF MINING OCCUPATION TAX UPON METALLIFEROUS MINES AND DETERMINING THE MANNER OF COMPUTING SAID TAX", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 178 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 184*, by Messrs. Johnson, Marble and Luke, entitled,

"AN ACT AMENDING SECTION 11, CHAPTER 141, LAWS OF UTAH 1947, RELATING TO THE UTAH WATER AND POWER BOARD AND PROVIDING THAT THE STATE ENGINEER SHALL COLLECT MONEYS DUE THE STATE", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 184 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 188*, by Mrs. Jack and Mr. Cope, entitled,

"AN ACT TO EXEMPT BLIND PERSONS AND THE WIDOWS AND MINOR ORPHANS OF DECEASED BLIND PERSONS FROM THE PAYMENT OF TAXES UPON ALL REAL AND PERSONAL TANGIBLE PROPERTY, NOT TO EXCEED IN VALUATION THE SUM OF $2,000 ASSESSED VALUATION FOR HOMES AND HOMESTEADS, AND $300 FOR PERSONAL PROPERTY, AND PROVIDING FOR PROCEDURES TO CARRY OUT THE PROVISIONS OF THIS ACT", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 188 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 189*, by Mrs. Jack, entitled,

"AN ACT APPROPRIATING FUNDS FROM EMERGENCY RELIEF FUND TO CARRY ON THE BUSINESS OF AND CREATING WITHIN THE UTAH COMMISSION FOR THE BLIND THE POSITION OF CONSULTANT OF SIGHT CONSERVATION AND PREVENTION OF BLINDNESS, PRESCRIBING THE POWERS AND DUTIES THEREOF, AND AUTHORIZING THE SALARY OF CONSULTANT TO BE FIXED BY THE UTAH COMMISSION FOR THE BLIND", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 189 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 239*, by Committee on Insurance by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-5-19, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO ISSUANCE OF AN INSURANCE CONTRACT COVERING A SUBJECT OF INSURANCE RESIDENT, LOCATED OR TO BE PERFORMED IN THIS STATE, PROHIBITING AGENTS SIGNING OR COUNTERSIGNING IN BLANK AND PROVIDING A RECIPROCITY PROVISION FOR PAYMENT OF FEES OR COMMISSIONS FOR COUNTERSIGNING SERVICES OF UTAH INSURANCE AGENTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 239 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 240*, by Committee on Insurance by Mr. Elswood, entitled,

"AN ACT AMENDING SECTION 43-17-34, CHAPTER 63, LAWS OF UTAH 1947, RELATING TO THE LICENSING OF NON-RESIDENTS AS AGENTS OR BROKERS, PROVIDING FOR THE FILING OF A BOND BY NON-RESIDENT AGENTS AND PROVIDING CERTAIN EXEMPTIONS FOR SPECIFIED TYPES OF INSURORS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 240 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 268*, by Messrs. Cayias and Faust, entitled,

"AN ACT ENACTING SECTIONS 5 AND 6, CHAPTER 96, LAWS OF UTAH 1947, RELATING TO RADIO AND TELEVISION BROADCASTING STATIONS AND PROVIDING FOR THE RETRACTION OF LIBELOUS BROADCASTS, LIMITING THE LIABILITY IN SUCH CASES AND DEFINING PRIVILEGED BROADCASTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 268 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 298*, by Mr. Anderson, entitled,

"AN ACT DIRECTING THE SECRETARY OF STATE TO EXPEND UNEXPENDED FUNDS HERETOFORE APPROPRIATED BY CHAPTER 143, ITEM 14, LAWS OF UTAH, 1947, FOR CLEANING, PAINTING, REPAIRING AND RENOVATING OF LEGISLA-

TIVE CHAMBERS AND FIXTURES THEREIN, AND FOR THE PURCHASE OF NEW FIXTURES THEREFOR", and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 298 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 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 109*, by Messrs. Elggren, Day and Brockbank, entitled,

"AN ACT AMENDING SECTION 75-29-44, UTAH CODE ANNOTATED 1943, RELATING TO RETIREMENT OF SCHOOL TEACHERS PROVIDED THAT TEACHERS ATTAINING THE AGE OF SEVENTY MAY COMPLETE THEIR TEACHING CONTRACT FOR THE SCHOOL YEAR," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 109 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 139*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTIONS 34-0-1, 34-0-2, 34-0-3, AND REPEALING SECTIONS 34-0-4, 34-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE UTAH GEOLOGICAL AND MINERALOGICAL SURVEY AND ITS GOVERNING BOARD WITHIN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND TRANSFERRING ALL THE RIGHTS, POWERS AND DUTIES OF SAID SURVEY, ITS GOVERNING BOARD, AND THE

DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT IN REFERENCE THERETO, TO THE STATE SCHOOL OF MINES AND MINERAL INDUSTRIES OF THE UNIVERSITY OF UTAH, PROVIDING FOR AN ADVISORY BOARD TO ASSIST IN ATTAINING THE OBJECTS OF SAID SURVEY; AND APPROPRIATING $25,000 FOR CARRYING OUT THE PURPOSES OF THIS ACT," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. B. No. 139 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 15*, by Messrs. Knight and Marthakis, entitled:

"A RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH, AUTHORIZING THE STATE MILITIA, STATE ARMORY BOARD AND THE STATE GUARD TO COOPERATE WITH THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, DEPARTMENT OF UTAH, IN THE ORGANIZATION AND OPERATION OF THE "V.F.W. EMERGENCY SERVICE CORPS", has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. J. R. No. 15 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 16*, by Messrs. Day, Knight, Brockbank and Elggren, entitled,

"A RESOLUTION EXPRESSING APPRECIATION TO JUNIOR RESERVE OFFICER TRAINING CORPS UNITS OF THE STATE HIGH SCHOOLS FOR THEIR PARTICIPATION IN FUNERAL AND MEMORIAL SERVICES FOR VETERANS OF THE WARS," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, returns the same for the signature of the President.

Respectfully,

JAMES E. BURNS,
Vice-Chairman.

Report filed.

S. J. R. 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.

March 10, 1949

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. R. No. 1*, by Messrs. McShane and Knight, entitled,

"A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE FEDERALIZATION OF THE NATIONAL GUARD OF THE UNITED STATES AND THE NATIONAL GUARD OF THE SEVERAL STATES, TERRITORIES AND THE DISTRICT OF COLUMBIA IN WHOLE OR IN PART," has carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

B. MANNING JOLLEY,
Chairman.

Report filed.

S. C. R. No. 1 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 37*, by Messrs Day, Fowles, Melich and Reese, entitled,

"AN ACT AMENDING SECTIONS 57-7-78, 57-7-82, 57-7-85, 57-7-88, 57-7-89, 57-7-90, 57-7-91, 57-7-92, 57-7-93, 57-7-94, 57-7-102, 57-7-103, 57-7-104, 57-7-107, 57-7-111, 57-7-115, 57-7-120, 57-7-123, 57-7-128, 57-7-129, 57-7-130, 57-7-133, 57-7-140, 57-7-141, 57-7-146, 57-7-151, 57-7-153, 57-7-159, 57-7-161, 57-7-162, 57-7-163, 57-7-164,

57-7-167, 57-7-168, 57-7-178, 57-7-179, 57-7-180, 57-7-181, 57-7-182, 57-7-185, 57-7-190, 57-7-191, 57-7-193, 57-7-194, 57-7-195, 57-7-196, 57-7-200, 57-7-201, 57-7-205, 57-7-207, 57-7-211, 57-7-214, 57-7-212, AS AMENDED BY CHAPTER 70, LAWS OF UTAH 1947, 57-7-225, 57-7-227, 57-7-232, 36-1-28, 36-1-32, 36-1-33, 36-1-36, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 57-7-78.1, 57-7-78.2, 57-7-78.3, 57-7-78.4, 57-7-78.5, 57-7-78.6, 57-7-78.7, 57-7-78.8, 57-7-78.9, 57-7-86.10, 57-7-118.10, 57-7-129.10, 57-7-129.11, 57-7-129.12, 57-7-169.10, 57-7-169.11, 57-7-169.12, 57-7-198.1, 57-7-205.1, 57-7-231.10, UTAH CODE ANNOTATED 1943; REGULATING TRAFFIC ON HIGHWAYS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES; PROVIDING FOR INSPECTION OF VEHICLES AND PRESCRIBING THE EQUIPMENT USED THEREON; REQUIRING THE FILING OF REPORTS OF ACCIDENTS ON HIGHWAYS BY OPERATORS OR OCCUPANTS OF MOTOR VEHICLES INVOLVED; PROVIDING FOR TRAFFIC SIGNS AND SIGNALS; LIMITING THE LOADS ON VEHICLES; AND DEFINING THE POWER OF LOCAL AUTHORITIES TO ENACT OR ENFORCE ORDINANCES, RULES OR REGULATIONS IN REGARD TO MATTERS EMBRACED WITHIN THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING UNIFORM THE LAW RELATING TO THE SUBJECT MATTER OF THIS ACT; AND REPEALING SECTIONS 57-7-118 AND 57-7-188, UTAH CODE ANNOTATED 1943," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 87 was transmitted to the Governor.

March 10, 1949

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. 109*, by Messrs. Elggren, Day and Brockbank, entitled,

"AN ACT AMENDING SECTION 75-29-44, UTAH CODE ANNOTATED 1943, RELATING TO RETIREMENT OF SCHOOL TEACHERS PROVIDED THAT TEACHERS ATTAINING THE AGE OF SEVENTY MAY COMPLETE THEIR TEACHING CONTRACT FOR THE SCHOOL YEAR," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 109 was transmitted to the Governor.

March 10, 1949

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. 139*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTIONS 34-0-1, 34-0-2, 34-0-3, AND REPEALING SECTIONS 34-0-4, 34-0-5, UTAH CODE ANNOTATED 1943, RELATING TO THE UTAH GEOLOGICAL AND MINERALOGICAL SURVEY AND ITS GOVERNING BOARD WITHIN THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND TRANSFERRING ALL THE RIGHTS, POWERS AND DUTIES OF SAID SURVEY, ITS GOVERNING BOARD, AND THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT IN REFERENCE THERETO, TO THE STATE SCHOOL OF MINES AND MINERAL INDUSTRIES OF THE UNIVERSITY OF UTAH, PROVIDING FOR AN ADVISORY BOARD TO ASSIST IN ATTAINING THE OBJECTS OF SAID SURVEY; AND APPROPRIATING $25,000 FOR CARRYING OUT THE PURPOSES OF THIS ACT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 139 was transmitted to the Governor.

March 10, 1949

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. 146*, by Messrs. Marthakis, Knight, Brockbank and Bailey, entitled,

"AN ACT AMENDING SECTION 25-2-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 38, LAWS OF UTAH 1943, AND BY CHAPTER 3, LAWS OF UTAH 1944, 1ST SPECIAL SESSION, RELATING TO REGISTERING ABSENT VOTERS BY THE COUNTY CLERK OR PHYSICALLY DISABLED VOTERS BY MAIL," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 146 was transmitted to the Governor.

March 10, 1949

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. 151*, by Mr. Melich, entitled,

"AN ACT AUTHORIZING AND EMPOWERING THE UNIVERSITY OF UTAH TO APPOINT ONE OR MORE PERSONS TO BE MEMBERS OF THE UNIVERSITY OF UTAH POLICE DEPARTMENT AND PRESCRIBING THE POWERS AND AUTHORITY OF SAID DEPARTMENT AND THE MEMBERS THEREOF," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 151 was transmitted to the Governor.

March 10, 1949

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. 165*, by Mr. Melich, entitled,

"AN ACT AMENDING SECTION 100-5-5, UTAH CODE ANNOTATED 1943, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS BY THE ADDITION OF A PROVISO CONCERNING IMPOUNDING DAMS FOR STOCK WATERING PURPOSES IN REMOTE LOCATIONS WITH RESPECT TO RESIDENTIAL AREAS OR OTHER WORKS OF MAN," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 165 was transmitted to the Governor.

March 10, 1949

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. 221*, by Messrs. Knight, Fowles and Marthakis, entitled,

"AN ACT AMENDING SECTION 5, CHAPTER 32, LAWS OF UTAH 1947, RELATING TO THE QUALIFICATIONS OF REGIS-

TERED NURSES AND PROVIDING FOR THEIR REINSTATEMENT ON PAYMENT OF CERTAIN PAST DUE LICENSE FEES," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 221 was transmitted to the Governor.

March 10, 1949

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. 223*, by Messrs. Elggren, Jenkins, Knight and Fowles, entitled,

"AN ACT AMENDING SECTIONS 85-5-3 AND 85-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 123, LAWS OF UTAH 1945; AND ENACTING ONE NEW SECTION TO BE KNOWN AS SECTION 85-5-2-A, UTAH CODE ANNOTATED 1943; RELATING TO THE UTAH STATE HISTORICAL SOCIETY; AUTHORIZING THE SOCIETY TO CONSULT WITH THE ATTORNEY GENERAL OF UTAH AND OTHER PUBLIC OFFICERS OF THE STATE HAVING CUSTODY OF PUBLIC RECORDS, TO DETERMINE THE LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE OF SUCH RECORDS AND UPON UNANIMOUS AGREEMENT OF SAID OFFICIALS THAT CERTAIN PUBLIC RECORDS HAVE NO LEGAL, ADMINISTRATIVE OR HISTORICAL VALUE TO THEN DISPOSE OF SAME; PRESCRIBING THAT THE QUALITY OF PAPER, INK AND OTHER MATERIALS USED IN PUBLIC OFFICES OF THE STATE OF UTAH, FOR THE PURPOSES OF PERMANENT RECORDS, SHALL BE OF DURABLE QUALITY; AUTHORIZING CUSTODIANS OF PUBLIC RECORDS OF THE STATE TO MAKE COPIES BY PHOTOGRAPH, MICROFILM OR SIMILAR PROCESSES OF SAID RECORDS AND PROVIDING FOR THE CERTIFYING OF SUCH COPIES BY THEIR RESPECTIVE CUSTODIANS AS BEING TRUE COPIES THEREOF; PROVIDING FOR THE CATALOGUING, PROTECTION, PRESERVATION, ARRANGING AND DISPLAYING OF SUCH PUBLIC RECORDS AND OR COPIES THEREOF; AUTHORIZING THE SOCIETY TO PUBLISH AND SELL BOOKS AND MAGAZINES; PROVIDING FOR A BOARD OF CONTROL OF SAID SOCIETY, COMPENSATION, EXPENSES, EDITORIAL WORK AND OTHER EMPLOYEES AND THE CREATION OF A DEPARTMENT OF SAID SOCIETY TO BE KNOWN AS THE DEPARTMENT OF ARCHIVES AND HISTORY, AND THE EMPLOYMENT OF A STATE ARCHIVIST BY THE SAID SOCIETY IN CONNECTION THEREWITH AND DEFINING THE DUTIES AND FIXING THE COMPENSATION AND PROVIDING THE MANNER OF PAYMENT FOR SUCH SERVICES

OF THE SAID STATE ARCHIVIST AND PROVIDING FOR THE PURCHASE AND ACQUIRING BY THE SAID SOCIETY OF THE NECESSARY APPARATUS AND MACHINERY FOR MICROFILMING, MICROFILM READERS AND THE PHOTOGRAPHING OF ALL SUCH PUBLIC RECORDS OF THE STATE BY THE SAID SOCIETY AND WITHIN ITS DISCRETION FOR THE PROTECTION AND PRESERVATION OF ALL SUCH PUBLIC RECORDS OF THE STATE OF UTAH," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 223 was transmitted to the Governor.

March 10, 1949

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. 246*, by Messrs. Jenkins and Fowles, entitled,

"AN ACT AMENDING SECTIONS 75-29-37, 75-29-45, 75-29-47, UTAH CODE ANNOTATED 1943, AND SECTION 75-29-27, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947, AND SECTION 75-29-48, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 98, LAWS OF UTAH 1945, RELATING TO TEACHERS' RETIREMENT ACT; CLARIFYING THE METHOD OF COMPUTING BENEFITS; PROVIDING THAT ACCUMULATED CONTRIBUTIONS OF MEMBERS BE HELD IN TRUST FOR SAID MEMBERS; PROVIDING FOR FAIR AND EQUITABLE PARTICIPATION IN THE TEACHERS RETIREMENT ACT BY MEMBERS WHO ARE MEMBERS OF A LOCAL TEACHERS RETIREMENT ASSOCIATION IN THE EVENT OF DISSOLUTION OF THE SAID ASSOCIATION; AND ELIMINATING THE REDUCTION OF PENSIONS OF MEMBERS RETIRED FOR SERVICE WHO ENGAGE IN GAINFUL OCCUPATIONS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 246 was transmitted to the Governor.

March 10, 1949

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. 259*, by Mr. Gibson, entitled,

"AN ACT AMENDING SECTION 30-0-36 UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 30-0-36, CHAPTER 42, LAWS OF UTAH 1947, RELATING TO FISH AND GAME PROHIBITING FISHING WITH CERTAIN TYPES OF BAIT," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 259 was transmitted to the Governor.

March 10, 1949

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. 294*, by Messrs. Melich and Orser, entitled,

"AN ACT AMENDING SECTION 4 OF CHAPTER 141 OF THE LAWS OF UTAH, 1947, RELATING TO THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD AND CONSTITUTING SAID BOARD THE INTERSTATE STREAMS COMMISSION OF THE STATE AND FIXING ITS POWERS AND DUTIES AS SUCH COMMISSION, PROVIDING FOR AN INTERSTATE STREAMS COMMISSIONER AND PROVIDING FOR HIM TO BE THE COMMISSIONER REPRESENTING THE STATE OF UTAH ON THE UPPER COLORADO RIVER COMMISSION, PURSUANT TO THE UPPER COLORADO RIVER COMPACT WHICH WAS RATIFIED BY THE STATE OF UTAH IN SENATE BILL NO. 1 OF THE 28TH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH, APPROVED JANUARY 31, 1949, UPON THE ESTABLISHMENT OF SUCH COMMISSION AND PROVIDING FOR HIS ADVISORS AND FIXING HIS AND THEIR COMPENSATION; REPEALING SECTION 100-4-2, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS, AND AMENDING SECTION 100-2-8, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO INTERSTATE STREAMS," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 294 was transmitted to the Governor.

March 10, 1949

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. 300*, by Mr. Reese for Committee on Highways, entitled,

"AN ACT AMENDING SECTION 36-6-3 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, AND BY CHAPTER 61, LAWS OF UTAH 1945; AMENDING SECTION 36-6-11, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1943, BY CHAPTER 61, LAWS OF UTAH 1945, AND BY CHAPTER 49, LAWS OF UTAH 1947; AND ENACTING A NEW SECTION 36-6-27, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL OF ALL HIGHWAYS, ROADS, PATHS, OR WAYS NOT SO OTHERWISE DESIGNATED," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 300 was transmitted to the Governor.

March 10, 1949

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. 302*, by Mr. Jenkins, for the Committee on Appropriations and Claims, entitled,

"AN ACT AMENDING CHAPTER 122, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 12, 1948 LAWS, FIRST SPECIAL SESSION, RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM, AND ADDING NEW SECTIONS TO BE KNOWN AS SECTIONS 8 AND 9, RELATING TO A SCHEDULE OF ITEMS OF APPROPRIATIONS AND CREATING AN ADVISORY COMMITTEE TO INVESTIGATE PLANNING AND CONSTRUCTION OF STATE BUILDING PROJECTS BASED UPON NEED," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. B. No. 302 was transmitted to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 28*, by Mrs. Jack, entitled,

"AN ACT AMENDING SECTION 40-1-2, UTAH CODE ANNOTATED 1943, PROHIBITING AND DEFINING PROHIBITED AND VOID MARRIAGES AND PROVIDING EXCEPTION WHEN ONE PARTY TO VOID MARRIAGE ACTING IN GOOD FAITH, BELIEVING FORMER SPOUSE DEAD OF OTHER PARTY OR WITHOUT KNOWLEDGE OF FORMER MARRIAGE OF OTHER PARTY, OR THAT DECREE OF DIVORCE HAS NOT BECOME FINAL, PARTIES SHALL BE DEEMED LEGALLY MARRIED FROM TIME OF REMOVAL OF IMPEDIMENT TO MARRIAGE BY DEATH OR DIVORCE," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 28 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 80*, by Messrs. Marble, Larson and Murch, entitled,

"AN ACT AUTHORIZING THE INDUSTRIAL COMMISSION TO USE UP TO $20,000 OF ITS APPROPRIATED FUND FOR ESTABLISHING AN APPRENTICESHIP COUNCIL AND LOCAL STATE JOINT APPRENTICESHIP COMMITTEES FOR THE PURPOSE OF EFFECTUATING AN APPRENTICE TRAINING PROGRAM IN THE STATE OF UTAH; PROVIDING FOR A DIRECTOR OF APPRENTICESHIP WITHIN INDUSTRIAL COMMISSION OF UTAH; PRESCRIBING A PROCEDURE FOR THE DETERMINATION OF APPRENTICESHIP AGREEMENT CONTROVERSIES; REQUIRING REPORTS TO THE INDUSTRIAL COMMISSION OF UTAH TO BE MADE PUBLIC," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 80 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 102*, by Committee on Municipal and County Affiairs, entitled,

"AN ACT AMENDING SECTION 25-11-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 39, LAWS OF UTAH 1947, PROVIDING FOR THE NOMINATION OF MAYORS, COMMISSIONERS, AUDITORS AND CITY JUDGES BY DIRECT PRIMARY, METHOD OF ANNOUNCEMENT BY CANDIDATE, PETITION, REQUIREMENTS, AND PUBLICATION OF NOTICE THEREOF, BALLOTS, RETURNS AND CANVASS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 102 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 138*, by Messrs. Johnson, Daly, Jensen, Roberts and Jarman, entitled,

"AN ACT PROVIDING FOR THE PAYMENT OF BOUNTIES ON SKINS OF CERTAIN PREDATORY ANIMALS, A TAX LEVY ON SHEEP AND TURKEYS FOR THE PAYMENT OF BOUNTIES AND PROVIDING ADDITIONAL FUNDS FOR THE PREDATORY ANIMAL CONTROL FUND FOR THE CREATION THEREFROM OF A STATE BOUNTY FUND EMPOWERING STATE BOARD OF AGRICLTURE AND THE STATE PREDATORY ANIMAL CONTROL COMMITTEE TO ENFORCE PROVISIONS OF THIS ACT; ALSO PROVIDING FOR THE CREATION OF CONTROL AREAS AND THE APPOINTMENT OF INSPECTORS AND COUNTY BOARDS TO ASSIST THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THE ACT; FURTHER REQUIRING THE MAKING OF PRESCRIBED CERTIFICATES TO THE COUNTY CLERK; PROVIDING FOR PAYMENT AND HANDLING OF CLAIMS THROUGH THE STATE BOARD OF AGRICULTURE AND THE STATE FINANCE COMMISSION; PROVIDING FURTHER FOR THE MAINTENANCE OF RECORDS AND GIVING NOTICE OF SHIPMENT OF SKINS BY CARRIERS THEREOF; PROHIBITING STATE

OR COUNTY AUDITORS FROM REMOVING RECORDS PROVIDED FOR IN THIS ACT EXCEPT AS HEREIN PROVIDED; MAKING IT A MISDEMEANOR TO SUSTAIN ANIMALS REFERRED TO IN THIS ACT FOR PURPOSE OF RECEIVING BOUNTY; MAKING IT A FELONY TO FRAUDULENTLY OBTAIN OR AID IN OBTAINING BOUNTY; AND PROVIDING PENALTIES; AND REPEALING CHAPTER 6, LAWS OF UTAH 1943, CHAPTER 7, LAWS OF UTAH 1945, CHAPTERS 3 AND 4, LAWS OF UTAH 1947, AND TITLE 3, CHAPTER 4, UTAH CODE ANNOTATED 1943, AND SUPERCEDING ALL OTHER ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 138 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 161*, by Mrs. Mitchell, Messrs. Openshaw, Aldous and Walker, entitled,

"AN ACT AMENDING SECTION 80-9-5 UTAH CODE ANNOTATED 1943, AS AMENDED BY LAWS OF UTAH 1945, CHAPTER 109, REQUIRING THE BOARD OF COUNTY COMMISSIONERS TO MAKE TAX LEVIES, FIXING TIME AND MAXIMUM THEREFOR," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 161 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 163*, by Messrs. Aldous, Openshaw, Mrs. Mitchell, Messrs. Walker and Davis, entitled,

"AN ACT AMENDING SECTION 72-0-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR EXPENSES INCURRED IN THE EQUIPMENT, OPERATION AND MAINTENANCE OF RECREATIONAL FACILITIES IN CITIES, TOWNS, COUNTIES OR SCHOOL DISTRICTS AND RAISING MONEY TO PAY FOR SAME AND LIMITING THE AMOUNT TO BE COLLECTED," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 163 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 167*, by Messrs. Kerr, Murch, Munk, Luke, Jarman, Crofts, Nielsen and W. W. Young, entitled,

"AN ACT RELATING TO THE PRACTICE OF ARTIFICIAL INSEMENATION OF DOMESTIC ANIMALS PROVIDING FOR THE REGULATION, LICENSING AND CONTROL THEREOF; DEFINING ARTIFICIAL INSEMINATION; REQUIRING A LICENSE TO PRACTICE AND DEFINING THE QUALIFICATONS FOR THE APPLICANTS; DEFINING THE POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE IN THE ADMINISTRATION OF THIS ACT; PROVIDING PROCEDURE FOR MAKING APPLICATION AND TAKING EXAMINATIONS; PROVIDING FOR FEES; PROVIDING FOR REFUSAL, REVOCATION OR SUSPENSION OF LICENSES AND THE GROUNDS AND PROCEDURE THEREFOR; PROVIDING FOR ISSUANCE, RENEWAL AND REINSTATEMENT OF LICENSES; REQUIRING THE STATE BOARD OF AGRICULTURE TO KEEP A REGISTER OF APPLICANTS AND LICENSEES; REQUIRING LICENSEES TO KEEP RECORDS; PROVIDING FOR INSPECTION OF RECORDS BY THE BOARD OF AGRICULTURE; PRESCRIBING THE VIOLATIONS AND PENALTIES," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 167 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 174*, by Messrs. Patterson and Hurst, entitled,

"AN ACT AMENDING SECTIONS 30-0-32 AND 30-0-34, UTAH CODE ANNOTATED 1943, PROVIDING FOR UNLIMITED FISHING BY ANGLING AND SET LINE FOR CERTAIN FISH IN CERTAIN WATERS, AND FIXING HOURS OF FISHING AND LIMIT OF CATCH, AND DEFINING TERMS USED HEREIN," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 174 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 179*, by Messrs. Lyman and Jarman, entitled,

"AN ACT AMENDING SECTION 80-5-57, UTAH CODE ANNOTATED 1943, RELATING TO THE IMPOSITION OF A NET ANNUAL PROCEEDS TAX AND SETTING FORTH THE MANNER OF ARRIVING AT THE TAX LIBILITY," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 179 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 209*, by Mrs. Cullimore, entitled,

"AN ACT EMPOWERING CITIES AND SCHOOL DISTRICTS TO CONTRACT AND COOPERATE WITH ONE ANOTHER," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 209 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 234*, by Messrs. Openshaw and Woolley, entitled,

"AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO MOTOR FUELS AND DEFINING TERMS USED IN THE ACT," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 234 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 247*, by Messrs. Bonacci and Olson, entitled,

"AN ACT AMENDING SECTIONS 55-2-5, 55-2-8, 55-2-15, AND 55-2-16, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTED 83, LAWS OF UTAH 1945, AND SECTION 55-2-11, UTAH CODE ANNOTATED 1943, RELATING TO COAL AND HYDRO-CARBON MINES AND MORE PARTICULARLY TO THE VENTILATION THEREOF, TO THE GENERAL RULES FOR OPERATORS AND EMPLOYEES, TO THE UNDERGROUND STORAGE AND USE OF

OILS AND GREASES, TO THE CERTIFICATION OF MINE FOREMAN, FIREBOSSES AND SHOTFIRERS, TO THE SUBSTITUTION OF COMPETENCY CERTIFICATES IN CERTAIN INSTANCES," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 247 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 257*, by Mrs. Cazier, Messrs. Hinton, W. W. Young, Jensen and Patterson, entitled,

"AN ACT AMENDING SECTION 2, CHAPTER 41, LAWS OF UTAH 1947, PROVIDING FOR THE DETERMINATION AND PAYMENT OF DAMAGES CAUSED BY BIG GAME ANIMALS AND GAME BIRDS, AND AMENDING SECTION 30-0-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO FISH AND GAME, RESIDENT LICENSES TO FISH AND HUNT, FEES, SPECIAL PERMITS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 257 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 283*, by Messrs. Openshaw and Aldous, entitled,

"AN ACT AMENDING SECTION 6, CHAPTER 23A, LAWS OF UTAH 1947, FIXING THE LIMIT OF A LEVY ON REAL AND

PERSONAL PROPERTY TO ONE-HALF MILL TO DEFRAY COSTS OF FLOOD CONTROL PROJECTS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 283 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 293*, by Appropriations Committee, entitled,

"AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1949, AND ENDING JUNE 30, 1951, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 293 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 296*, by Mr. Stewart, entitled,

"AN ACT APPROPRIATING $25,000.00 TO THE UTAH DEPARTMENT OF VETERANS' AFFAIRS," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 296 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 297*, by Mrs. Jack, Messrs. Elswood, Baker, Dean, Bell, Bonacci, Cope, Walker, Doty, Ingleby and Marble, entitled,

"AN ACT AMENDING SECTIONS 2, 21, AND 30, CHAPTER 89, LAWS OF UTAH 1947, RELATING TO PUBLIC ASSISTANCE, PROVIDING FOR THE SUSPENSION OF ASSISTANCE WHEN PROPERTY IS TRANSFERRED AND FOR EXCEPTIONS, DEFINING FRAUD AS A MISDEMEANOR AND AUTHORIZING THE WELFARE DEPARTMENT TO RECOVER ASSISTANCE FRAUDULENTLY OBTAINED, PROVIDING FOR INVESTIGATION OF FAILURE TO SUPPORT APPLICANTS AND RECIPIENTS OF ASSISTANCE, ESTABLISHING PROCEDURE TO REQUIRE COMPLIANCE WITH PROVISIONS OF PUBLIC ASSISTANCE ACT OF 1947, ASCRIBING DUTIES TO DISTRICT ATTORNEY AND COUNTY ATTORNEY," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 297 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 299*, by Maurice Anderson, entitled,

"AN ACT APPROPRIATING $16,000 TO THE SECRETARY OF STATE FOR THE PURPOSE OF DEFRAYING THE COST OF PUBLISHING PROPOSED CONSTITUTIONAL AMENDMENTS AS PASSED BY THE 28TH SESSION OF THE LEGISLATURE," and the same is transmitted herewith for the signature of the President.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

H. B. No. 299 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 10, 1949

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. 11*, by Messrs. Day, Jenkins and McShane, entitled,

"A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF STATE RETIREMENT PLANS AND PENSIONS," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 11 was transmitted to the Secretary of State.

March 10, 1949

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. 12*, by Messrs. McShane, Orser and Day, entitled,

"A JOINT RESOLUTION PROVIDING FOR A STUDY OF THE EFFECTS OF HEAVY VEHICLE TRAFFIC UPON THE UTAH HIGHWAYS AND THE ADEQUACY OF TAXES AND FEES LEVIED UPON SUCH VEHICLES", and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 12 was transmitted to the Secretary of State.

March 10, 1949

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. 15*, by Messrs. Knight and Marthakis, entitled,

"A RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH, AUTHORIZING THE STATE MILITIA, STATE ARMORY BOARD AND THE STATE GUARD TO COOPERATE WITH THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, DE-

PARTMENT OF UTAH, IN THE ORGANIZATION AND OPERATION OF THE "V.F.W. EMERGENCY SERVICE CORPS", and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 15 was transmitted to the Secretary of State.

March 10, 1949

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. 16*, by Messrs. Day, Knight, Brockbank and Elggren, entitled,

"A RESOLUTION EXPRESSING APPRECIATION TO JUNIOR RESERVE OFFICER TRAINING CORPS UNITS OF THE STATE HIGH SCHOOLS FOR THEIR PARTICIPATION IN FUNERAL AND MEMORIAL SERVICES FOR VETERANS OF THE WARS," and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. J. R. No. 16 was transmitted to the Secretary of State.

March 10, 1949

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. R. No. 1*, by Messrs. McShane and Knight, entitled,

"A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE FEDERALIZATION OF THE NATIONAL GUARD OF THE UNITED STATES AND THE NATIONAL GUARD OF THE SEVERAL STATES, TERRITORIES AND THE DISTRICT OF COLUMBIA IN WHOLE OR IN PART," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

S. C. R. No. 1 was transmitted to the Governor.

March 10, 1949

Mr. President:

I am directed to inform your Honorable Body that on motion of the Chairman of the House Sifting Committee, the House ordered that the enacting clause be stricken from the following Senate Bills and Resolution, which are returned herewith for your files:

S. B. No. 20, S. B. No. 38, S. B. No. 39, S. B. No. 40, S. B. No. 41, S. B. No. 42, S. B. No. 43, S. B. No. 45, S. B. No. 46, S. B. No. 119, S. B. No. 123, S. B. No. 135, S. B. No. 149, S. B. No. 177, S. B. No. 194, S. B. No. 209, S. B. No. 216, S. B. No. 301, S. J. R. No. 20, S. B. No. 295.

Respectfully,

DAVID R. TREVITHICK,
Chief Clerk.

Communication filed.

The above bills and resolution filed.

On motion of Senator McShane, the Senate struck the enacting clause of all Senate and House bills in its possession that have not been finally acted upon.

Accordingly, the enacting clause was struck on the following:

S. B. Nos. 5, 6, 7, 14, 17, 19, 21, 24, 25, 26, 27, 29, 31, 35, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 66, 72, 76, 77, 78, 79, 80, 81, 82, 83, 84, 86, 88, 89, 90, 91, 92, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 114, 115, 117, 118, 120, 122, 125, 126, 128, 129, 130, 131, 132, 136, 137, 138, 140, 141, 142, 143, 145, 148, 152, 153, 154, 155, 156, 157, 158, 160, 162, 163, 164, 167, 168, 169, 171 172, 173, 174, 175, 176, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 195, 197, 198, 199, 201, 202, 203, 204, 205, 206, 207, 208, 210, 211, 213, 215, 217, 218, 220, 222, 224, 225, 227, 228, 230, 231, 232, 233, 234, 235, 236, 237, 238, 240, 241, 242, 243, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 264, 266, 267, 268, 269, 271, 272, 273, 274, 276, 277, 278, 279, 280, 281, 285, 286, 287, 290, 291, 292, 297, 298, 299.

S. C. M. No. 2.

S. R. Nos. 1, 2, 6, 7.

S. J. R. Nos. 5, 6, 7, 9, 10, 17, 18, 19, 21, 23, 24, 25, 26.

and on: H. B. Nos. 13, 17, 18, 22, 23, 35, 53, 77, 82, 88, 106, 107, 112, 113, 116, 127, 139, 147, 150, 155, 164, 165, 201, 207, 237, 241, 249, 270, 286, 294.

H. J. R. No. 13.

The above House Bills and House Joint Resolution were returned to the House.

On motion of Senator Marthakis, the President appointed Senators Jensen, Jones and Jolley 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, Representatives Jack, Cazier and Kerr, notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Jensen, for the Special Committee, reported that the House and the Governor had been notified, and brought the following message from his Excellency:

March 10, 1949

The Honorable Alonzo F. Hopkin, President and
Members of the Utah State Senate.

Gentlemen:

On this the sixtieth day of the Twenty-eighth Utah Legislative Session, it is my honor to inform you that I have no further business to present to your honorable body prior to adjournment.

Each of you has served faithfully in the duties entrusted to you by the people of this great state, and it is with the deepest sincerity that I express to each of you my appreciation for your conscientious work. I am deeply grateful to you for the support given to my many requests. Although my recommended program was not adhered to as closely as I would have liked it to have been, in no way do I hold any of your responsible for it's failure. It is natural that we should differ on some problems, and while some of you may have disagreed, I feel that you acted in accordance with your belief.

Upon your adjournment, it will become my duty to administer the laws of this state in accordance with the oath that I have heretofore taken. This I shall do faithfully and to the best of my ability. I shall continue to adminster my office with fairness to all regardless of the beliefs or political faith of any individual, and I extend to each of you a welcome to my office at any time, and I shall welcome your individual counsel in any and all matters that pertain to the welfare of our state.

With my sincere appreciation to each of you, I am your servant.

J. BRACKEN LEE,
Governor.

Communication filed.

On motion of Senator Marthakis, the Twenty-eighth Session of the Utah State Senate adjourned sine die.

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GENERAL INDEX

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SENATORS AND COMMITTEES ON WHICH THEY SERVE

	Agriculture and Irrigation	Appropriations and Claims	Banking and Commerce	Education	Fish and Game	Health and Labor	Highways	Judiciary	Military Affairs	Mining and Smelting	Public Institutions	Revenue and Taxation	Revision and Enrolling	Rules and Contingent Expenses	State and Municipal Affairs	Welfare
Brockbank			+	C							+	+		+		+
Burns	+						+		+	C	+		+			
Clegg		+	+			+		+								+
Day				+	C			+		+		+				
Eiggren		+	+	+							C					+
Fowles			C				+	+				+		C		+
Gibbons	+	+	+		+							+				
Gibson		+				+		C		+		+				
Jenkins		+		+							+	C	+			
Jensen		+			+	+		+								+
Jolley		+		+							+		C			
Jones	+									+		+		+	+	
Knight					+	+			C		+				+	
Larsen	+		+				+		+	+					+	
Lund	+			+	+											+
Marsden		+	+				+						+			
Marthakis				+		C		+	+	+			+		+	
McShane							+				+	+				C
Melich		+				+		+				+			C	
Milliman		C				+				+					+	
Orser	C				+		+		+			+				
Reese	+	+			+		C								+	

C Chairman of Committee + Committee Member

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SENATE BILLS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	Hopkin-Melich—Ratify Colorado River compact	44	69	83	111	111	112	113		156	172	241	
2	Clegg—Drafting Bills for a Consideration	48	79	206	618	618	618	671		678	699		March 12
3	Clegg—Welfare Lien Property Tax Exempt	48	79	121	148	239							174; 190; 210; 238 239 failed
4	Clegg, et al.—Repeal Excise Tax; Oleomargarine	48	79	122	174	190	238	363					210; 220X; 363 failed
5	Clegg—Adult Children's Parental Responsibility	48	99										99 rewrite
	(Rewritten)	124	157	283									792F
6	Clegg—Sale of Liquor; Local Option	49	99	234									792F
7	Clegg—Private Locker; Liquor	49	70	206									792F
8	Clegg—Reorganization P. I. D.	49	330										330 rewrite
	(Rewritten)	340	417	495									642F
9	Fowles, et al.—Non-partisan Selection Judiciary	49	99										99 rewrite
	(Rewritten)	124	157	233	512	537	538	692	692	731	757		517; O, March 18
10	Melich—Maximum County Indigent Fund Levy	50	70	121	148	189	190	347		367	377	483	Not signed; 174
11	Melich—Juror Fees	50	70	164	240	323	324	348		367	378	655	
12	Jolley-Milliman—Classification; Cities of Second Class	50	88										88 rewrite
	(Rewritten)	106	141	208	598	599	599	656		678	699		March 12
13	Jolley, et al.—Judges; Fourth Judicial District	50	88										88 rewrite
	(Rewritten)	106	142	201	511	511	511	585	686	715	758		March 11; 596; 683
14	Day-Fowles—Big Game Board	50	88	182									792F
15	Brockbank, et al.—State Fire Marshal	51	89	169	443	462							395X; 462 failed
16	Brockbank-Clegg—Library Employees Pension	51	89										89 rewrite
	(Rewritten)	183	196	269									373F
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
17	Brockbank—County Improvement Districts	51	142	219									792F
18	Day, et al.—Acceptance Gifts to State	52	89	166	252	370	370	416	540	554	564	607	O; 252; 436; 540
19	Day-Fowles—Destructive Birds; Crows	52	89	203									792F
20	Day-Brockbank—Simultaneous Death; Distribution Estate	52	90	166	391	391	391						792F
21	Day-Brockbank—Ancillary Administration Estate	52	90	200									792F
22	Day-Fowles—Fishing and Hunting by Aliens	52	90	171	396								397F
23	Elggren—Utilities' Unclaimed Deposits	52	91	169	394								394 failed
24	Knight-Jolley—Vocational School Buildings; Appropriation	53	91	170 205	532								477; 511; 538; 702; 792F
25	Day- Fowles—Fish and Game Department; Roads	53	91	261									792F
26	Day-Fowles—Fish and Game Dept.; Civil Service	53	176	261									792F
27	Day- Fowles—Cats; Legal Killing	53	92	204									792F
28	Jolley-Knight—Fire Depts. Outside Corporate Limits	53	92	169	395	453	455	593		629	645		March 11; 453X
29	Day-Fowles—Aliens; Permit Firearms; Hunting	53	116	171									792F
30	Melich- Fowles—State Board on Alcoholism	54	100	167	188	210	211	364		368	378	466	174X
31	Fowles, et al.—Weber College; Upper Division; Approp.	54	80	171-206									792F
32	Fowles, et al.—Name Change Weber College	54	80	123	176								176 withdrawn
33	Day-Fowles—Special Deer Permit	54	80	120									147; 174F
34	Day-Fowles—Special Big Game Permit	54	80	120	147								147 failed
35	Fowles-Jolley—County Levy; Fire Departments (Rewritten)	55 145	116 196	 267									116 rewrite 792F
36	Fowles—Household Furnishings Tax Exempt	55	71	122	174								174 withdrawn
37	Day, et al.—Traffic Safety Code	55	116	269	575	597	597	722	723	755	773		March 19; 188; 253; 566; 570X
38	Clegg-Brockbank—Reorganization State Welfare Commission	56	197	247	620	620	620						792F
39	Clegg-Brockbank—Industrial School Supervision	56	177	246	621	621	621						792F
40	Clegg-Brockbank—Abolish Welfare Advisory Council	56	215	246	621	621	621						792F
41	Clegg-Brockbank—Acceptance Gifts by Welfare Board	57	81	121	621	621	622						148; 240; 251; 302; 391; 792F
42	Clegg-Brockbank—State Training School; Supervision (Rewritten)	57 236	216 243	 279	 622	 622	 622						216 rewrite 792F
43	Clegg-Brockbank—Juvenile Courts; Supervision	57	216	247	622	622	623						792F

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur.; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
44	Clegg-Brockbank—Alcoholism Education; Supervision	57	81	121									148; 240; 251; 302; 390F
45	Clegg-Brockbank—Utah State Hospital; Supervision	57	216	246	623	623	623						792F
46	Clegg-Brockbank—Tuberculosis Sanitorium; Supervision	58	217	247	623	623	623						792F
47	Marthakis, et al.—Canvas by Registration Agents	59	82	166	252								252; 302; failed p. 302
48	Jenkins—Watershed South Ogden	60											149 withdrawn
49	Knight, et al.—Minimum Wages, Maximum Hours	60	116	337									238; 792F
50	Day-Jolley—Prostitution	60	82	120	239	323							148; 323 failed
51	Day-Bailey—Optometry ;Definition	61	82	335									792F
52	Day-Bailey—Optometry; License Suspension	61	82	335									792F
53	Day-Bailey—Optometry;Practice Qualifications	61	92	335									792F
54	Day-Bailey—Optometry;Fee Schedule	61	93	336									792F
55	Day-Bailey—Optometry; Advertising	61	100	336									792F
56	Day-Bailey—Optometry; Ophthalmic Lens Making	61	100	336									792F
57	Day-Bailey—Optometry; Discrimination	61	101	336									792F
58	Day-Bailey—Optometry; Reciprocal Licences	61	93	337									792F
59	Day-Fowles—Fishing License; Non-resident	62	93	204									792F
60	Day-Fowles—Fish and Game; Violation Tickets	62	101	204									792F
61	Day-Fowles—Elk Permits; Time Limit	62	94	204									371F
62	Day-Fowles—Deer License; Non-resident Fee	62	94	262									792F
63	Day-Fowles—Visable License; Badge	62	94	205									792F
64	Day-Fowles—Fatal Hunting Accidents; Investigation	62	101	283									792F
65	Day-Fowles—22-caliber Rifles	62	101	260	271	370	371	416					260X; 271X; 287; 416 failed
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
66	Day-Fowles—Game Animals; Rabbits, Buffalo, Bear	63	102	260									792F
67	Day—Judgment Book Entries	63	102	167	391	391	392	416		426	443	656	
68	Knight—Work week; Public Projects	63	102	202									372F
69	Knight—Work Day; Public Works, Penal Institutions	63	103	202									409F
70	Melich—Centennial Commission Property Disposal	63	103	169									372F
71	Melich—Women on Grand Juries	63	103	167	392	392	392	417		426	443	656	
72	Melich—Health Commissioner; Salary	63	103	168									394; 792F
73	Melich-Day—Indigent Persons; Counsel	64	104	167									289F
74	Melich-Day—Indigent Criminals; Appeal Counsel	64	104	168									289F
75	Melich—Dental Hygienists	64	104	168	435	453	464	584		629	645		March 17; 394X; 453X
76	Knight—Unfair Practices; Services	64	104	243									792F
77	Jolley-Day—Government Institutions; Special Assessments	64	105	280									792F
78	Day-Fowles—Uniform Divorce Act	72	142	201	624								637; 653; 681; 735; 792F
79	Day-Fowles—Uniform Foreign Judgment Act	72	255	337	624								624T; 735; 792F
80	Clegg-Gibson—City Judges; Law Practice	72	142	201									792F
81	Marthakis—Sales Tax; Foods	73	143	405									792F
82	Brockbank, et al.—State Board of Education; Election	73	178	281									792F
83	Melich—Corporation Charter Revival	73	143	202									792F
84	Day-Fowles—Tortfeasors	73	143	200									624T; 735; 792F
85	Melich, et al.—"B" and "C" Road Fund	73	117	170	395	395	395	504		515	523	571	
86	Day, et al.—Contractors' Registration	73	276										276 rewrite
	(Rewritten)	285	330	422									792F
87	Day, et al.—Mechanics' Lien	74	157	243									347F
88	Gibson—Carbon College Shower Building	74	158	297									307; 702; 792F
89	Gibson—Carbon College Gymnasium; Appropriation	74	158	298									308; 702; 792F
90	Jolley-Jenkins—County Planning; Tax	74	158	263									792F
91	Gibbons, et al.—Gas Tax Exemption; Off-Highway Use	74	117	220									792F
92	Marthakis, et al.—Workers' Absence for Voting	75	159	243									792F
93	Elggren, et al.—Physical Examinations; Paid by Employers	75	159										288F
94	Bailey, et al.—Electrical Inspector	75	294	319									792F
95	Day, et al.—State Building Board; Reorganization	76	105	268									792F
96	Day, et al.—State Aeronautics Commission; Reorganization	76	117	268									792F

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
97	Day, et al.—State Engineering Commission; Reorganization	76	118	282									792F
98	Day, et al.—State Road Commission; Reorganization	76	118	282									792F
99	Fowles—Water Filings; Lapses	76	105	280									792F
100	Elggren, et al.—Race; Religion Discrimination	77	118	183									792F
101	Jenkins-Fowles—Utah School Deaf and Blind Bldg. Approp.	83	118	298									308; 702; 792F
102	Knight, et al.—Industrial Compensation	84	119	202									792F
103	Gibson, et al.—Occupational Disease Benefits	84	119	203									792F
104	Day—Widow's Distributive Share	84	119	200									792F
105	Day-Burns—Liquor Store Withdrawal	85	119	207									792F
106	Melich—State Elective Officers; Salaries	85	143	208									792F
107	Melich—District Judges; Salaries	85	144	208									792F
108	Melich—Supreme Court Justices—Salaries	85	144	207									792F
109	Elggren, et al.—Teachers' Retirement Age	85	120	171	396	453	453	758		771	779		March 14
110	Melich—State Commission Member; Salaries	85	178	266									792F
111	Brockbank-Day—Contractors' License	86	276										276 rewrite
	(Rewritten)	284	330	422									792F
112	Fowles—Demand Items; Dishonor	86	144	205									456F
113	Fowles—Bank Examinations	86	144	205									456F
114	Melich—Grand Jury; Time Stipulation	86	145	200									792F
115	Day-Brockbank—Practical Nurses; License	106	159	235									792F
116	Day, et al.—Motor Vehicle Dealers' License; Bonds	106	159	267	538	556	556	656	656	679	699		March 12
117	Fowles, et al.—Insurance Code; Administration	107	179	249									792F
118	Fowles, et al.—Insurance Dept.; Transfer	107	160	249									792F
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
119	Fowles, et al.—Insurance Commissioner	107	160	247	562	567	568						792F
120	Fowles, et al.—Insurance Commissioner; Removal for Cause	107	160	248									792F
121	Larsen-Elggren—Non-partisan Ballot; Judges	107											531; 668F
122	Fowles, et al.—Insurance Commissioner; Hearings	108	161	248									792F
123	Fowles, et al.—Insurance Commissioner; Employees	108	179	248	561	567	567						792F
124	Brockbank—State Center for Blind; Property Sale	108	161	300	637	638	638	705	705	732	758		March 14; 637; 638
125	Elggren, et al.—Employment Discrimination	108	228	279									792F
126	Fowles, et al.—Insurance Commissioner; Stay of Action	108	161	248									792F
127	Brockbank, et al.—County Agreements; Oil and Gas	109	162	220	600	600	600	672	672	701	726		March 14
128	Brockbank, et al.—Cooperative Development; Oil and Gas	109	162	203									792F
129	Brockbank, et al.—Mineral Leases; Limit Provision	109	162	203									792F
130	Knight—Water Districts Creation	109	179	306									792F
131	Knight, et al.—Reapportionment Act	109	163	234									792F
132	Marthakis, et al.—State Prison; Property Transfer	110	218	266									792F
133	Gibson, et al.—Child Adoption; Parents' Consent	110	180	246	599	599	599	683					696; 739 failed
134	Milliman, et al.—Emergency Salaries	110	276	357	618	619	619	684	684	701	737		March 14
135	Lund-Milliman—Basic Sciences; Licenses	110	163	235	606	637	638						616; 637; 792F
136	Jolley-Brockbank—Child Labor; Injury	110	218	244									792F
137	Melich—Workmen Compensation; Occupational Disease	111	180	235									792F
138	Melich—Highway Contractors; Questionaire	111	163	282									792F
139	Melich—Geological, Mineralogical Survey; Transfer	111	163	279	641	641	641	754	754	771	775		March 14; 308
140	Day, et al.—Interstate Cooperation; Requirements	124	180	267									792F
141	Marthakis-Fowles—Institutions of Higher Learning; Fees (Rewritten)	125 284	277 316	 384									277 rewrite 792F
142	Knigtht, et al.—Housing Projects	125	181	245									538; 792F
143	Brockbank, et al.—Death Certificates; Veterans; Transmittal	126	164	245	477								511; 532; 538; 616; 653; 681; 735; 792F
144	Brockbank, et al.—Absentee Ballots; Disabled Veterans	126	219	262	477	508	509	593 636	636 658	702	726		March 16; 485; 608
145	Knight, et al.—Contractors' Performance Bond	126	181	268									792F
146	Marthakis, et al.—Absentee Registration; Disabled Citizens (Rewritten)	126 285	277 316	 383	477	509	509	593	716	741	775		277 rewrite March 16; 485; 608

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur.; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
147	Knight, et al.—Veteran's Unmarried Widow; Education	126	255	299	480	509	522	706		732	759		March 14; 485; 510X; 522
148	Gibbons-Jones—Motor Fuel Reserve Fund	127	181	282									792F
149	Marsden-Melich—Income Tax Returns; Notarization	127	182	333	642	642	643						792F
150	Melich-Elggren—Income Tax Credit; Paid to Other State	127	182	405	563	596	596	706	706	735	759		570; O, March 19
151	Melich—University of Utah Police	127	182	244	566	567	567	707		751	776		March 14
152	Clegg, et al.—Legislators Holding Other Positions	127	164	244									792F
153	Jolley, et al.—Consumer Co-ops	146	198	263									792F
154	Day, et al.—U. of U. President; Ex-officio Board of Regents	146	198	281									792F
155	Larsen—Homestead Exemptions	146	219	334									792F
156	Fowles-Jenkins—Industrial School Sewer; Appropriation	146	228	298									308; 702; 792F
157	Fowles-Orser—Regulation Slaughter Houses	146	229	306									330; 332; 353; 792F
158	Brockbank, et al.—State Retire. Syst.; Employees Sub-div.	146	229	384									792F
159	Marthakis-Knight—Storm Distress; Livestock, etc.; Approp.	147											209F
•160	Elggren-Brockbank—Destroy Records; State Land Board	172	198	280									792F
161	Melich—State Athletic Commission	172	256	355	576	597	597						580; 597 failed
162	Jones, et al.—Change Publication Law	173	198	281									792F
163	Gibson-Fowles—City Judges; Increase Salaries	173	199	267									792F
164	Knight—Occupation Tax; Cities	173	199	334									792F
165	Melich—Dams; Plans and Drawings	173	199	280	606	606	606	707		742	776		March 14
166	Clegg—Property Tax Exemption; Welfare Grants	184	199										239F
167	Brockbank—Pioneer Memorial Building; Appropriation	184	229	298									309; 702; 792F
168	Jolley, et al.—Utah State Hospital	184	256	299									792F
169	Knight—Pre-marital Tests	184	229	279									792F
	1 2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
170	Agriculture Committee—Livestock Relief; Appropriation	185			185	185	185	185		186	187	192	
171	Knight-Burns—Sanitarium Regulation	187	277	334									792F
172	Day-Milliman—Completion Utah State Prison; Approp.	187	230	299									307; 702; 792F
173	Day-Brockbank—Practice Architecture	188	230	383									792F
174	Day-Brockbank—Architects' Qualifications; Fee	188	230	383									792F
175	Day-Brockbank—Public Buildings; Construction	188	231	382									792F
176	Elggren, et al.—Civil Service; State Employees	209	277										277 rewrite
	(Rewritten)	285	305	355									792F
177	Reese, et al—Pari-mutuel	209	257	356	532	533	533						792F
178	Fowles—Center for Blind; Ogden	209	231	299									309; 702; 792F
179	McShane—State Board on Alcoholism	209	231										538; 792F
180	Brockbank—Assistance Grants to Hospitals	221	257	335									792F
181	Marthakis, et al.—Super Highway; Ogden to Provo	221	232	283									792F
182	Knight—City Sales Tax	221	232	357									792F
183	Knight—Sales Tax Rate Increase	221	257	334									792F
184	Knight—City and County Capital Improvement Fund	221	232	355									792F
185	Knight—Division Sales Tax; Allocation	221	233	356									792F
186	Knight—Use Tax Rate Increase	222	258	333									792F
187	Knight—Division Use Tax; Allocation	222	258	333									792F
188	Fowles, et al.—Board Real Estate Examiners; Sec. Comm.	236	258	339									792F
189	Com. on State and Municipal Affairs—City-County Retire. Syst	236	259	357									792F
190	Melich-Gibson—Support Illegitimate Children	237	259	337									792F
191	Melich-Gibson—Compromise Support Illegitimate Children	237	259	338									792F
192	Melich-Gibson—Probation Conditions	237	259	338									792F
193	Marthakis, et al.—Lights on Railway Motor Cars	250	278	357									792F
194	Hopkin, et al.—Revision Utah Codes	250	278	332	688	688	688						353; 792F
195	Day—Sheep Shearing	250	278	385									792F
196	Marthakis, et al.—Eligibility Members Legislature	269	295	338									668F
197	Marsden—Library; Audit.; Branch Agr. College; Approp.	270	295	382									412; 702; 792F
198	Marsden—Gym-Auditorium; Dixie College; Appropriation	270	295	383									702; 792F
199	Knight—Liquor Sales to Minors	270	296	338									792F
200	McShane—Restrictions Unemployment Compensation	270	296	339									347X; 387X; 394; 398F

* — Senate Bill, appropriating $100,000 for livestock emergency, (No. 160) was introduced and withdrawn on January 24 (15th day), leaving this No. (160) for future use.

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
201	Elggren—Gas and Oil Leases, State Lands	270	296	352									792F
202	Elggren—Exemption Sale Eyeglasses on Prescription	271	296	387									792F
203	Day-Milliman—Publication Auto Registrations Repeal	284	297	333									792F
204	Day-Milliman—Motor Vehicle License Plates Issuance	284	297	356									792F
205	Knight, et al.—Self Insurance; State	284	297	319									792F
206	Marthakis-Jenkins—Teachers' Retirement; Withdrawals	285	331	422									792F
207	Marthakis-Jenkins—Teachers' Retirement; Transfers	286	331	384									792F
208	Jones—Bill Introduction Fee	286	306	354									792F
209	Gibbons-Jolley—Control Brucellosis	286	316	385	640	640	640						792F
210	Jolley—Central Utah Vocational School; Appropriation	286	316	352									702; 792F
211	Knight—Apprentice Training; Appropriation	286	331	422									792F
212	Fowles, et al.—Utah Symphony Orchestra; Appropriation	286			313	313	313	325		351	364	372	Without approval; 286X; 373X; 394X; 413 failed
213	Jenkins—Board of Agriculture; Inspection Department	300	317	386									792F
214	Knight-Marthakis—Salt Lake Vocational School Approp.	301	317	382									412; 476; 511; 532F
215	Day—Divorce Cases; Investigation by Welfare Department	301	317	405									792F
216	McShane—Money Transfer to Welfare Department	301			312	343	344						792F
217	Marsden, et al.—Proceeds Tax; Iron Ore	309	317	406									792F
218	Marsden, et al.—Mine Occupation Tax	309	318	406									792F
219	Day, et al.—Bar Admission Examination	309	318	423	643	643	643	658		679	700		O, March 12
220	Day—Sheep Shearing Pay Rates	310	318	386									792F
221	Day, et al.—Registered Nurses; Reinstatement	310	331	387	620	620	620	708		743	776		March 14
222	Jolley—Cities; School Districts Cooperation	310	318	423									792F
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
223	Elggren, et al.—State Historical Society; State Documents	310	319	605	605	606	606	708		742	777		O, March 19
224	Jolley—Delinquent Minors	311	319	406									792F
225	Jolley, et al.—State Industrial School	321	352	384									792F
226	Brockbank—Department of Agriculture; Reorganization	321	560										560 withdrawn
227	Day—Occupational Disease Insurance	321	352										352 rewrite
	(Rewritten)	359	426	496									792F
228	Melich—Disqualification Public Officers	322	332	423									792F
229	Gibbons, et al.—Colored Oleomargarine	339											347F; 362
230	Day—Insanity Cases; (Correction)	340	412	561									792F
231	Day—Mediation Service	340	412	496									792F
232	Day—Insurer Liability	340	417	496									792F
233	Day—Branch Banking Restrictions	340	418	496									538; 792F
234	Jolley, et al.—State Training School Board	340	427										427 rewrite
	(Rewritten)	433	468	554									792F
235	Marthakis, et al.—Firemens' Insurance Fund; Contribution	341	418	497									792F
236	Marthakis, et al.—Firemens' Disability Pensions	341	418	497									792F
237	Melich—State Insurance Fund Audit	341	419	497									515; 792F
238	Burns—Deficit Storm Emergency; Appropriation	359	419	473									507; 792F
239	Day, et al.—Gambling Equipment Sale	359	427	497	624	624	624	709	709	733	760		March 14
240	McShane—State Highway Patrol	360	448	473									792F
241	McShane—Motor Vehicle Responsibility; Transfer	360	448	498									792F
242	McShane—Motor Vehicle Licensing; Transfer	360	506	529									792F
243	McShane—State Road Commission Educational Program	360	448	473									792F
244	Hopkin—Deer Season Opening Change	368	449	475	511	512	512	594	594	629	646		March 12
245	Jenkins-Fowles—Teachers' Retirement Association Termin.	388	469	549	637	637	637	710		735	760		March 17
246	Jenkins-Fowles—Teachers' Retirement Income Limit	388	479	549	638	638	638	710		751	778		March 17
247	Gibson—Coal Mine Safety	388	506										792F
248	Gibson-Fowles—Justice Court Jurisdiction	389	449	549									792F
249	Gibson-Fowles—City Court Jurisdiction	389	449	549									792F
250	Larsen-Jones—Charity Solicitations; Financial Reports	389	427	550									792F
251	Orser-Melich—Surplus Welfare Funds	389	427										792F
252	Day—Reward Apprehension Criminals	389	428	550									792F

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
253	Day—Reward Apprehension Criminals	389	428	550									792F
254	Day—Void Marriages	390	469	550									792F
255	Day-Fowles—Utah Highway Planning	390	429	474									792F
256	Knight—Officers, First Class Cities	390	429	498									407; 792F
257	Burns—State Building Board Superintendent	390	429	474									407; 792F
258	Hopkin—Utah Symphony Orchestra; Appropriation	390	430	498									792F
259	Gibson—Live Bait Restriction	407	430	498	599	599	599	711		744	778		March 16
260	Brockbank—Employment of blind	407	430	499	562	596	596	711		733	761		March 17; 570
261	Melich-Gibson—Increase Levy County Hospitals	408	507		624	624	625	712		734	761		Not signed; 618
262	Gibson—Construction - Oper. of Hosp., Cities, Counties Coop.	408	430	499	625	625	625	712		736	761		March 10
263	Gibson—Construction and operation hospitals	408	431	551	625	625	626	712		736	762		March 11
264	Milliman—Mine Occupation Tax Reserve Fund; Transfer	408	431	499									792F
265	Elggren—Income Tax Exemption; Blind or Disabled	409	449		563								564F
266	Day—Candidates' Expense Accounts	432	450	499									792F
267	Marthakis, et al.—Investment State Funds; Utility Bonds	432	450	500									792F
268	Day—Correction Public Utility Act	432	450										792F
269	Day—Industrial Compensation Claims	432	450	500									792F
270	Lund—Snow College Remodeling; Appropriation	432	451	474	512	523	523	549		561	571	591	507; 512X
271	Melich-Marthakis—Oil and Gas Bonuses and Royalties	433	451	500									792F
272	Elggren, et al—Public Utility Districts	433	494										792F
273	Reese-Brockbank—State Building Board	433	451	474									792F
274	Jenkins-Melich—Securities in Escrow	438	469	551									792F
275	Larsen-Orser—Bureau of Indian Affairs' Brand, "ID"	438	470	530	566	566	566	685		700	727		March 14
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
276	McShane, et al.—Voting Hours	~~439~~	~~494~~	551									792F
277	Day—Fish and Game Commission; Reorganization	~~439~~	~~470~~	521									792F
278	Elggren, et al.—Welfare Department; Supplemental Approp.	~~439~~	~~470~~	555									792F
279	Milliman-Day—Industrial Loan Corporations; License	~~439~~	~~470~~	530									792F
280	Milliman—Refund to Barbers' Price and Hour Fund	~~439~~	~~471~~	530									792F
281	Reese—Unemployment Insurance Rates	~~439~~	521	551									792F
282	Knight—"Merci Train"	~~440~~	~~460~~										~~460~~F
283	Lund—Stray Animals	~~440~~	~~471~~	529	627	627	627	713		737	762		March ~~14~~
284	Lund—Pound Keepers	~~440~~	~~471~~	529	627	627	627	713		~~734~~	763		March ~~14~~
285	Lund—County Trial Justice of Peace Courts	~~440~~	~~472~~	552									792F
286	Lund—Poultry Supervisor	~~440~~	~~472~~	521									792F
287	Fowles—Appeals in Non-jury Cases	~~441~~	~~472~~	552									792F
288	Gibson, et al.—Occupational Disease Act Extension	~~441~~	~~452~~	~~460~~	~~485~~	~~485~~	~~485~~	518	519	535	~~544~~	~~634~~	
289	Gibson, et al.—Industrial Compensation Act Extension	~~441~~	~~452~~	~~460~~	~~486~~	~~486~~	~~486~~	519		535	545	635	
290	Melich—Metropolitan Water Districts	~~442~~	~~480~~	530									792F
291	Jolley-Milliman—Sales Tax Rate Increase	~~442~~	~~480~~										792F
292	Marthakis—Liquor Locker Systems	~~442~~	~~473~~	531									792F
293	Reese—State Road System Extension	~~462~~	~~494~~	531	604	616							604; 632F
294	Melich-Orser—Water and Power Board	~~486~~	516	552	653	653	653	685	749	756	779		727; 750; O, March 15
295	Milliman—Appropriations	517			517	674	676						522; 538; 616; 653; 739; 792F
296	Fowles—Transfer Balance 1948 Special Session	537	552		553	553	553	594		630	646		March 11
297	Knight-Marthakis—State Dept., Veterans' Affairs; Approp.	555	569										792F
298	Hopkin—Rich County High School; Appropriation	570	573										792F
299	Day—Utah P.I.D.; Appropriation	603	613										792F
300	Reese—State Road System Extension	631			631	631	631	695	695	752	780		March 14; 703
301	Clegg, et al.—Promotion and Publicity Department	640			641	641	641						792F
302	Jenkins—State Building Fund	667			667	667	668	714	714	752	780		702; O, March 17

SENATE CONCURRENT MEMORIALS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	Knight, et al.—Fact-Finding Com., Kennecott Copper Strike	71			71	71	72	96		114	139	191	
2	Day—Congratulatory to Geneva Steel Company	387	425	494									792F

SENATE JOINT MEMORIALS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	To Secretary of State	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	Knight—Uniform Pension System for Veterans	~~48~~	78	165	252	369	369	~~444~~					~~444~~ failed
2	Knight—Veterans Hospitals Operation	71	115	269	~~484~~								~~484~~ failed

SENATE RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time			Signed by President		To Secretary of State	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	Clegg—Repeal War Powers Acts	46	67	244								792F
2	Clegg-Knight—Repeal Rent Control	46	67	206								792F
3	Clegg—Federal Rent Control	47	78	165	251	324			329		329	
4	Clegg—National Health Act	47	67	165	302	371			381		381	252
5	Clegg—Federal Education Aid	47	68	170	434							251; 395X; 434 failed
6	Clegg—Social Security Act	47	68	122								174; 239; 251; 301; 395; 792F
7	Clegg—Private Construction Housing	47	68	165								252; 301; 395; 792F
8	Com. on Condolences—To the Family of George R. Jones	249			249	249			254		254	
9	Com. on Condolences—To the Family of Benjamin Matkin	250			250	250			254		254	
10	All Senators—Tribute to William Allison	461	479	495	512	513			534		535	495X
11	Knight—"Merci Train"	461			461	461			463		463	
12	Knight—To Idaho House of Representatives	575			575	575			579		579	

SENATE CONCURRENT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	McShane-Knight—Federal National Guard; Opposed	461	478		511	531	531	764		773	791		March 14; 485

SENATE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	To Secretary of State	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	Clegg—Limit Terms President, U.S.A.	46	69	164	251	369	413	493					369X; 394X; 493 failed
2	Brockbank, et al.—Earmarking Sales Tax Revenue	46	69	122	174								174 failed
3	Melich-Gibson—Compensation Legislators	59	98	168	392	452	464	528	528	534	544	544	452X; 464X
4	Melich—Constitutional Convention	59	98	166	302								322; 302 failed
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE JOINT RESOLUTIONS *(Continued)*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
5	Brockbank, et al.—State Superintendent of Public Instruction	72	115	207									792F
6	Brockbank, et al.—State Superintendent of Public Instruction	72	115	170									395; 792F
7	Clegg—Federal Economy	83	115	207									792F
8	Com. on Rules and Contingent Expenses— Officers and Employees Compensation	123	155		155	155	156	192	193	214	224	224	
9	Day-McShane—Policy on Revenues and Expenditures	106	156	268									792F
10	McShane, et al.—Legislative Apportionment	123	214	266									792F
11	Day, et al.—State Retirement System	123	176	234	626	626	626	740		753	790	790	
12	McShane, et al.—Heavy Vehicle Traffic	123	177	283	626	626	626	740		753	790	790	
13	Knight, et al.—Tax Exemption, Disabled Veterans	124	214	332									481F
14	Knight, et al.—Veterans in Penal Institutions	145	215	245	481	510	510	592	592	630	647	647	
15	Knight-Marthakis—Emergency Service Corps	145	215	245	481	510	510	763		772	790	790	
16	Day, et al.—Junior Reserve Officer Training Corps Units	183	227	307	482	510	510	763		772	791	791	
17	McShane, et al.—Combination Cities and Counties	220	228	358									792F
18	Hopkin, et al.—Institutions of Higher Learning	220	228	281									792F
19	McShane-Day—City Manager Form of Government	236	255	356									792F
20	Knight—Electronic Bells	300	305	355	482	510	511						792F
21	McShane, et al.—Repeal Transportation Tax	339	411	452									792F
22	Elggren, et al.—Condolences, Family of Sen. J. Arthur Bailey	358			358	358	358	363		367	373	373	
23	Day—Navajo Treaty	407	425	495									792F
24	Hopkin, et al.—Commend. Utah-Colorado River Comm'r.	407	425	495									792F
25	Marthakis-Larsen—Liquor by the Drink	438	468	555									792F
26	Jensen-Fowles—World Government Constitution	438	468	529									792F

HOUSE BILLS

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Concur; Conference Committee	Signed by President	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
2	Doty, et al.—Four-year Degrees, Weber College	175		211	238	238	241	326	348	O; 223
6	Faust-Cayias—Foreign Executors	150	233	272	288	434				288; 341; 342X; 434 failed
7	Davis-Faust—Recording Fees	224	265	344	344	344	365	399	488	
8	Davis-Faust—Clerk Fees	224	265	344	344	345		400	489	
9	Walker, et al.—State Participation, General Election Costs	139	208	272						272 failed
11	Larsen, et al.—Physical Examinations Fees and Expenses	195	234	272	288	288	291	326	377	
12	Murch-Davis—Centennial Commission Property Disposal	150	265	345	361	361	366	400	489	
13	Bonacci—Mediation Division; Industrial Commission	404	420	587						598; 792F
14	Larson—Improvement Districts	292	353	502	531	556	602	647		March 18; 455X; 464X; 475X; 537; 555; 564; 577; 600
17	Larson, et al.—Assistant Engineer Diesel Locomotives	326	386							792F
18	Jarman, et al.—Exemption Fuel Tax Non-highway Use	577								717; 792F
19	Dean—Vocational School Damage; Appropriation	213	235	273	273	273		327	363	
21	Davis, et al.—Credit Unions	213	266	345	345	345		400	489	
22	Larson—Narcotic Drugs Act	559								792F
23	Bonacci, et al.—Repeal Clegg-Vest Act	415		682						682T; 735; 792F
24	Bonacci, et al. (Rewritten)—Workmen's Insurance	445	500	590	653	654		694		March 16; 590
26	Jack, et al.—Court Reporters Compensation	366	420	588	588	589		648		March 11
27	Jack—Welfare Commission; Appropriation	195	262	288	343	343	349	446	490	288X; 302X 311; 379; 437; 445
28	Jack—Void Marriages	601		704	718	718	741	781		704; O, March 17
29	Jack, et al.—Library Employees Retirement	242	300	361	371	372		410	490	301
30	Roberts, et al.—Deputy District Attorneys	225	263	288	589	589	601	648		March 17; 289; 420; 589
33	Davis—Counsel in Indigents Appeal	225	263	289						289 failed
1	2	3	4	5	6	7	8	9	10	14

HOUSE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	14
34	Davis—Indigents Counsel Compensation	225	264	289						289 failed
35	Aldous-White—Destructive Birds; Crows	380	420							792F
37	Aldous—Special Deer Permit	140		147	173	173		196	399	
42	Anderson-Aldous—Elk Permits; Time Limit	151	261	288	371	371	379	401		288; 344; 361; 478; 503
						504	515	524	609	
43	Cayias-Faust—Work Day; Public Works, Penal Institutions	315	386	409						409 failed
44	Cayias-Faust—Time Extension; Sub-contractors Lien	226	264	289	322	323	349	401	490	289X; 313X; 322
51	Johnson, et al.—Replacement Wells	402	501	655	669	669	697	728		March 14; 655X; 668
52	Rees—Jury Commissioners Salary	226	265	290	342	343	366	402	491	
53	Anderson, et al.—Big Game Board	328	385							792F
54	Jack, et al.—Registration Agents Compensation	227	264	290	342	342	349	402	491	
55	Jack, et al.—Election Judges Compensation	227	264	290	342	342	350	458	524	379; 436; 437
58	Jack, et al.—Polling Places	140	201	271	287	288		327	377	
59	Anderson—Fishing and Hunting by Aliens	381		396	409	409	424	446	504	
66	Davis, et al.—Used Car Sales Tax	524		588	588	588	595	649		March 12; 532; 580
68	Stewart-Davis (Rewritten)—Pract. Nurses; License; Schools	491	516	590	598	598		658		March 12
69	Cope-Cannon—Automobile Insurance; Finance Companies	350	421	670	670	670		729		March 12
70	Larsen-Marble—Destruction Records, Board of Education	659		693	693	693		764		March 12
73	Jack—Grand Army of the Republic Highway	568		653	653	653		694		March 12
77	Jarman, et al.—Motor Fuel Tax; Reserve Fund	585								792F
78	Cayias—Work Week; Public Projects	292	306	362	372	372		411	492	
80	Marble, et al.—Apprentice Training; Appropriation	467	507	690	690	691	723	781		March 16
82	Tippetts, et al.—State Board of Education; Corporate Entity	572		724	724					724T; 792F
86	Bonacci—Driver License Revocation	242	353	455	476	508		525	609	503
88	Johnson, et al.—State Engineer; Transfer	403	501							792F
89	Baker—Sunday Closing	253	320	590		591				590 failed
94	Committee on Municipal and County Affairs—City Managers	293	354	455	475	476		525	610	
95	Committee on Municipal and County Affairs— Zoning Ordinances; Commissioner	293	354	454	465	475	493	526	610	475
96	Committee on Municipal and County Affairs— Officers Towns Second and Third Class	274	354	453	465	465	492	526	610	

HOUSE BILLS (Continued)

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102	Committee on Municipal and County Affairs—Nomination and Election, City Judge	274	421	654	654	654		782		March 12
106	Bell-O. W. Young—School Lunch Fund; Appropriation	380								792F
107	Anderson, et al.—Life Preservers	275	320							484; 792F
108	White, et al.—Water Conservation Districts	458	502	581	581	581	595	649		March 14
112	Murch, et al.—Bond Issues, Housing Projects	673								792F
113	Bonacci, et al.—Portal-to-portal Pay	559								721; 792F
114	Croft, et al.—Time Limit On Dishonored Checks	294	320	455	476	476	492	527	611	
115	Croft, et al.—Bank Examinations	304	320	456	476	476		527	611	
116	Bell—10c Hunting License	381	421							792F
125	Johnson, et al.—Stock in Irrigation Companies	403	502	689	690	690		765		March 14
127	Anderson—Visible License; Badge	380	421							792F
134	Baker—Glen W. Crosby; Appropriation	659		689	689	689		765		O, March 15
138	Johnson, et al.—Predatory Animals	612		718	718	718		782		March 14
139	Tippitts, et al. (Rewritten)—School Board Election	459	480							792F
147	Davis, et al.—Policemen's Pension; Maximum	578								792F
150	Olsen—Road Contracts	659								792F
155	Anderson-Cope—Highway Engineers Civil Service	586								792F
160	Jack, et al.—State Retirement Act	578		676	680	680	697	766		March 17; 654X; 668X; 680
161	Mitchell, et al.—Tax Levies	660		720	720	720	741	783		Not signed
163	Aldous, et al.—Recreation Fund Levies	660		721	721	721		783		Not signed
164	Jarman, et al. Diesel Fuel Tax Increase	602								792F
165	Jarman, et al.—Evaporation Allowances, Gas Tax	661								792F
1	2	3	4	5	6	7	8	9	10	14

HOUSE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	14
166	Bonacci, et al.—Restrictions, Unemployment Compensation	397		398	398	398		459	560	394
167	Kerr, et al.—Artificial Insemination; Domestic Animals	579		689	689	689	730	784		March 14
168	Bonacci, et al.—Saturday Closing Banks During Summer	661		703	703	703		766		March 12
172	Young—Non-resident Tuition Fee, U. of U.; U.S.A.C.	546		669	681	681	729	767		March 17
174	Patterson-Hurst—Fishing Limits; Colorado, San Juan, Green Rivers	661		719	719	719		785		March 12
178	Lyman-Jarman—Mine Occupation Tax	662		688	688	688		767		March 14
179	Lyman-Jarman—Net Proceeds Tax	662		688	688	688		785		March 14
184	Johnson, et al.—Water; Power projects; Collection Transfer	663		690	690	690		768		March 14
188	Jack-Cope—Property Tax Exemption for Blind	569		682	682	682	729	768		March 17
189	Jack—Consultant Sight Conservation	585		722	722	722	738	768		O, March 15
201	Woolley, et al.—Fees, Small Claims Court	697								792F
207	Woolley, et al.—Motor Fuel Taxes	565								792F
209	Cullimore—Cities and School Districts Cooperation	698		719	719	719		785		March 14
213	Albrecht—Crippling Children's Diseases; Appropriation	467	508	581	597	597	667	693		March 11; 613; 635; 663
234	Openshaw-Woolley—Motor Fuels	663		718	718	718		786		O, March 16
237	Tippetts, et al.—Non-resident Income Tax	664								792F
239	Insurance Committee—Fees Countersigning Insurance Policies	547		720	720	720		769		March 14
240	Insurance Committee—Bond Non-resident Agents (Reconsideration)	547		589	589	590	602	650		March 16; 678
		678		681	681	681		769		
241	Insurance Committee—License Fees Cooperative Associations	547								792F
247	Bonacci-Olson (Rewritten)—Ventilation, Coal Mines	674		687	687	687		786		March 17
249	Jack, et al.—Repeal Welfare Lien	548								792F
253	Roberts—Radio Station Highway Patrol; Appropriation	595		670	671	671	689	730		March 11
257	Cazier, et al.—Damage by Big Game	650		724	724	724		787		716; 720; O, March 18
268	Cayias-Faust—Libelous Broadcasts	664		719	719	720		770		March 16
270	Preece-Jensen—Stray Animals Trespass	714								792F
272	Cayias—Eligibility Legislators	424	580	632	632	632	651	664		Not signed; 589; 598X
281	Kerr, et al.—Election Hours	572		654	654	654		695		March 14
283	Openshaw-Aldous—One-half Mill Levy Flood Control	665		721	721	721		787		March 14
286	Larson—Obnoxious Fumes	715								792F

HOUSE BILLS *(Continued)*

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293	Appropriation Committee—Appropriations	539		539	556	557 574	725 754	788		March 19; 541; 566X; 570; 573; 676; 692; 725; 739; 755
294	Faust, et al.—Liquor Locker System	651								792F
296	Stewart—Dept. of Veteran Affairs; Appropriation	665		703	703	703	731	788		March 11
297	Jack, et al.—Welfare Recipients Fraud	651		718	718	718		789		March 12
298	Anderson—Maintenance Legislative Chambers; Approp.	691		691	691	691		770		March 11
299	Anderson—Advertising Constitutional Amendments	738		738	738	738		789		March 11
1	2	3	4	5	6	7	8	9	10	14

HOUSE CONCURRENT MEMORIALS

1	2	3	4	5	6	7	8	9	10	14
1	Roberts, et al.—Storm Damage to Livestock	113		113	113	113		149	467	

HOUSE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Concur; Conference Committee	Signed by President		References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
1	Faust, et al.—Condolences to Family of Joseph E. Rees	25		26	26	26		97		
2	Faust, et al.—Condolences to Family of Frank W. Penrose	45		45	45	46		97		
3	Anderson—Congratulations, Harry S. Truman	66		66	66	67		98		
5	Larson-Tippetts—Superintendent of Public Instruction	364	385	632	632	633		666		484; 598X
6	Larson-Tippetts—Superintendent of Public Instruction	365	419	633	633	633	652	666		598X
9	White, et al.—Condolences to Family of James B. Wilson	193		193	193	194		212		
10	Jack—March of Dimes Support	194		194	194	194	212	212		
13	Roberts—Big Game Emergency	328	419							792F

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ERRATA

Page

89, Rev. & Enr. Committee report, S. B. 16; duplicated P. 157.

171, Committee on Education report, S. B. 31; duplicated P. 206.

201, S. B. 13, "rewritten" has been omitted.

229, Authors S. B. 158; correction: Mr. Brockbank to be placed first.

233, S. B. 9, "rewritten" has been omitted.

252, S. B. 47; correct caption "Unfinished Business".

267, S. B. 35, "rewritten" has been omitted.

269, S. B. 16, "rewritten" has been omitted.

288, H. B. 6, correct caption "Unfinished Business".

299, Rev. & Enr. Committee report, S. B. 172; duplicated P. 307.

332, Authors S. J. R. 13; correction: Mr. Knight to be placed first.

332, S. B. 177, "S. B. No. 77 was transmitted to the House." has been omitted.

580, S. B. 261; erroniously printed as H. B. 261.